

79TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 20, 1975

1. PRESIDENT:

2. The hour of nine having arrived, the Senate will come to order.
3. The prayer will be by the Father Hugh P. Cassidy, Blessed Sacrament
4. Church, Springfield, Illinois. Will our guests in the gallery please
5. rise.

6. (Prayer given by Father Hugh P. Cassidy)

7. PRESIDENT:

8. For what purpose does Senator Soper arise?

9. SENATOR SOPER:

10. Just a...on a point of inquiry, Mr. President. Is this the
11. time to strike all bills on Postponed Consideration?

12. PRESIDENT:

13. Not yet, almost.

14. SENATOR SOPER:

15. Okay.

16. PRESIDENT:

17. Reading of the Journal.

18. SECRETARY:

19. Wednesday, May 14th, 1975, Thursday, May the 15th, 1975.

20. PRESIDENT:

21. Senator Johns.

22. SENATOR JOHNS:

23. Good morning, Mr. President. I move that further reading of
24. the Journals of Wednesday, May the 14th, 1975 and Thursday, May the
25. 15th, 1975 be dispensed with and unless some Senator has corrections
26. to offer the Journal would stand approved.

27. PRESIDENT:

28. You heard the motion. All in favor will say Aye. Opposed Nay.
29. The Ayes have it. The motion carries. Senator Johns.

30. SENATOR JOHNS:

31. Mr. President, I further move that the reading and approval of
32. the Journals of Thursday, May the 1st, Friday, May the 2nd, Tuesday,
33. May the 6th, Friday, May the 16th, Monday, May the 19th all of 1975

1.. be postponed pending arrival of the printed Journals.

2.. PRESIDENT:

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

5. SECRETARY:

6. Senator Donnewald, Chairman of the Assignment of Bills, assigns
7. the following to Committee: Agriculture, Conservation and Energy -
8. House Bill 676; Executive - House Bills 454, 529, 623, 804, 981 and
9. 1121; Finance and Credit Regulations - House Bills 893, 1469; In-
10. surance and Licensed Activities - House Bill 45; Judiciary - House
11. Bills 46, 212 and 260; Local Government - House Bill 973; Pension,
12. Personnel and Veterans Affairs - House Bill 987; Public Health, Welfare
13. and Corrections - House Bills 692 and 1860; Revenue - House Bills
14. 955 and 956; Transportation - House Bills 940 and 146.

15. PRESIDENT:

16. Message from the House.

17. SECRETARY:

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

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

23. House Bills 999, 1034, 1035, 1037, 1041, 1042, 1043, 1044, 1045,
24. 1047, 1056, 1057, 1059, 1061, 1065, 1069, 1072, 1074, 1079, 1084, 1086,
25. 1089, 1092, 1094, 1095, 1098 and 1117.

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

27. Mr. President - I'm directed to inform the Senate that the
28. House of Representatives has adopted the following preamble and Joint
29. Resolution, in the adoption of which I am instructed to ask the con-
30. currence of the Senate, to-wit:

31. House Joint Resolution 52.

32. PRESIDENT:

33. Secretary's Desk. Senator Rock.

1. SENATOR ROCK:

2. Thank you...thank you, Mr. President. On the order of the Con-
3. stitutional Amendments on 2nd reading, page 49 of the Calendar, I
4. would ask leave of the Body at this time to go to that order of business
5. and we can read the Constitutional Amendment.

6. PRESIDENT:

7. Is leave granted? Leave is granted. We're on the order of
8. Constitutional Amendments, 2nd reading. Senate Joint Resolution 26.
9. Senator Rock.

10. SECRETARY:

11. Senate Joint Resolution No. 26.

12. (Secretary reads HJR 26)

13. 2nd reading of Senate Joint Resolution 26.

14. PRESIDENT:

15. Any amendments? 3rd reading. If members have House Bills on
16. 1st reading that they desire to move, come to the Secretary and give
17. him the number, please. House Bills on 1st reading. House Bill 110,
18. Senator Schaffer.

19. SECRETARY:

20. House Bill 110.

21. (Secretary reads title of bill)

22. 1st reading of the bill.

23. PRESIDENT:

24. House Bill 111, Senator Kosinski.

25. SECRETARY:

26. House Bill 111.

27. (Secretary reads title of bill)

28. 1st reading of the bill.

29. PRESIDENT:

30. House Bill 160, Senator Nudelman.

31. SECRETARY:

32. House Bill...

33. PRESIDENT:

1. 160.
2. SECRETARY:
3. House Bill...House Bill 160.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDENT:
7. House Bill 164, Senator Harris.
8. SECRETARY:
9. House Bill 164.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDENT:
13. House Bill 170, Senator Course.
14. SECRETARY:
15. House Bill 170.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDENT:
19. House Bill 216, Senator Regner.
20. SECRETARY:
21. House Bill 216.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDENT:
25. House Bill 316, Senator Regner.
26. SECRETARY:
27. House Bill 316.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDENT:
31. House Bill 322, Senator Glass.
32. SECRETARY:
33. House Bill 322.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDENT:
4. House Bill 378, Senator Kosinski.
5. SECRETARY:
6. House Bill 378.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDENT:
10. House Bill 501, Senator Philip.
11. SECRETARY:
12. House Bill 501.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDENT:
16. House Bill 504, Senator Lemke.
17. SECRETARY:
18. House Bill 504.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDENT:
22. House Bill 563, Senator Philip. House Bill...take that one out
23. of the record. House Bill 554, Senator Graham.
24. SECRETARY:
25. House Bill 554.
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDENT:
29. House Bill 563, Senator Philip.
30. SECRETARY:
31. House Bill 563.
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDENT:
2. House Bill 569, Senator Regner.
3. SECRETARY:
4. House Bill 569.
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR VADALABENE)
8. House Bill 640, Senator Dougherty.
9. SECRETARY:
10. House Bill 640.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR VADALABENE)
14. House Bill 641, Senator Dougherty.
15. SECRETARY:
16. House Bill 641.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR VADALABENE)
20. House Bill 674, Senator Shapiro.
21. SECRETARY:
22. House Bill 674.
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR VADALABENE)
26. House Bill 679, Senator Carroll.
27. SECRETARY:
28. House Bill 679.
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR VADALABENE)
32. House Bill 682, Senator Newhouse.
33. SECRETARY:

1. House Bill 682.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER: (SENATOR VADALABENE)
5. House Bill 689, Senator Dougherty.
6. SECRETARY:
7. House Bill 689.
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR VADALABENE)
11. House Bill 752, Senator Berning. Okay. Senator Glass, what...
12. SENATOR GLASS:
13. A Parliamentary Inquiry, Mr. President. I'm wondering if it
14. would be possible to move a matter on Consideration Postponed on
15. to the Secretary's Desk.
16. PRESIDING OFFICER: (SENATOR VADALABENE)
17. Senator Glass, you're out of order at this time.
18. SENATOR GLASS:
19. Well, thank you, Mr. President.
20. PRESIDING OFFICER: (SENATOR VADALABENE)
21. House Bill 733, Senator Carroll.
22. SECRETARY:
23. House Bill 733.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR VADALABENE)
27. 752. House Bill 752, Senator Berning.
28. SECRETARY:
29. House Bill 752.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR VADALABENE)
33. House Bill 782, Senator Regner.

1. SECRETARY:
2. House Bill 782.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR VADALABENE)
6. House Bill 847, Senator Bruce.
7. SECRETARY:
8. House Bill 847.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR VADALABENE)
12. House Bill 886, Senator Shapiro.
13. SECRETARY:
14. House Bill 886.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR VADALABENE)
18. One moment, please. Senator Schaffer on House Bill 78...or 886.
19. House Bill 940, Senator Lemke.
20. SECRETARY:
21. House Bill 940.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR VADALABENE)
25. House Bill 952, Senator Carroll. While we're waiting for House
26. Bill 952, has the Page found my glasses yet?
27. SECRETARY:
28. House Bill 952.
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR VADALABENE)
32. House Bill 963, Senator Schaffer.
33. SECRETARY:
34. House Bill 963.

1. (Secretary reads title of bill)

2. 1st reading of the bill.

3. PRESIDING OFFICER: (SENATOR VADALABENE)

4. House Bill 964, Senator Lemke.

5. SECRETARY:

6. House Bill 964.

7. (Secretary reads title of bill)

8. 1st reading of the bill.

9. PRESIDING OFFICER: (SENATOR VADALABENE)

10. House Bill 1030, Senator Regner. My glasses are back, too. 1030.

11. SECRETARY:

12. House Bill 1030.

13. (Secretary reads title of bill)

14. 1st reading of the bill.

15. PRESIDING OFFICER: (SENATOR VADALABENE)

16. House Bill 1097, Senator Moore and Senator Soper.

17. SECRETARY:

18. House Bill 1097.

19. (Secretary reads title of bill)

20. 1st reading of the bill.

21. PRESIDING OFFICER: (SENATOR VADALABENE)

22. House Bill 1529, Senator Chew. Take it out of the record. House
23. Bill 1479, Senator Dougherty.

24. SECRETARY:

25. House Bill 1479.

26. (Secretary reads title of bill)

27. 1st reading of the bill.

28. PRESIDING OFFICER: (SENATOR VADALABENE)

29. House Bill 1529, Senator Chew.

30. SECRETARY:

31. House Bill 1529.

32. (Secretary reads title of bill)

33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR VADALABENE)
2. House Bill 1788, Senator Regner.
3. SECRETARY:
4. House Bill 1788.
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR VADALABENE)
8. House Bill 1808, Senator Shapiro.
9. SECRETARY:
10. House Bill 1808.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR VADALABENE)
14. House Bill 1810, Senator Shapiro.
15. SECRETARY:
16. House Bill 1810.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR VADALABENE)
20. House Bill 2157, Senator Harber Hall.
21. SECRETARY:
22. House Bill 2157.
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR VADALABENE)
26. House Bill 2982, Senator Regner. Take it out of the record.
27. House Bill 2617, Senator Course.
28. SECRETARY:
29. House Bill 2617.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR VADALABENE)
33. House Bill 2982, Senator Regner.

1. SECRETARY:
2. House Bill 2982.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR VADALABENE)
6. House Bill 2998, Senator Demuzio.
7. SECRETARY:
8. House Bill 2998.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR VADALABENE)
12. House Bill 145, Senator Regner.
13. SECRETARY:
14. House Bill 145.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR VADALABENE)
18. House Bill 155, Senator Nimrod.
19. SECRETARY:
20. House Bill 155.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR VADALABENE)
24. House Bill 175, Senator Egan.
25. SECRETARY:
26. House Bill 175.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR VADALABENE)
30. House Bill 176, Senator Egan.
31. SECRETARY:
32. House Bill 176.
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR VADALABENE)
3. House Bill 367, Senator Weaver.
4. SECRETARY:
5. House Bill 367.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR VADALABENE)
9. House Bill 372, Senator Weaver.
10. SECRETARY:
11. House Bill 372.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR VADALABENE)
15. House Bill 382, Senator Weaver.
16. SECRETARY:
17. House Bill 382.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR VADALABENE)
21. House Bill 566, Senator Weaver.
22. SECRETARY:
23. House Bill 566.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR VADALABENE)
27. House Bill 756, Senator Hickey.
28. SECRETARY:
29. House Bill 756.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR VADALABENE)
33. House Bill 768, Senator Weaver.

1. SECRETARY:
2. House Bill 768.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR VADALABENE)
6. House Bill 894, Senator Harris.
7. SECRETARY:
8. House Bill 894.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR VADALABENE)
12. House Bill 1269, Senator Lane and Senator Don Moore.
13. SECRETARY:
14. House Bill 1269.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR VADALABENE)
18. House Bill 1849, Senator Don Moore and Senator Shapiro.
19. SECRETARY:
20. House Bill 1849.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR VADALABENE)
24. House Bill 2170, Senator Hickey.
25. SECRETARY:
26. House Bill 2170.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR VADALABENE)
30. House Bill 2210, Senator Hickey.
31. SECRETARY:
32. House Bill 2210.
33. (Secretary reads title of bill)

1 1st reading of the bill.
2 PRESIDING OFFICER: (SENATOR VADALABENE)
3 House Bill 2218, Senator Kenny Hall.
4 SECRETARY:
5 House Bill 2218.
6 (Secretary reads title of bill)
7 1st reading of the bill.
8 PRESIDING OFFICER: (SENATOR VADALABENE)
9 House Bill 2221, Senator Kenny Hall.
10 SECRETARY:
11 House Bill 2221.
12 (Secretary reads title of bill)
13 1st reading of the bill.
14 PRESIDING OFFICER: (SENATOR VADALABENE)
15 House Bill 2222, Senator Kenny Hall.
16 SECRETARY:
17 House Bill 2222.
18 (Secretary reads title of bill)
19 1st reading of the bill.
20 PRESIDING OFFICER: (SENATOR VADALABENE)
21 House Bill 2224, Senator Kenny Hall.
22 SECRETARY:
23 House Bill 2224.
24 (Secretary reads title of bill)
25 1st reading of the bill.
26 PRESIDING OFFICER: (SENATOR VADALABENE)
27 House Bill 2236, Senator Wooten.
28 SECRETARY:
29 House Bill 2236.
30 (Secretary reads title of bill)
31 1st reading of the bill.
32 PRESIDING OFFICER: (SENATOR VADALABENE)
33 House Bill 2237, Senator Wooten.
34 SECRETARY:
35 House Bill 2237.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR VADALABENE)
4. House Bill 2763, Senator Joyce.
5. SECRETARY:
6. House Bill 2763.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR VADALABENE)
10. House Bill 2768, Senator Joyce.
11. SECRETARY:
12. House Bill 2768.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR VADALABENE)
16. House Bill 2872, Senator Schaffer.
17. SECRETARY:
18. House Bill 2872.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR VADALABENE)
22. House Bill 2875, Senator Schaffer.
23. SECRETARY:
24. House Bill 2875.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR VADALABENE)
28. House Bill 2868, Senator Savickas.
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR VADALABENE)
31. House Bill 2869, Senator Savickas.
32. SECRETARY:
33. House Bill 2869.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR VADALABENE)
4. Senator Rock wishes to be recognized. Senator Rock.
5. SENATOR ROCK:
6. A point of personal privilege, Mr. President.
7. PRESIDING OFFICER: (SENATOR VADALABENE)
8. State your point.
9. SENATOR ROCK:
10. I wish to have recognized the gentleman who comes over all to
11. seldom. The distinguished Assistant Minority Leader of the House,
12. Mr. William Walsh.
13. PRESIDING OFFICER: (SENATOR VADALABENE)
14. Bill Walsh. While there's a break in the action. Any member,
15. any Senator on the Floor wishing to pick up House bills, would you
16. come up to the Secretary's Desk and give the Secretary the number
17. of the House Bill. We're on the order of 1st reading. House Bill
18. 557, Senator Knuppel. House Bill 557, Senator Knuppel.
19. SECRETARY:
20. House Bill 557.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR VADALABENE)
24. House Bill 858, Senator Mitchler.
25. SECRETARY:
26. House Bill 858.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR VADALABENE)
30. House Bill 716, Senator Hickey.
31. SECRETARY:
32. House Bill 716.
33. (Secretary reads title of bill)

911
5/20/75
1st Reading

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR VADALABENE)
3. House Bill 911, Senator Knuppel.
4. SECRETARY:
5. House Bill 911.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR VADALABENE)
9. House Bill 922, Senator Knuppel.
10. SECRETARY:
11. House Bill 922.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR VADALABENE)
15. House Bill 1230, Senator Knuppel.
16. SECRETARY:
17. House Bill 1230.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR VADALABENE)
21. House Bill 1232, Senator Knuppel.
22. SECRETARY:
23. House Bill 1232.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR VADALABENE)
27. House Bill 1237, Senator Knuppel.
28. SECRETARY:
29. House Bill 1237.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR VADALABENE)
33. House Bill 1244, Senator Knuppel.

1. SECRETARY:
2. House Bill 1244.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR VADALABENE)
6. House Bill 1246, Senator Knuppel.
7. SECRETARY:
8. House Bill 1246.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR VADALABENE)
12. House Bill 1247, Senator Knuppel.
13. SECRETARY:
14. House Bill 1247.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR VADALABENE)
18. House Bill 1248, Senator Knuppel.
19. SECRETARY:
20. House Bill 1248.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR VADALABENE)
24. House Bill 1255, Senator Knuppel.
25. SECRETARY:
26. House Bill 1255.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR VADALABENE)
30. House Bill 1357, Senator Knuppel.
31. SECRETARY:
32. House Bill 1357.
33. (Secretary reads title of bill.)

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR VADALABENE)
3. House Bill 1468, Senator Knuppel.
4. SECRETARY:
5. House Bill 1468.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR VADALABENE)
9. House Bill 2155, Senator Knuppel.
10. SECRETARY:
11. House Bill 2155.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR VADALABENE)
15. House Bill 829, Senator Moore. Don Moore and Senator Chew.
16. SECRETARY:
17. House Bill 829.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR VADALABENE)
21. House Bill 13, Senator Berning.
22. SECRETARY:
23. House Bill 13.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR VADALABENE)
27. House Bill 15, Senator Berning.
28. SECRETARY:
29. House Bill 15.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR VADALABENE)
33. House Bill 512, Senator Dougherty.

1. SECRETARY:
2. House Bill 512.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR VADALABENE)
6. House Bill 942, Senator Buzbee.
7. SECRETARY:
8. House Bill 942.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR VADALABENE)
12. House Bill 628, Senator Clarke.
13. SECRETARY:
14. House Bill 628.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR VADALABENE)
18. House Bill 1787, Senator Regner.
19. SECRETARY:
20. House Bill 1787.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR VADALABENE)
24. Mr. President Partee, we have just completed the House Bills
25. on 1st reading.
26. PRESIDENT:
27. Senate Bills on 3rd reading. Senator...Senate Bill 1175, Senator
28. Bell, or Senator Bruce. Neither are here. Senate Bill 1179, Senator
29. Bruce. Senate Bill 1192, Senator Rock. Senate Bill 1247, Senator
30. Rock. I'm asking leave to return to Senate Bill 1250 later in the
31. day. Is there leave? Leave is granted. Senate Bill 1252, Senator
32. Netsch. Read the bill.
33. SECRETARY:

1. Senate Bill 1252.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Netsch.

6. SENATOR NETSCH:

7. Mr. President, the bill was requested by the Consumer's office
8. and grew out of complaints that had been registered with them. The...
9. what it does as in its final version is to, in effect, provide for
10. the return to the heirs of monies that may have been paid in anticipa-
11. tion of certain burial expenses and for which the services are never
12. finally realized. For example the...it provides for a refund...I can't
13. hear, Mr. President.

14. PRESIDENT:

15. One moment, please. Senator Egan, would you take your conference
16. off the floor. The Lady is disturbed as am I. Could we have your
17. attention, please. Senator Netsch. Senator Harris, for what purpose
18. do you arise?

19. SENATOR HARRIS:

20. Well, I'd just like to join Senator Netsch in support of this
21. bill. It's a good bill and we ought to have a roll call.

22. PRESIDENT:

23. Any further discussion? The question is shall Senate Bill 1252
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. On
26. this question the Ayes are 36, the Nays are 1. Senate Bill 1252
27. having received a constitutional majority is declared passed. Senate
28. Bill 1255, Senator Knuppel.

29. SECRETARY:

30. Senate Bill 1255.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. Mr. President and members, Senate Bill 1255 is designed to allow
4. the Office of General Services, upon written approval of the Governor,
5. to sell properties which has an appraised value of less than twenty-
6. five thousand dollars, and if the Department shall offer such property
7. for sale, only after it's determined that there does not exist a current
8. or future alternative use, and after advertising it at least three
9. times in a daily newspaper of general circulation in the county or
10. counties where the land is situated. The last publication to be at
11. least ten days prior to the date of sale. I consider this good legis-
12. lation on small holdings of the State...requires an appraisal. I think
13. it should have a favorable roll call and I'd request the same. Thank
14. you.

15. PRESIDENT:

16. Any further discussion? The question is shall Senate Bill 1255
17. pass. Those in favor will vote Aye. Opposed. Nay. The voting is open.
18. Have all voted who wish? Take the record. On this question the Ayes
19. are 42, the Nays are none. 1 Voting Present. Senate Bill 1255 having
20. received a constitutional majority is declared passed. Senate Bill
21. 1283, Senator Knuppel. Senate Bill 1285, Senator Graham. Read the
22. bill.

23. SECRETARY:

24. Senate Bill 1285.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Graham.

29. SENATOR GRAHAM:

30. Mr. President and members of the Senate. This bill does exactly
31. what the Calendar says it does. It's a bill that was requested by the
32. State Board of Elections to help out in their purpose for the conduct
33. of elections, and I request a favorable roll call.

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
5. Seldom do I rise against or in opposition to a bill sponsored by my
6. friend, Senator Graham. But I am, frankly, at a loss to explain exactly
7. what the purpose of this bill is. We...we, seemingly, by virtue of
8. this bill are preempting the prerogatives of the Board, and I wonder
9. why we're trying to do that.

10. PRESIDENT:

11. Senator Graham.

12. SENATOR GRAHAM:

13. Take it out of the record.

14. PRESIDENT:

15. Take it out of the record. Senate Bill 1287, Senator Graham.
16. Senator Graham, I might inquire, did you and Senator Rock get to-
17. gether on this in reference to an amendment he has?

18. SENATOR GRAHAM:

19. I think...Senator Rock...did he have an amendment? Can we skip
20. that one temporarily. Senator Rock had an amendment and we were talking
21. about it.

22. PRESIDENT:

23. Take it out of the record and we'll get back to it after you two
24. should have gotten together.. Senate Bill 1288, Senator Graham.

25. SECRETARY:

26. Senate Bill 1288.

27. (Secretary begins reading title of bill)

28. PRESIDENT:

29. Do you want to hold that one too? Hold it. Senate Bill 1290,
30. Senator Dougherty.

31. SECRETARY:

32. Senate Bill 1290.

33. (Secretary reads title of bill)

1 3rd reading of the bill.

2 PRESIDENT:

3 Senator Dougherty.

4 SENATOR DOUGHERTY:

5 Thank you, Mr. President. Senate Bill 1290 provides, simply this.
6 That an illiterate voter, or voter who does not understand the English
7 language completely, may ask a friend or a relative to assist him in
8 voting. This removes the...that does not remove, but it's an implemen-
9 tation of the...Voter Assistant Act that provides for the judge...two
10 judges to go in and assist the voter. In this particular case it just
11 provides that a friend or a relative of their own choice may go in and
12 assist them in voting, providing they do not understand the English
13 language. I ask for a favorable vote on this bill.

14 PRESIDENT:

15 Any further discussion? Senator Nimrod.

16 SENATOR NIMRÖD:

17 Mr. President and fellow Senators. I concur with Senator Dougherty
18 on the concept. However, I think we're leaving ourselves wide open
19 on this particular issue by not allowing the judges to observe a rel-
20 ative or friend, and it certainly is deviates from the normal pro-
21 cedure when you have other people involved in the election process.
22 I think it would have just been good...just good legislation and
23 certainly good Government to have the judges be able to observe, and
24 you've excluded them and in that case I would ask our colleagues on
25 this side not to support this one.

26 PRESIDENT:

27 Any further discussion? The question is shall Senate Bill 1290
28 pass? Those in favor will vote Aye. Those opposed Nay. The voting
29 is open. Have all voted who wish? Take the record. On this question
30 the Ayes are 35, the Nays are 9, 2 Voting Present. Senate Bill 1190
31 having received a constitutional majority...1290, Senate Bill 1290
32 having received a constitutional majority is declared passed. Senate
33 Bill 1292, Senator Lemke.

1. SECRETARY:

2. Senate Bill 1292.

3. (Secretary reads title of bill).

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Lemke.

7. SENATOR LEMKE:

8. Senate Bill 1292 has been amended to apply only to employees of
9. state units of local and municipal governing school districts. In
10. other words it remedies a situation that was caused by a recent decision
11. of Henderson versus Urbana Park District, which said...had some imple-
12. cation that said that possibly wage assignments would be against the
13. State. We originally drafted this bill in conjunction and agreement
14. with the finance companies, the banks, the savings and loans and the
15. labor unions to specifically make the law clear that wage assignments
16. do not apply to municipal or state, or employees of school districts,
17. which is presently the law now. But, this clears it up and eliminates
18. the possibility of going to court and having to decide it.

19. PRESIDENT:

20. Any further discussion? The question is shall Senate Bill 1292
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 44, the Nays are none. Senate Bill 1292 having
24. received a constitutional majority is declared passed. Senate Bill
25. 1287, Senator Graham. Read the bill.

26. SECRETARY:

27. Senate Bill 1287.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Graham.

32. SENATOR GRAHAM:

33. I don't know...I don't know how anybody gets in...gets in so

1. much trouble. Take that one out of the record. It looks like we're
2. going to have to move it back to 2nd reading for an amendment. Which
3. amendment I'd like to show to Senator Rock, and could...pretty important
4. technical thing.

5. PRESIDENT:

6. He suggested to me, Senator, that they'd put the amendment on in
7. the House.

8. SENATOR GRAHAM:

9. He did?

10. PRESIDENT:

11. Yes.

12. SENATOR GRAHAM:

13. All right, let it go.

14. PRESIDENT:

15. The question is shall Senate Bill 1287 pass. All in favor will
16. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
17. Take the record. On this question the Ayes are 44, the Nays are none.
18. Senate Bill 1287 having received a constitutional majority is declared
19. passed. For what purpose does Senator Graham arise?

20. SENATOR GRAHAM:

21. I'd like leave of the Body to move 1288 back to the order of 2nd
22. reading for the purpose of Senator Pate explaining an amendment he
23. would like to have attached.

24. PRESIDENT:

25. Is there leave? Leave is granted. Senate Bill 1288 is now on
26. 2nd reading. The Chair recognizes Senator Pate Philip for Amendment
27. No. 1. Senator Philip.

28. SENATOR PHILIP:

29. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
30. Senate Bill 1288 deals with how you elect or appoint delegates to the
31. National Nominating Convention.

32. PRESIDENT:

33. Would you hold that a minute. I have...we want to...I'm going

1. to have to talk to you about that. We...we'll get in a...hold that
2. a minute. We'll get back to it today. Take it out of the record.

3. For what purpose does Senator McCarthy arise?

4. SENATOR MCCARTHY:

5. On a...on a point of personal privilege, Mr. President.

6. PRESIDENT:

7. State your point. One moment, Senator. Senator McCarthy has
8. the Floor. He is recognized. Will the members be in their seats.

9. SENATOR MCCARTHY:

10. Thank you, Mr. President and members of the Body. I rise on a
11. point of personal privilege, because we have as our guest today a
12. group of students from Taylorville Junior High School. I know I
13. had the occasion to visit with them some months ago. They're from the
14. civics class and they're under the leadership of Janet Rapay from Taylor-
15. ville. They're seated in the south end of the Senate gallery, and I
16. wonder if they'd rise to be acknowledged by the Senate.

17. PRESIDENT:

18. Senate Bill 1295, Senator Bruce.

19. SECRETARY:

20. Senate Bill 1295.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Bruce.

25. SENATOR BRUCE:

26. Yes, Mr. President, presently under our State Personnel Code to
27. handle civil service employees we do not allow grievances to be
28. handled by compulsory arbitration.

29. PRESIDENT:

30. Just a minute, Senator Bruce. Will the members be in their
31. seats and will the door keepers keep their voices down, also. Will
32. the staff stay on the sides until you're called to the Floor, and may
33. we have some order. Senator Bruce.

1. SENATOR BRUCE:

2. Yes, Mr. President, as I was saying, presently as to grievances,
3. that is where a contract has been signed and there is a disagreement
4. over the affect of language within the contract the State is prohibited,
5. and employees are prohibited from establishing a procedure to adjudicate
6. the differences between the Department and the employee. All this
7. said, is that if both the Employee Organization and the State of Illinois
8. decides that it's necessary they could submit this grievance of a
9. minor matter to compulsory, binding arbitration. We exclude that present-
10. ly, there is no reason for that exclusion. This would remove the ex-
11. clusion and allow them one more tool to resolve conflict before we go
12. to the courts.

13. PRESIDENT:

14. Any further discussion? Senator Soper.

15. SENATOR SOPER:

16. Thank you, Mr. President. Would the Senator answer a question or
17. two?

18. PRESIDENT:

19. He indicates he'll yield.

20. SENATOR SOPER:

21. Senator Bruce, you say binding arbitration. Who's duty, or who's
22. rights are you delegating to binding arbitration?

23. PRESIDENT:

24. Senator Bruce.

25. SENATOR BRUCE:

26. Well, it says compulsory arbitration. Compulsory arbitration
27. could be either binding or nonbinding. But, it would be an agreement
28. between the State of Illinois and the Employee Organization that they
29. would arbitrate these matters, and they could agree that they be binding
30. or nonbinding.

31. PRESIDENT:

32. Senator Soper.

33. SENATOR SOPER:

1. Now, do I understand you to say that between the two they could
2. decide whether or not this would be binding or not binding arbitration.

3. SENATOR BRUCE:

4. Yes.

5. SENATOR SOPER:

6. And if they...who would make the decision, the arbitrators?

7. PRESIDENT:

8. Senator Bruce.

9. SENATOR BRUCE:

10. Yes, because that's the very essence of arbitration...is it would
11. require an arbitrator.

12. PRESIDENT:

13. Senator Soper.

14. SENATOR SOPER:

15. I understand what arbitration is, but you see this isn't private
16. industry this is the State, and this involves many times money that
17. has to come from someplace, and if the...if the money would have to
18. come from additional taxes and there wasn't time to vote these additional
19. taxes, what happens on this binding arbitration for any amount of money
20. that would come out of this...out of this agreement?

21. PRESIDENT:

22. Senator Bruce.

23. SENATOR BRUCE:

24. Well, perhaps if you'd read the section that we're amending,
25. we're talking about grievances and complaints. I don't think any
26. substantial amount of money is going to be involved when you talk
27. about such things as overtime pay, whether or not a person is on
28. proper leave, whether or not they had a justifiable cause for per-
29. sonal leave. All these things are subject to arbitration. When you
30. say that you're allowed to go to the funeral of a near relative and
31. you've lived with your great aunt all your life and she dies and you
32. take a day off, whether that's a near relative could be subject to
33. arbitration. It's a matter of minor points already in the contract.

1 It's a grievance procedure.

2 PRESIDENT:

3 Senator Soper, have you finished?

4 SENATOR SOPER:

5 Well, many of these things start that you...you just flip them
6 off and say these are minor things, they don't mean anything. If
7 they're so minor what do you need a lot of outside people to come
8 in and sit down and arbitrate them. A minor grievance seems to me
9 that you're going to make a big major grievance out of a minor grievance.
10 Now, if the people...Senator Bruce, if you want to listen to me, it's
11 all right if you don't, I'll sit down. Thank you.

12 PRESIDENT:

13 Senator Glass.

14 SENATOR GLASS:

15 A question of the sponsor, Mr. President.

16 PRESIDENT:

17 He indicates he'll yield.

18 SENATOR GLASS:

19 Senator Bruce, does this arise out of the fact that the
20 Governor's Collective Bargaining Executive Order does not include
21 a provision for compulsory arbitration?

22 PRESIDENT:

23 Senator Bruce.

24 SENATOR BRUCE:

25 I don't know whether it does or not. The statute very explicitly
26 would prohibit the Department from doing the same whether or not his
27 Executive Order included it or did not include it.

28 SENATOR GLASS:

29 Well, I...I know that it does not include it and I was just
30 interested in knowing if this was the reason for the bill. Well, I...

31 SENATOR BRUCE:

32 It could not include it since by statute we say that it cannot

1 be done by the Department. I don't know how an Executive Order would
2 contravene a statute.

3 SENATOR GLASS:

4 Well, the point I'm making is simply...the question I was asking
5 is whether the bill originated because of the Governor's Executive
6 Order which does not permit compulsory arbitration, because of the
7 prohibition of the statute. Now, if...if it is now in the Personnel
8 Code, that is if the Personnel Code prohibits compulsory arbitration.
9 Do you know why that was put in there originally? Isn't that...isn't
10 that a fairly sound provision?

11 PRESIDENT:

12 Senator Bruce.

13 SENATOR BRUCE:

14 Well, that's a judgmental question, and my judgement would be
15 that - no, it is not sound judgement to deny two...two parties who
16 find themselves in disagreement, every possible tool to resolve that
17 conflict. Now, if you don't want to give them every tool and would
18 wish they'd go to court and have strikes then that's another matter.
19 What this says is they can agree to have compulsory arbitration. It
20 is a way of resolving conflict. In the private sector it's been very
21 successful. We're talking about grievance arbitration. It's a value
22 judgement.

23 PRESIDENT:

24 Senator Glass.

25 SENATOR GLASS:

26 Well, just in conclusion I would like to speak against the bill.
27 I...I think that the prohibition against compulsory arbitration is
28 a good one, and it seems to me that there is no place for that in the
29 Personnel Code. (Machine difficulty)...in private enterprise when you
30 just have two to consider. The employee and the employer, and they
31 can decide if they want to submit to binding arbitration, but when
32 you place

1. Government and Government is all the citizens, and that is a third
2. party when you place the citizens in the position of having to accept
3. the results of binding arbitration in which they did not participate
4. then I think it's wrong. And I urge defeat of this bill.

5. PRESIDENT:

6. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President and members of the Senate. This appears
9. to be a rather simple amendment. However, I just want to call to the
10. attention of the membership, that this would irrevocably be committing
11. the State to a whole new area in the operation of State Government.
12. We would be embarking on a brand new philosophy, we would be committed
13. to arbitration, binding arbitration and the next step, of course, will
14. be the authorization of strikes. I submit that this is not in the best
15. interest of the State of Illinois and the Government of the citizens
16. of the State of Illinois and the bill ought to be defeated.

17. PRESIDENT:

18. For what purpose does Senator Buzbee arise? Just a minute, Senator.
19. Would you clear the aisles, gentlemen. Clear the aisles. Would the
20. members be in their seats. Senator Dougherty, Senator Morris, would
21. you clear the aisle please? For what purpose does Senator Buzbee arise?

22. SENATOR BUZBEE:

23. A point of personal privilege, Mr. President.

24. PRESIDENT:

25. State your point.

26. SENATOR BUZBEE:

27. In the southwest gallery is the eighth grade from New Athens,
28. Illinois and I'd...in my district, and I'd like to have them rise and
29. be recognized by the Senate.

30. PRESIDENT:

31. Any further discussion? Senator Nimrod.

32. SENATOR NIMROD:

33. Mr. President, I'd like to ask a question of the sponsor.

1 PRESIDENT:

2 He indicates he will.

3 SENATOR NIMROD:

4 Senator Bruce, you indicated before...you said that there ought
5 to be compulsory arbitration before they go into...before they strike.
6 Are you saying that the public employees have the right to strike, or
7 that they do strike.

8 PRESIDENT:

9 Senator Bruce.

10 SENATOR BRUCE:

11 Well, if you want to go through statutory problems, or legal
12 decisions, or what happens in the field. If you're trying to get me
13 to say that strikes are illegal, I...I'm not going to say. All I know
14 is employees will strike. My brief history in this area is that states
15 that have it, states that don't have it, where they make it legal or
16 illegal, employees strike. If you're not happy you're not going to
17 get productivity out of them either. So, the idea here is to resolve
18 conflict.

19 PRESIDENT:

20 Senator Nimrod. And I would hope that the questions would
21 remain germane to the bill. Senator Nimrod.

22 SENATOR NIMROD:

23 Well, the only thing that I was saying is that there was a indi-
24 cation that the indications of collective bargaining and they do have
25 a right to strike, which is not so according to the recent rulings of
26 the Supreme Court. But, more important that that, who wants this? Is
27 this an administration bill, or this the Personnel Department

28 PRESIDENT:

29 Senator Bruce.

30 SENATOR BRUCE:

31 Employees of the State of Illinois contacted me concerning this
32 matter. They find that they cannot get grievances properly handled.
33 The idea was that if both parties could agree to have a third party,

1. neutral to the issue, brought in they could resolve the conflict. One
2. party is going to be unhappy, but at least they would feel that they
3. have had justice in the matter.

4. PRESIDENT:

5. Any further discussion? Senator Nimrod.

6. SENATOR NIMROD:

7. Since you choose not to answer the questions I think that it
8. only indicates that there is something more to this bill. I would
9. think that this kind of procedure is certainly strange, it's...it's
10. not the normal procedure to have a Personnel Department involved in
11. these areas, and if we want to be involved in collective bargaining
12. we ought to face it directly rather than going around on an indirect
13. basis, and I would urge us to refrain from supporting this amendment.

14. PRESIDENT:

15. Any further discussion? Senator Bruce may, if he desires, close
16. the debate.

17. SENATOR BRUCE:

18. Well, Mr. President, I tried to answer the questions of Senator
19. Nimrod as to strikes which are not controlled by this bill. It simply
20. says that they can establish a plan for grievance arbitration. It's
21. that simple. For all of you who have hob goblins running around let
22. me tell you that final offer selection is not prohibited. All...
23. sorts of things are not prohibited. All this was is remove the com-
24. pulsory arbitration, an area that could very well resolve a lot of
25. conflict. If you like conflict, vote against the bill.

26. PRESIDENT:

27. The question is shall Senate Bill 1295 pass. Those in favor will
28. vote Aye. Those opposed will vote Nay. The voting is open. Have all
29. voted who wish? Take the record. On this question the Ayes are 20,
30. the Nays are 17. 5 Voting Present. Senate Bill 1295 having failed
31. to receive a constitutional majority is declared lost. Senator Harber
32. Hall.

33. SENATOR HALL:

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1. Mr. President, I'd like the record to show that I would have
2. voted No on this had I reached my switch.

3. PRESIDENT:

4. The record will so reflect. Senate Bill 1298, Senator Bruce.
5. Senate Bill 1300, Senator Don Moore. The bill called is 1300. Do
6. you want to pass that one first? Senate Bill...take it out of the
7. record. Senate Bill 1301, Senator Don Moore. Senate Bill...take
8. it out of the record, we're passing it. Senate Bill 1302, Senator
9. Don Moore. Read the bill. Senate Bill 1310, Senator Howard Mohr.
10. Senate Bill 1311, Senator Howard Mohr. Senate Bill 1312, Senator
11. Don Moore. Read the bill.

12. SECRETARY:

13. Senate Bill 1312.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Moore. Senator Don Moore.

18. SENATOR MOORE:

19. Thank you, Mr. President. The statement in the...on the Senate
20. Calendar is incorrect, Mr. President. What happened with this bill is
21. that in the Committee on Public Health, Welfare and Corrections, I
22. proposed an amendment to Senate Bill 1312 which struck everything after
23. the enacting clause and in turn created an Act to establish the Office
24. of Welfare Fraud Investigation and to set forth its powers and duties.
25. In effect, what we were doing with this bill as amended, we are re-
26. moving from the Department of Public Aid the Welfare Fraud Investiga-
27. tion unit. We're taking it out of the Department of Public Aid and
28. setting up a new agency that will deal solely with welfare fraud. The
29. duties of the Office of Welfare Fraud Investigations are to receive
30. and investigate complaints from the Department of Public Aid, members
31. of the General Assembly, the public and other sources concerning alleged
32. abuses, suspected fraud and other violations of the welfare system as
33. it may affect the public aid problems that we have in Illinois. They

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1 are to receive complaints of alleged failures to prosecute fraud cases.
2 They are to receive complaints of alleged failures of state or local
3 officials and employees to comply with state laws and regulations deal-
4 ing with welfare administration and to investigate them. They do have
5 the power to subpoena witnesses and records, administer oaths, take
6 testimony. They may file complaints, refer cases to the appropriate
7 law enforcing...enforcement and prosecutorial authorities. There is a
8 provision for the Illinois Department of Public Aid as a single state
9 agency for the acceptance of Federal funds to enter into a contract
10 with this new agnecy for the services of the Office of Welfare Fraud
11 which as long as there is input and so forth from the Department to
12 the new agency well, we would be eligible for matching funds. The
13 Director of this new department, or this new agency is appointed by
14 the Governor without confirmation of the Senate, and the requirement
15 is that she shall have at least five years experience in the field
16 of law enforcement. There is another provision in the bill that pro-
17 tects the existing employees covered by the Department of Personnel,
18 they are to be transferred to this new agency in comparable positions
19 of employment. There is another provision upon evidence of...dis-
20 covery of evidence of any criminal act on the part of any person, the
21 Director of this agency shall refer the evidence to the Attorney
22 General and to the State's Attorney of the county where the alleged
23 crime occurred so that they can take the appropriate action. The
24 Director is mandated to cooperate with and seek the cooperation of the
25 Illinois Department of Public Aid. The Office of Welfare Fraud
26 Investigation shall comply at all times with the appropriate Federal and
27 State laws governing freedom of information. In short, Mr. President,
28 we have a problem that exists in the State of Illinois today with fraud.
29 It is estimated there are some twelve percent of those receiving public
30 aid are ineligible for one reason or another. Some of this ineligibility
31 may be...which may represent as much as one hundred and fifty million a
32 year is attributed to errors made by the Department. Some as a result of
33 technical irregularities and some of it by way of fraud. It is the belief

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1 of the members of the Legislative Advisory Committee on Public Aid
2 which has endorsed this bill that no matter how dedicated and how
3 willing the Director of the Department may be, and I'm not referring
4 directly to Director Trainor...Mr. President, could I have a little
5 attention, please.

6 PRESIDENT:

7 That is what you have. I'm trying to get you a little more.
8 Now, will the members be in their seats? Will the members be in their
9 seats? This is a very important piece of legislation. Please.
10 Senator Don Moore.

11 SENATOR MOORE:

12 Thankyou, Mr. President. It is the belief of the members of the
13 Legislative Advisory Committee on Public Aid, who endorsed this legis-
14 lation, that no matter how dedicated and willing the Director of the
15 Department of Public Aid may be, and I'm not referring specifically
16 to Director Trainor, the problem of welfare fraud has been with us
17 under prior directors of this State. But, his department cannot effect-
18 ively pursue and uproot fraud. The agency he directs, the Illinois De-
19 partment of Public Aid, is primarily a human services and social agency.
20 It is unfair to expect the same department to, also, be an effective
21 policeman of its own program. I think my other remarks I will save
22 for the closing. I'd be happy to answer any questions of the member-
23 ship, Mr. President.

24 PRESIDENT:

25 Any further discussion? Senator Demuzio. I...I know you're there,
26 Senator, I see you. You're right here. Senator Demuzio.

27 SENATOR DEMUZIO:

28 Well, Mr. President and members of the Senate. This is a very
29 important piece of Legislation. This is the bill that was killed in
30 the Senate Executive Committee and came back in the form of a compre-
31 hensive amendment to the Public Health, Welfare and Corrections
32 Committee, and just in searching my bill book I did not have a copy
33 of this amendment in my book. I have one in my office. I would

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1. presume that no one else, no other member of this Body has this amend-
2. ment in their bill book, as well, and since this is a very important
3. piece of Legislation I would ask that the sponsor would hold this bill
4. until such time as the amendments could be distributed to the member-
5. ship.

6. PRESIDENT:

7. Senator Don Moore.

8. SENATOR MOORE:

9. The amendments of this bill were distributed to the members of
10. this Body last week. They were placed on every members' desk with a
11. information sheet from the Executive Director of the Legislative
12. Advisory Committee. If you desire a copy of the amendment, Senator,
13. I would be happy to send you one over.

14. PRESIDENT:

15. Senator Netsch.

16. SENATOR NETSCH:

17. Mr. President, thank you. I'm suffering from the same disability.
18. There is no copy available here, either an amendment or a memo from
19. the Legislative Advisory Committee. But, those of us who were in the
20. Public Health, Welfare and Corrections Committee remember well how this
21. bill came to the Floor of the Senate. It had indeed been defeated in
22. the Senate Executive Committee, and late one afternoon when many of
23. the committee members on Public Health, Welfare and Corrections had
24. already departed the bill was suddenly called, an amendment offered
25. which struck the enacting clause and substituted the very matter that
26. had been defeated two days earlier in the Senate Executive Committee.
27. We objected strenuously to that procedurally and on the merits as well.
28. I think that the...probably the simplest thing that can be said about
29. the bill on the merits, and it has no merits, is that it seems to me
30. that the greatest disservice we can do to the entire Public Aid Pro-
31. gram, and this is both to those who have the very burdensome task of
32. administering it and to those who are the victims of our society and
33. therefore, the recipients of public assistance right now, is to create

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1 a separate monstrosity within the whole network involved simply with
2 the question of "fraud" investigation. I think it will do administra-
3 tively incredible chaos to the Public Administrative...the Public
4 Assistance Program and it seems to me it will do again what is probably
5 the greatest disservice that all of us do, and that is to suggest that
6 most of the people on public assistance are in somehow fraudulent and
7 are simply milking us, the taxpayers. That is not true. There has
8 never been any evidence that that is so overwhelmingly true, and having
9 a separate unit, who's sole responsibility is the highlighting and
10 finding and focusing on fraud is going to continue that kind of attitude
11 but offer nothing further in the way of clearing from rolls those who
12 are legitimately ineligible and do not belong on the rolls. I think it
13 is exactly the wrong direction to go in the administration of public
14 assistance, and I hope very much that this bill never sees the light
15 of day.

16 PRESIDENT:

17 Any further discussion? Senator Smith.

18 SENATOR SMITH:

19 I'll say as mildly as I can that in spite of the respect that
20 I have for those who have spoken in opposition to this bill, I trust
21 that the members proper will see fit to support this bill. As has
22 been said during the course of this debate, the bill seeks to set up
23 an investigated...an Committee on Investigations and investigate all
24 facets of this particular program. There has been an honest difference
25 of opinion as between certain groups including the Director of this
26 Department and the Legislative Advisory Commission. Now, I trust that
27 you'll bear in mind, and I say this for those who might not know, the
28 Legislative Advisory Commission is composed of Republican...equal num-
29 ber of Republicans and Democrats. There are how many of us here in the
30 Senate? Three Democrats in the Senate, three Republicans and the
31 same applies with regards to the House of Representatives. Three
32 Republicans and three Democrats. You have accepted our recommendations
33 heretofore, and without going in to details, and even if you ask me

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1 I'm not going to answer and I'll not be discourteous in not answering.
2 But, we respect the wishes of the Director, the Director is completely
3 satisfied with whatever course of action we have determined with re-
4 gards to this measure. He will be satisfied. The Chairman of the
5 Commission will be satisfied. I've explained to the Chair and to his
6 assistants the further procedure with regards to this bill, and I
7 simply say to you, trust us. I ask of you that you trust us. That
8 for once you place your confidence in our future actions with regards
9 to this bill, and I say that nobody will be dissatisfied with what we
10 do subsequent to this roll call. And I pray that you will vote for
11 this bill and see that we pass it.

12 PRESIDENT:

13 Senator Wooten.

14 SENATOR WOOTEN:

15 Mr. President and Colleagues, I rise in opposition to this bill.
16 Not only is it poorly structured, a separate agency yet one that is
17 somehow funded by the Department of Public Aid, which raises the eye-
18 brows of HEW all the way back to Washington. Not only is it a...an
19 attempt to further entrench the Legislative Advisory Committee on
20 Public Aid as a shadow Department of Public Aid, but I simply think that
21 it will prove a divisive element in the whole plan. Public Aid is a
22 very difficult thing for us to explain to our constituents. It is a
23 subject which easily lead...lends itself to demagoguery, the half
24 truths, the slashing allegations. You can always find enough grain of
25 truth on which to build a sensational case, and it just puts all of us
26 in an extremely difficult situation. To say that the Director of the
27 Department of Public Aid is for this bill is completely erroneous.
28 I can't...imagine anyone who is seriously committed to the problem, to
29 solving the problem, being interested in seeing this bit of empire
30 building go forward. I think that it is illadvised, illtimed, I
31 certainly disapprove of the strategy by which it was finally connived
32 out on to the Floor and I urge opposition to this bill.

33 PRESIDENT:

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1. The question is shall Senate Bill 1312 pass. Those in favor will
2. vote Aye. Opposed will vote Nay. The voting is open. Have all voted
3. who wish? Take the record. On this question the Ayes are 40, the Nays
4. are 8. Senate Bill 1312 having received a constitutional majority is
5. declared passed. Senator Howard Mohr. For what purpose does Senator
6. Newhouse arise?

7. SENATOR NEWHOUSE:

8. Mr. President, I consider...I thought there would be a great deal
9. more debate on that issue than there was, and I was outside the door
10. when this vote was taken. I'd like to be recorded as No on that bill.

11. PRESIDENT:

12. The record will reflect that you desired to be recorded as No.

13. SENATOR NEWHOUSE:

14. Thank you.

15. PRESIDENT:

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. I was outside the door and I'd like to be recorded as Yes.

19. PRESIDENT:

20. The record will reflect that it was your desire to have been
21. recorded Yes. Senate Bill 1310, Senator Howard Mohr.

22. SECRETARY:

23. Senate Bill 1310.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Howard Mohr.

28. SENATOR MOHR:

29. Yes, Mr. President. Senate Bill 1310 adds four members, legis-
30. lative members, to the Springfield Planning Commission. This has
31. been agreed to by the Commission. It would be a member from each
32. House, each side of the aisle, and I know of no opposition and I
33. ask for a favorable roll call.

1. PRESIDENT:

2. Any further discussion? The question is shall Senate Bill 1310
3. pass. Those in favor will vote Aye. Opposed will vote Nay. The
4. voting is open. Have all voted who wish? Take the record. On this
5. question the Ayes are 44, the Nays are 1. 1 Voting Present. Senate
6. Bill 1310 having received a constitutional majority is declared passed.
7. Senate Bill 1311, Senator Howard Mohr.

8. SECRETARY:

9. Senate Bill 1311.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Howard Mohr.

14. SENATOR MOHR:

15. Mr. President, Senate Bill 1311 amends the Space Need Act. It
16. adds four members to the Commission. The Governor, or representative
17. of his office, the Attorney General, Secretary of State and the Chair-
18. man of the Capitol Development Board. It's just a bill...the Commission
19. has invited all of these agencies to participate in our meetings and
20. the Commission feels that by them having a voting right and being a
21. part of that Commission, why we might work a little closer together.

22. PRESIDENT:

23. Any further discussion? The question is shall Senate Bill 1311
24. pass. Those in favor will vote Aye. Opposed will vote Nay. The voting
25. is open. Have all voted who wish? Take the record. On this question
26. the Ayes are 43, the Nays are 2. 3 Voting Present. Senate Bill 1311
27. having received a constitutional majority is declared passed. Senate
28. Bill 1313, Senator Mitchler.

29. SECRETARY:

30. Senate Bill 1313.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Mitchler.

2. SENATOR MITCHLER:

3. Mr. President and members of the Senate. Senate Bill 1313 is,
4. also, related to Senate Bill 1314. But, 1313 amends the General Not
5. For Profit Corporation Act. It provides that a not for profit corpor-
6. ation can be organized for the purpose of ownership and operation of
7. a sewerage collection and disposal facility on a mutual or cooperative
8. basis. Now, I know of no opponents to the bill. The water supply
9. facilities are allowed to organize under the Act, and in many cases
10. land developers must guarantee water and sewerage prior to being able
11. to sell lots, and to make that guarantee developers sometimes constructs
12. the facilities and then after the lots are sold and after the subdivision
13. is developed they're sold and will return the facilities over to the
14. residents. And that's exactly what it does.

15. PRESIDENT:

16. Any further discussion? The question is shall Senate Bill 1313
17. pass. Those in favor will vote Aye. Opposed Nay. The voting is open.
18. Have all voted who wish? Take the record. On this question the Ayes
19. are 29,...Senator Mitchler. Senator Mitchler. Senator Mitchler seeks
20. postponed consideration. Senate Bill 1313 is on Postponed Consideration
21. Senate Bill 1314, Senator Mitchler.

22. SECRETARY:

23. Senate Bill 1314.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Mitchler.

28. SENATOR MITCHLER:

29. No, hold it.

30. PRESIDENT:

31. Hold it. Thank you. Take it out of the record. Take it out
32. of the record. Senate Bill 1306, Senator Donnewald. 1366, you're
33. right, Sir. The bill under consideration is Senate Bill 1366. Read

1. the bill.

2. SECRETARY:

3. Senate Bill 1366.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Donnewald.

8. SENATOR DONNEWALD:

9. Yes, Mr. President and members of the Senate. What 1366 does it
10. creates the Illinois Fish and Game Commission. And it sets up a
11. Commission of five members with no more than three from the same polit-
12. ical party, and it gives the Governor power to appoint the Commission
13. members with the Senate confirmation. And the Governor is to designate
14. the Chairman. It establishes five year terms and sets initial schedule
15. of staggered terms. It authorizes the Commission to set up administra-
16. tive machinery, and it determines a quorum and provides for vacancy.
17. And it sets the Commissioners' salaries at twenty-five thousand dollars
18. each and the Chairman at thirty thousand. It requires a bond of twenty
19. thousand dollars, and it designates the Fish and Game Fund as a source
20. of revenue for ordinary and contingent expenses of the Commission.
21. And it prohibits political activity by the Chairman for two years prior
22. to his serving as such a Chairman. The...it designates the Chairman
23. as chief administrative officer of that Commission and authorizes re-
24. imbursement and expenses for the Commissioner and employees of other
25. normal expenses. It requires the main office of the Commission to be
26. in Springfield but allows branch offices. It outlines the powers and
27. duties of the Commission including the assumption of all duties and
28. responsibilities formally exercised by the Department of Conservation
29. as relating to the management of the fish and wildlife resources. I
30. could go on about this, it does create as I said a Fish and Game
31. Commission for Illinois, and transfers all duties from the Department
32. of Conservation to that Commission. Now, anticipating...anticipating
33. some of the arguments against this legislation, if there be any, I...

1. I understand there may well be some from the Department. But, they're
2. not elected to the Senate, Senator. Ladies and Gentlemen of the
3. Senate, it has been...

4. PRESIDENT:

5. Just a minute. I note that we have a distinguished guest from
6. the House, Representative Di Prima, who's over to talk to Senator
7. Schaffer. I suppose they are enjoying their Memorial Day. Senator
8. Donnewald.

9. SENATOR DONNEWALD:

10. Many years ago, Mr. President and members of the Body, the
11. Conservation Department, the main interest of that particular Body was,
12. to ...agency rather, was to take care of fish and game, and subsequent
13. to that time they adopted...they adopted, mind you, the parks and so
14. on into that. Now, fish and game we're the adopting father, but now,
15. Mr. President and members of the Body, the adopted child is the Fish
16. and Game Department, and I know that all of the sports organizations
17. are well aware of this and they know that they are, indeed, neglected.
18. And the only answer to this and to many other problems that we have
19. with the deerhunting license, fishing license and various other licenses,
20. the duck stamps and the goose stamps and so on can be remedied by a
21. good active Fish and Game Commission. Now, I'm certainly willing to
22. answer any questions that may be put, and I would certainly ask for a
23. most favorable roll call. Thank you.

24. PRESIDENT:

25. Any further discussion? Senator Demuzio. Senator Demuzio, he
26. indicates he'll yield.

27. SENATOR DEMUZIO:

28. The question that I have...the question that I have is that
29. such a comprehensive bill as this is, it's a hundred and four pages
30. long. I was wondering what the rationale was behind this bill being
31. referred to the Executive Committee and not to the Agriculture, Con-
32. servation and Energy Committee.

33. PRESIDENT:

1. Senator Donnewald.

2. SENATOR DONNEWALD:

3. The rationale behind it, Senator, was that that's where I thought
4. it belonged.

5. PRESIDENT:

6. Any further discussion?

7. SENATOR DEMUZIO:

8. Well, it just seemed to me that the Agriculture Committee ought
9. to have a...have had an opportunity to at least to review this...this
10. major piece of legislation. Thank you.

11. PRESIDENT:

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. This is good legislation. It's something that we've been trying
15. to accomplish in Illinois ever since the Constitutional Convention,
16. when an Article there was lost in the closing days because two fellows
17. had to go home and pay their taxes. They were farmers and sportsmen,
18. we failed by one vote. This will destroy the vicissitude to do away
19. with the vicissitudes of an ever changing Director of Conservation,
20. and their different ideas of about how the program should be conducted.
21. We've had about six or seven directors within the last two administra-
22. tions and every conservation jewel that I know of in my district, and
23. my district is as conservation minded as any, having both the Illinois
24. and the Mississippi River, has been destroyed or despoiled by the
25. Department of Conservation and each and every director has some
26. new idea about the direction it should be taking and what should be
27. cured and purchase of new lands for recreational and other purposes.
28. Now, we got the ecologists and the bicyclists and so forth and so
29. on. They don't even belong under the same tent as those people who
30. believe in hunting and fishing. Their goals are miles apart, the
31. Audubon Club as well as Ducks Unlimited. One wants to kill ducks the
32. other wants to save ducks. I say this is good legislation, it'll
33. follow in some degree the pattern in the State of Missouri. It should

1. be adopted.

2. PRESIDENT:

3. Senator Latherow.

4. SENATOR LATHEROW:

5. I had some questions concerning this piece of legislation, Senator
6. Donnewald, and by chance a couple of days or three ago, a person who
7. said he was with the Department came by suggesting several reasons
8. why I shouldn't support this piece of legislation. I asked him several
9. questions I felt he was unable to answer, and suggested that he get
10. back to me with some improved positions rather than just generalities
11. concerning these things he had to say. Now, much of what you had to
12. say and put on paper, that I couldn't agree with. So, since he did
13. not get back to me with any explanation of his position other than
14. just using generalities, I too will have to support your piece of
15. legislation.

16. PRESIDENT:

17. Senator Egan.

18. SENATOR EGAN:

19. Thank you, Mr. President and members of the Senate. I would ask
20. all of you baseball enthusiasts to please support us who like to hunt
21. and fish. This is vital. Thank you.

22. PRESIDENT:

23. Any further discussion? The question is shall Senate Bill 1366
24. pass. Those in favor will vote Aye. Opposed Nay. The voting is
25. open. Have all voted who wish? Take the record. On this question
26. the Ayes are 41, the Nays are 7. Senate Bill 1366 having received a
27. constitutional majority is declared passed. The Chair would like to
28. make an announcement with reference to the rest of the day's schedule.
29. Senators Welsh and Senator Harris have asked me to announce that there
30. will be a caucus of both Democrats and Republicans at 11:00 o'clock
31. today. The caucus will last up to one hour, we will return to the
32. Floor at noon. We'll work until five, there will be a two hour break
33. for dinner and we'll return at seven. It all depends. Senate Bill

1. 1369, Senator Bruce. Oh, pardon me. Pardon me. Hold it a moment.
2. Senate Bill 1109, Senator Clarke.

3. SECRETARY:

4. Senate Bill 1109.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Clarke.

9. SENATOR CLARKE:

10. Mr. President and members of the Senate. This is what you might
11. call a clean up bill. And I'm glad it's off the approved bill list,
12. because actually it is too important not to give a little consideration
13. to. I say clean up because it addresses itself to probably one of
14. the most publicized if not the most important issue of the last Session.
15. And that had to do with the shadow agencies. I've passed around an
16. editorial from the Springfield paper. The Legislative Audit Commission
17. ...

18. PRESIDENT:

19. Just a moment. Will the members be in their seats.

20. SENATOR CLARKE:

21. The Legislative...

22. PRESIDENT:

23. You just can't...you can't hear your ears in here. It's just
24. horrible.

25. SENATOR CLARKE:

26. The Audit Commission directed the Auditor General to do a study
27. of this problem, and this was the first, actually investigation, that
28. type of study he had done and he did an excellent job and came out
29. with this report that each of you got. This was a very fair report
30. in terms of the Executive and in terms of the situation, and was so
31. reported in the press. This bill is a product of that report plus
32. considerable thought by the members of the, not only the Auditor General's
33. Office but the Comptroller's Office, of the Appropriations staff of

1 both the Republican and Democratic side. Basically what it does is to
2 implement that section of the Constitution which provides for Executive
3 Orders. And in Executive Committee an amendment was offered and adopted
4 which I'm going to let Senator Rock speak to because it was his amend-
5 ment which addressed itself to another important point, the Federal
6 funds, which we don't have a grasp on. I think this is a good bill,
7 it had a lot of thought go into it by the best minds we could find,
8 and it's not my bill, it's our bill in terms of trying to meet this
9 problem.

10 PRESIDENT:

11 Any further discussion? Senator Rock.

12 SENATOR ROCK:

13 Thank you, Mr. President and Ladies and Gentlemen of the Senate.
14 The question has been asked why are we on this order of business. This
15 is the one bill that I'm aware of that has been...was...was stricken
16 by leave of this Body from the Agreed Bill List. I still believe it
17 belongs on that list and should have remained there. But, I think
18 Senate Clarke is correct, the bill is of such magnitude that perhaps
19 it deserves a special order of business. Amendment No. 2, which was
20 adopted was, in fact, my amendment. To allay Senator Smith's fears, it
21 is in no way a violation of Article 5, Section 11 of our Constitution.
22 What it does say is that that Section calls for or allows the Chief
23 Executive to reorganize the Executive Departments. What we are saying
24 in this bill are two things. One, is that a new agency should not
25 under that Section of the Constitution be considered a reorganization.
26 It is simply a new agency. And, secondly, we are saying by the amend-
27 ment, which was adopted, that any Federal money that does come into
28 this State cannot, cannot be spent by the Chief Executive without
29 prior appropriation of this General Assembly. Now, the bill is a
30 good one as it stands. I urge favorable support by everybody.

31 PRESIDENT:

32 Senator Smith is recognized.

33 SENATOR SMITH:

1. Mr. President and members of the Senate. I want to assure you,
2. first of all, that I'm glad that Senator Clarke saw fit to call the
3. bill, and I'm glad to stand here and express my complete approval of
4. the purposes and the intent of this bill. Last night I was opposed to
5. this measure, because of my honest belief that there was an attempt
6. to do by legislative action that which I knew then and know now we
7. have not the right to do. We cannot negate the Constitution by any
8. of our legislative actions. I had read as late as last evening, after
9. we recessed at five o'clock, the Constitution of the State of Illinois,
10. the 1970 version, hurriedly and I came back here and I objected as I
11. figured I had a right and I think I have that right as does any member.
12. Up until last night and last night you changed the rules and I think
13. you now require that six agree in asking that a bill be taken off the
14. Calendar. I thought at that time that this was a clever attempt to
15. evade the Constitution of the State of Illinois and lead us into be-
16. lieving that it was all together right, proper and legal. I thought
17. at that time that the bill was unconstitutional and I so stated, I
18. asked that it be removed from the Consent Calendar and it was, and
19. whatever point I had wished to make was made. I had said to Senator
20. Clarke before that I'm for the intent and the purposes of the bill,
21. but I wanted it done in an altogether legal way and manner. You're
22. doing that just now. I don't think any chief executive be he the
23. present Governor or any other Governor has a right to go beyond the
24. written law of the land, and to make the law himself and then seek
25. to enforce the law himself. Some of the best legal minds that we
26. have, one whom I'm facing now, and others, Francis Whitney, the
27. Auditor General and others have conferred with me this morning and
28. they have each assured me that in the light of their knowledge of
29. the law and the Constitution of the State of Illinois, that this bill
30. does not seek to negate the Constitution of the State of Illinois.
31. Senator, how are you. That it does not in any way seek to do anything
32. illegal. I'm for all that it contains and I so stated to you, did I
33. not, Senator Clarke, before I rose here last evening, something like

1. a week more or less ago. I withdraw any opposition...

2. PRESIDENT:

3. Just a minute, Senator. Just a minute, Senator. Senator Smith
4. is one of the quietest persons on this Floor. I can't even hear his
5. conversations from there as I can most of yours. Give him some attention
6. please. Senator, complete.

7. SENATOR SMITH:

8. I, merely, wish to reiterate that I have been convinced, as of
9. today, by some of the ablest minds that we have in connection with
10. this Body, that this bill does not in any way seek to circumvent, or
11. to negate any portion of the Constitution of the State of Illinois,
12. and I assure you, Mr. President and Senator Clarke, that as soon as
13. we are permitted to vote I propose to vote Yes with regards to the
14. passage of this measure.

15. PRESIDENT:

16. Any further debate? Senator Netsch.

17. SENATOR NETSCH:

18. Will the sponsor yield for a question, Senator Partee.

19. PRESIDENT:

20. He indicates he will.

21. SENATOR NETSCH:

22. What I am trying to determine is the scope of the new provision
23. that you're adding, which in effect requires that an agency created by
24. the Governor be submitted to the General Assembly, the Secretary of
25. State and so forth and subject then to the disapproval provisions.
26. What if, for example, a Governor were creating a task force to study
27. red lining, or a task force to study, as happened within the last
28. eighteen months, privacy concerns as far as State Government is con-
29. cerned. Now, is that an agency, or...that is going to have to go
30. through this complicated process, or is it something that the Governor
31. still has the flexibility to do?

32. PRESIDENT:

33. Senator Clarke.

1. SENATOR CLARKE:

2. In answer to that question I think you know this provision of the
3. Constitution better than I do, and I think that any study of that nature,
4. anything else the Governor wants to do that he does do in an establish-
5. ed agency would be perfectly alright. Would not be included in this
6. at all. It would merely be a matter of where he creates a new agency
7. to do something, or a new reorganization takes a function from one
8. agency and puts it in another.

9. PRESIDENT:

10. Senator Netsch.

11. SENATOR NETSCH:

12. Yes, I understand. As you know the Constitutional provision deals
13. with reorganization, and is intended to cover those matters that are
14. within agencies that already had been created by the Legislature, or
15. in some way acknowledged by the Legislature, and that clearly is
16. subject to the whole constitutional process. As I understand it you
17. are now, in addition, adding to...a process that is similar to that
18. in Article five. New agencies that do not get defined as a reorgani-
19. zation, because they...it does not involve a...well, to be very ex-
20. plicit, for example, the Governor's creation...

21. PRESIDENT:

22. Just a minute, Senator. Will the members be in their seats.
23. Continue.

24. SENATOR NETSCH:

25. ...For example, the Office of Collective Bargaining, which was
26. created by Executive Order eighteen months ago, two years, would now
27. be subject to this Act, and the creation thereof would have to be
28. submitted under revised Section two to the Comptroller, the Secretary
29. of State, the Legislative leaders and so forth. Is that not correct?

30. PRESIDENT:

31. Senator Clarke.

32. SENATOR CLARKE:

33. Actually, the Constitution, of course, only requires that those

1. agencies that contrevene a statute have to come to the Legislature
2. for approval within sixty days as spelled out by the Constitution.
3. But, the other additions are for information purposes. The Secretary
4. of State, and the leadership of the Legislature and so forth. We're
5. really trying just to implement, but I don't think we are in any way
6. limiting the Governor in terms of his constitutional function under
7. this provision of the Constitution.

8. PRESIDENT:

9. Any further discussion?

10. SENATOR NETSCH:

11. Yes, I'm...

12. PRESIDENT:

13. Senator Netsch.

14. SENATOR NETSCH:

15. I'm sorry, but I think now I'm...I have uncovered some confusion,
16. and let me just try to clarify it. In...as your bill now reads, where
17. it is within the authority of the Governor to create a new state agency,
18. and a new state agency, of course, is not subject to the reorganization
19. provisions of the Constitution directly. All right, where it is with-
20. in his authority to create a new state agency, the creation of such
21. agency may be accomplished only by Executive Order and Executive Order
22. must be delivered to the General Assembly, the designated State officers
23. and it ceases to be effective if either House disapproves, which seems
24. to incorporate the same procedure as in the Constitution for reorgani-
25. zation. That would mean then, as I understand it, that the creation
26. of, for example, the Office of Collective Bargaining, would have to,
27. because it is a new State agency, it is clearly within the Governor's
28. authority and it's not subject to the constitutional provision, it
29. would, now, have to be submitted to the Legislature which would have
30. the right to disapprove. That is not true under existing law. Isn't
31. that right?

32. PRESIDENT:

33. Now, Senator Clarke.

1. SENATOR CLARKE:

2. My...that's my...that's my interpretation, right.

3. PRESIDENT:

4. Senator Netsch, time has run...some several moments ago, but
5. let's finish this. Senator Netsch.

6. SENATOR NETSCH:

7. I'm...I'm asking some questions about the meaning of the bill,
8. Mr. President.

9. PRESIDENT:

10. I'm aware of that.

11. SENATOR NETSCH:

12. All right. Now, that is what is intended to be accomplished by
13. it. But, my next question, then, which was where I started, is that
14. it still would not in any way prevent a Governor from creating a
15. study agency of some kind that had no administrative responsibilities
16. without having to submit it to the Legislature and subject it to dis-
17. approval. So, a study commission on red lining, on privacy could be
18. created and would not be subject to this provision at all. It is only
19. when there is some form of administrative responsibility that you are
20. imposing this new obligation and restriction on a Governor's power.
21. Is that correct, Senator Clarke?

22. PRESIDENT:

23. Senator Clarke.

24. SENATOR CLARKE:

25. That's right.

26. PRESIDENT:

27. Just a moment, Senator. Now, will the members be in their seats,
28. and will the members take their conferences from the Floor so that
29. the persons engaged in debate may be heard. Senator Clarke.

30. SENATOR CLARKE:

31. I think that's...that's a correct interpretation. Actually, the
32. Governor can do anything he wants to within his established agencies
33. if he doesn't set up a new agency he could say just let the Department

1. of Labor bargain collectively. But, if he sets up a new agency then
2. it has to come to the Legislature.

3. PRESIDENT:

4. Any further discussion? Senator Netsch.

5. SENATOR NETSCH:

6. Just one comment. Now, that I think we have established the in-
7. terpretation of it. I think that it...we should be clear about the
8. fact that we are doing something quite different. It may be good or
9. it may be bad, but it certainly is not the way it has always happened
10. in the past and I just think the members of the Senate ought to be
11. conscious of that. Thank you, Senator Clarke.

12. PRESIDENT:

13. Any further discussion? Senator Smith on Senator Clarke's mike.

14. SENATOR SMITH:

15. Well, I...I see the absolute necessity for the bill as is. A
16. certain group was placed in certain offices by his Excellency sometime
17. subsequent to August of last year. As of this morning a Deficiency
18. Appropriations Bill came to this Body. I was not in a position to
19. see who picked it up and who will handle it, but this Body is bound
20. by law, is it not, to make a contribution to satisfy something that
21. was all together, in our estimation illegal, and the necessity for
22. the provision that he was questioned about, I for one believe it
23. absolutely necessary.

24. PRESIDENT:

25. The question is shall Senate Bill 1109 pass. Those in favor will
26. vote Aye. Opposed will vote Nay. The voting is open. Have all voted
27. who wish? Take the delayed record. On this question the Ayes are
28. 55, the Nays are none. Senate Bill 1109 having received a constitu-
29. tional majority is declared passed. For what purpose does Senator
30. Weaver arise?

31. SENATOR WEAVER:

32. The Republican caucus will be in Room 400.

33. PRESIDENT:

1. Senator Welsh.

2. SENATOR WELSH:

3. The Democratic caucus will be in the President's office immediately.

4. PRESIDENT:

5. Would you make it about five minutes. I want to do something
6. subreptitious and subrosa. So don't come right in. About five minutes.
7. That'll get everybody there immediately. May I have your attention.
8. Some of the members are asking when we will be back in Session. I
9. have announced it before, I'll announce it again. We will be back
10. on the Floor at noon. How about lunch.

11. (RECESS)

12. (AFTER RECESS)

13. PRESIDENT:

14. The Senate will come to order. Until all the members reassemble,
15. is there a member with a absolutely noncontroversial bill that we
16. could start with? Senate Bill 1377, Senator Sommer.

17. SECRETARY:

18. Senate Bill 1377.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. SENATOR SOMMER:

22. Mr. President and members of the Senate. This bill simply de-
23.letes the requirement the county boards meet on a specific day in
24. June and September. That's an old requirement. It's proved to be in-
25. convenient for county boards, presently, and it's...it basically it
26. fouls up their...their operations of their real estate board of re-
27. views on zonings. That's the reason I put the bill in, and I would
28. ask for a favorable roll call.

29. PRESIDENT:

30. Any further discussion? The question is shall Senate Bill 1377
31. pass. Those in favor will vote Aye. Opposed Nay. The voting is open.
32. Have all voted who wish? Take the record. On this question the Ayes
33. are 43, the Nays are none. Senate Bill 1377 having received a con-

1. stitutional majority is declared passed. Are there any others of a
2. like nature? We'll excite no controversy. We want to do this until
3. our membership gets back. Senator Daley.

4. SENATOR DALEY:

5. Mr. President and fellow Senators, Senate Bill 1484, whereby it
6. provides a mandatory minimum sentence of fifteen days, whereby anyone who
7. is convicted of carrying a concealed weapon, setting a spring gun,
8. possessing a silencer, possessing a firearm in a public place or a
9. tavern, or carrying or possession of firearm within the corporate
10. limits. This would allow the sentencing of fifteen days minimum
11. sentence to anyone convicted of this. This is a...

12. PRESIDENT:

13. Will the Secretary read the bill.

14. SECRETARY:

15. Senate Bill 1484.

16. (Secretary reads title of bill)

17. PRESIDENT:

18. No, this is Senate Bill 1484. The board shows 13. Senate Bill
19. 1484.

20. SECRETARY:

21. Senate Bill 1484.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Any further discussion? The question is shall Senate Bill 1484
26. pass. Those in favor will vote Aye. Opposed Nay. The voting is open.
27. Have all voted who wish? Take the record. On this question the Ayes
28. are 46, the Nays are none. Senate Bill 1484 having received a con-
29. stitutional majority is declared passed. (Machine cut-off)...Bill
30. 1288, Senator Graham. Senator Graham, we're going back to 1288 for
31. that amendment of Senator Philip's. Are you ready? We agreed to re-
32. call it. Is there leave to recall the bill from 3rd to 2nd? Leave
33. is granted. Senate Bill 1288 is on 2nd reading. The Chair recognizes

1. Senator Philip.

2. SENATOR PHILIP:

3. Mr. President, if I might ask leave of the Body to allow me to
4. go on as the main sponsor but keep Senator Graham on also as second
5. sponsor.

6. PRESIDENT:

7. Is leave granted? Leave is granted.

8. SENATOR PHILIP:

9. What Amendment No. 1 does to Senate Bill 1288 is change the way
10. we elect our delegates to the National Nominating Convention: What
11. this amendment would do would be allow us to elect four delegates and
12. four alternates from each congressional district giving us a total of
13. ninety-six we would elect to the State of Illinois, would allow the
14. Republican Convention to appoint the five delegates and five alternates.
15. I move the adoption of Amendment No. 1 to Senate Bill 1288.

16. PRESIDENT:

17. Any further discussion? Senator Dougherty, this is the amendment
18. we agreed on. Senator Dougherty.

19. SENATOR DOUGHERTY:

20. I just wanted to say that what Senator Philip has said is...the
21. amendment I agreed upon.

22. PRESIDENT:

23. Senator Philip moves the adoption of Amendment No. 1 to Senate
24. Bill 1288. All in favor will say Aye. Opposed Nay. The Ayes have
25. it. The amendment is adopted. Any further amendments? 3rd reading.
26. Now, I understand that Senate Bill 1485 was a companion to bill...to
27. Senate Bill 1484. Senate Bill 1485.

28. SECRETARY:

29. Senate Bill 1485.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Daley.

1. SENATOR DALEY:

2. Mr. President and fellow Senators, this provides a mandatory
3. fifteen day sentence of anyone convicted of violating the Firearms
4. Owner Identification Act. This is a deterrent to a crime, and I
5. would ask for a favorable roll call.

6. PRESIDENT:

7. Any further discussion? The question is shall Senate Bill 1485
8. pass. Those in favor will vote...Senator Latherow.

9. SENATOR LATHEROW:

10. Well, Mr. President, I just had one question, Senator. If I
11. were to sell my firearm and failed to report it then I'm subject to
12. fifteen days in jail. Is this right?

13. PRESIDENT:

14. Senator Daley.

15. SENATOR DALEY:

16. Under the present law you're subject up to one year imprisonment.
17. From one day up to one year. This would amend the law and allow a
18. fifteen day minimum sentence. But, with the right of probation on
19. 1st, or 2nd, or 3rd offense.

20. PRESIDENT:

21. Senator Latherow.

22. SENATOR LATHEROW:

23. Otherwise, also, if someone who did not have a firearms permit
24. purchased one under this, then that is a mandatory fifteen days. Is
25. that right?

26. PRESIDENT:

27. Senator Daley.

28. SENATOR DALEY:

29. Correct. Correct. If anyone didn't follow the Firearms Owner
30. Identification Act would be subject to fifteen days sentence. As well
31. as he has a right to probation. And in these cases they usually give
32. probation.

33. PRESIDENT:

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1. Any further discussion? The question is shall Senate Bill 1485
2. pass. Those in favor vote Aye. Opposed Nay. The voting is open.
3. Have all voted who wish? Take the record. On this question the
4. Ayes are 46, the Nays are none. Senate Bill 1485 having received a
5. constitutional majority is declared passed. Senate Bill 1288, Senator
6. Graham. Oh, you wanted...fine, Senator Philip. This is the bill
7. we just amended. Any further discussion? Senator Philip.
8. SENATOR PHILIP:

9. Mr. President, I assume we're on Senate Bill 1288 as amended.
10. PRESIDENT:

11. As amended on the order of 3rd reading.
12. SENATOR PHILIP:

13. What this bill does is amend the Election Code section A, and
14. what it would allow the Republican Party to do is to elect four
15. delegates and four alternate delegates at the Primary for the National
16. Nominating Convention. I ask for your favorable consideration.

17. PRESIDENT:
18. Read the bill.

19. SECRETARY:
20. Senate Bill 1288.
21. (Secretary reads title of bill)

22. 3rd reading of the bill.
23. PRESIDENT:

24. The question is shall Senate Bill 1288 pass. Those in favor will
25. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
26. Take the record. On this question the Ayes are 47, the Nays are none.
27. Senate Bill 1288 having received a constitutional majority is declared
28. passed. Senate Bill 1369, Senator Bruce.

29. SECRETARY:
30. Senate Bill 1369.
31. (Secretary reads title of bill)

32. 3rd reading of the bill.
33. PRESIDENT:

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1. Senator Bruce.

2. SENATOR BRUCE:

3. Yes, Mr. President, the Illinois Office of Education has developed
4. what is known as a School Service Personnel Type 73 Certificate with
5. school nurse endorsement. The Office of Education, the Department of
6. Public Health, the Illinois Association of School Nurses, the Illinois
7. Nurses' Association, Superintendent of Education, Mark Wick, has stated
8. that the bill as amended, which will make the Act effective in July
9. rather than in January, meets with their approval, and Mr. President,
10. if you would assist me, there is either a grandfather, a grandmother,
11. or a grandperson clause in this bill, which will mean that all presently
12. certificated nurses will continue to be certificated.

13. PRESIDENT:

14. Any further discussion? Senator Shapiro.

15. SENATOR SHAPIRO:

16. I'd like to address a question to the sponsor, Mr. President.

17. PRESIDENT:

18. He indicates he'll yield.

19. SENATOR SHAPIRO:

20. Senator Bruce, does this take care, now, of the school nurse
21. who becomes certified and then moves to another district, or was
22. un not certified, would she lose the grandfather clause that she has
23. if she would move to another district?

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. No, if she has been first hired as a school nurse prior to now,
28. July 1, '76, she could move to a new district and remain certificated.

29. PRESIDENT:

30. Any further discussion? Senator Berning.

31. SENATOR BERNING:

32. One question of the sponsor. What is the difference between a
33. registered professional nurse and a certified nurse?

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1. PRESIDENT:

2. Senator Bruce.

3. SENATOR BRUCE:

4. Well, I'm not sure I understand your question, Senator Berning.
5. Before they could be a nurse they would have had to pass either a
6. two year certificate program or a three year RN program, before they
7. would even qualify. In addition to that there have been guidelines
8. developed where pediatric care and those requirements would apply to
9. a registered certificated school nurse. What this bill says is that
10. in July 1 they would have to have that additional training.

11. SENATOR BERNING:

12. My question simply is, is certification required under 21-25,
13. is that a greater requirement than for a registered professional
14. nurse?

15. PRESIDENT:

16. Senator Bruce.

17. SENATOR BRUCE:

18. Yes.

19. PRESIDENT:

20. Any further discussion? The question is shall Senate Bill 1369
21. pass. All those in favor will vote Aye. Opposed Nay. The voting is
22. open. Any further....Have all voted who wish? Take the record. On
23. this question the Ayes are 33, the Nays are 5. 10 Voting Present.
24. Senate Bill 1369 having received a constitutional majority is declared
25. passed. Senate Bill 1371, Senator Bruce. Going right down the Calendar,
26. Gentlemen.

27. SECRETARY:

28. Senate Bill 1371.

29. (Secretary reads title of bill)

30. PRESIDENT:

31. Juat a moment. Just a moment. We have to have some order. It's
32. a requisite to doing business sensibly. Read the bill.

33. SECRETARY:

1 (Secretary continues reading title of bill)

2 PRESIDENT:

3 He's holding the bill. He's holding this bill. Take it out
4 of the record. Senate Bill 1384, Senator Lemke.

5 SECRETARY:

6 Senate Bill 1384.

7 (Secretary reads title of bill)

8 3rd reading of the bill.

9 PRESIDENT:

10 Senator Lemke.

11 SENATOR LEMKE:

12 This is a bill that provides for a person who loses total...a
13 loss of a member. What we presently have now is a situation where you
14 have a minor woking under a minimum rate and gets an arm amputated, he
15 ends up getting around seven thousand, eight thousand dollars and you
16 have another fellow who's working and he receives maybe seventeen or
17 eighteen thousand, and the intent of the Act was to contribute to the
18 man's livelihood and to get him retrained into a field that...so he can
19 take him off the public rolls, and I urge the passage of this bill.

20 PRESIDENT:

21 Any further discussion? The question is shall Senate Bill 1384
22 pass? Will all those in favor vote Aye? Opposed Nay. The voting is
23 open. Have all voted who wish? Take the record. On this question
24 the Ayes are 38, the Nays are 5, 5 Voting Present. Senate Bill 1384
25 having received a constitutional majority is declared passed. Senate
26 Bill 1395, Senator Nudelman.

27 SECRETARY:

28 Senate Bill 1395.

29 (Secretary reads title of bill)

30 3rd reading of the bill.

31 PRESIDENT:

32 Senator Nudelman.

33 SENATOR NUDELMAN:

1. Mr. President and Ladies and Gentlemen of the Senate. This is a
2. consumer's bill and it would stop the practice, which I'm sure you're
3. all familiar, of advertising a sale, for example of a man's suit, which
4. originally sold for two hundred dollars and you subsequently get an ad
5. fifty percent off and the suit is now a hundred dollars. The only thing
6. is they now charge you for alterations, which they didn't charge you
7. when they were selling it to you for two hundred. That's not unreason-
8. able except they should not be permitted to advertise the suit at the
9. cost of a hundred dollars. This bill would obviate that condition and
10. stop that type of advertising. And I solicit your support.

11. PRESIDENT:

12. Any further discussion? The question is shall Senate Bill 1395
13. pass. Those in favor will vote Aye. Those opposed Nay. The voting
14. is open. Have all voted who wish? Take the record. On that question
15. the Ayes are 49, the Nays are none. Senate Bill 1395 having received
16. a constitutional majority is declared passed. Senate Bill 1382, the
17. Chair inadvertently passed over it. Senate Bill 1382, Senator Sommer.

18. SECRETARY:

19. Senate Bill 1382.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Sommer.

24. SENATOR SOMMER:

25. Mr. President and members. This bill relates only to the situation
26. in which libraries are annexing property or taxpayers. Currently there
27. is no notice provisions in the statute. This requires a publication
28. and also a postcard notice to anyone that is going to be annexed. The
29. cost of this will be paid by the district that's doing the annexing.
30. Not by the county or Board of Election Commissioners.

31. PRESIDENT:

32. Any further discussion? The question is shall Senate Bill 1382
33. pass. Those in favor will vote Aye. Opposed will vote Nay. The voting

1. is open. Have all voted who wish? Take the record. On this question
2. the Ayes are 47, the Nays are none. Senate Bill 1382 having received
3. a constitutional majority is declared passed. Senate Bill 1461, Senator
4. Roe. Senate Bill 1465, Senator Regner. Senate Bill 1468, Senator
5. Glass.

6. SECRETARY:

7. Senate Bill 1468.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Glass.

12. SENATOR GLASS:

13. Thank you, Mr. President. Senate Bill 1468 is a bill that would
14. place limitations on the eminent domain powers of the Bureau of
15. Economic Development as they are presently granted under the Coal Bond
16. ...Development Bond Act. We had considerable discussion on the Floor
17. at the time of the amendment to this bill on the subject of whether
18. their powers are too broad. There has been concern that under the powers
19. the BED now has, they might even be able to take land for strip mining
20. purposes for private uses in connection with one of the Bond Develop-
21. ment Programs. I don't believe that is a justifiable fear, but I
22. certainly don't want to leave the Legislation open to that interpre-
23. tation. So, the bill before you was initially developed by the...
24. Coal...or the Energy Resources Commission and Senator Wooten offered
25. and we accepted an amendment that had been worked out between BED and
26. the environmental interest. I think it is presently a very reason-
27. able bill limiting its power of eminent domain, and would urge a favor-
28. able roll call.

29. PRESIDENT:

30. Any further discussion? Senator Knuppel.

31. SENATOR KNUPPEL:

32. Mr. President and members of the Body. There is quite a great
33. deal of dispute about the extend nature of the power of eminent domain

1 under the...under the Energy Act, which we passed last Spring. There
2 are those people who feel like, and I don't feel that this is true
3 at all when you read the Act, who feel like the power of eminent domain
4 is...is too broad in here. Actually, it does nothing, in my opinion,
5 except to allow them to condemn the necessary land and facilities to
6 run tests required to carry forward a technological program of develop-
7 ment of energy. Now, there was discussed and work out and approved
8 by a majority of members of the...of the Energy Resources Commission
9 this amendment which is now proposed by Senator Glass. However, this
10 is not...this is not, I repeat, an amendment that has been approved by
11 the Energy Office. As I understand it they're still unalterably
12 opposed to this, now, you can correct me if I'm wrong, but they're un-
13 alterably opposed to this amendment to the provisions for eminent domain.
14 They have provisions that they're trying to get on a bill in the House
15 but that they're unalterably opposed to this bill as it now stands.

16 Am I correct?

17 PRESIDENT:

18 Senator Glass.

19 SENATOR GLASS:

20 Senator Knuppel, I would like to correct you on that. The language
21 that is now in the amendment has been agreed to by the BED, and it's
22 the same language they put on in the House. So, that...that has been
23 acceptable to Sid Mardar and he worked out the amendment.

24 PRESIDENT:

25 Senator Knuppel.

26 SENATOR KNUPPEL:

27 And that amendment, now, has been put on this bill? All right.

28 PRESIDENT:

29 Any further discussion? The question is shall Senate Bill 1468
30 pass? Those in favor will vote Aye. Opposed will vote Nay. The voting
31 is open. Have all voted who wish? Take the record. Take the record.
32 On this question the Ayes are 46, the Nays are 2, 1 Voting Present.
33 Senate Bill 1468 having received a constitutional majority is declared

1. passed. The Chair would make an announcement. There has been questions
2. asked as to when the Agreed Bill List will be called. We're going to
3. call it as nearly as the hour of 2:30 as possible. So if there are
4. members in their offices listening, or members off the Floor, be advised
5. that at 2:30 the Agreed Bill List will be called. Senate Bill 1477,
6. Senator Carroll.

7. SECRETARY:

8. Senate Bill 1477.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. Thank you, Mr. President and members of the Senate. Senate Bill
15. 1477 creates a new act that we would call the Consumer Credit Billing
16. Act. That Act...that Act would, therefore, supercede the several Acts
17. that your constituents in mind are now operating under when it comes
18. to charging accounts, credit cards and revolving credit arrangements.
19. Very simply what we are providing is to allow the consumer your con-
20. stituent and mine, the opportunity to know and easily know what he is
21. paying for. How much credit it is going to cost him and why. We have
22. not in any way adjusted the actual statutory credit amounts. The amount
23. on both the Retail Charge Account Act and the Revolving Sales Act are
24. the same. What we have done, however, is said...Mr. President, could
25. I get a little order, please?

26. PRESIDENT:

27. A Senate is a place that...purports to be a dignified Body. Some-
28. times I wonder. Now, will the members be in their seats. Will you
29. take your conference from the Floor? Senator Savickas is recognized.
30. For what purpose.

31. SENATOR SAVICKAS:

32. For a purpose of introduction, Mr. President. Before we in-
33. terrupt Senator Carroll again, I would like the Senate to recognize

1. the eighth grade students from the Queen of the Universe School in my
2. district, with Gene Calihan representing them down here. Will they
3. rise.

4. PRESIDENT:

5. Will they rise and be recognized by the Senate. Senator
6. Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. What we would require...what we would
9. require is that when a person purchases something that they would be
10. billed and charged for that. If the retailer tells them...if the re-
11. tailer tells them that they have twenty-five days to pay then that's
12. what they have. Twenty-five days to decide whether to take advantage
13. of a charge account arrangements or use Senator Soper's method of paying
14. cash. Today that is not the law. Even though they tell them that they
15. have those twenty-five days, they end up charging them interest during
16. that period. What we have suggested is what is a fair way. And in
17. line with Federal law, and that is that when you do charge, from the
18. time of the original purchase, that they get the bill to you within
19. ten days after they close their accounts, they allow you from the
20. time of their closing date, the original twenty-five days to make the
21. election and if you then choose to avail yourself of the credit
22. method, then and only then do they begin charging interest. They must
23. give you credit for the payments when they receive them and charge
24. you interest on the unpaid balance and not double charge credit as has
25. happened in the past. This is probably the most complete and compre-
26. hensive plan to allow the consumer to understand what he is being
27. charged for and what he is expected to pay. I think all business in
28. this State would also like the ease of knowledge on their customers to
29. avoid their complaints. I'd be willing to answer any questions and
30. ask for a favorable roll call.

31. PRESIDENT:

32. Senator Don Moore.

33. SENATOR MOORE:

1 Would the sponsor yield to a question, Mr. President?

2 PRESIDENT:

3 He indicates he'll yield.

4 SENATOR MOORE:

5 Senator Carroll, is it not true that the Federal Fair Credit Billing
6 Act will become effective on October 28th, of 1975 this year?

7 PRESIDENT:

8 Senator Carroll.

9 SENATOR CARROLL:

10 Yes, luckily it is very true. I'm sure you've read it, I have.

11 SENATOR MOORE:

12 Well, I'm...if I may speak to the question, Mr. President? I
13 this as long as there is a Federal Act that is going to become effective
14 by October 28th and in all probability the second floor of the
15 Capitol will not act upon this bill by that time in the event it does
16 become law, I think we're creating a duplicity in different types of
17 laws. We've had thses things in before with the Federal Government
18 coming in and preempting in this field, and I don't mean preempting to
19 the exclusion of the State, but from the point of view of business, I
20 think that this is a bad bill. There is a Federal law that is going
21 to become effective in October 28th, 1975. If we start imposing differ-
22 ent types of laws it's going to do nothing but cause chaos as far as
23 the business community of our State. I think this...this is a bad
24 bill, and it should be defeated.

25 PRESIDENT:

26 Senator Demuzio. You'll get the chance...do you want to ask a
27 specific question? Senator Carroll.

28 SENATOR CARROLL:

29 Senator Moore's question relating to the Federal law. I think
30 it was a quesiton and I would like to respond. The question deals
31 with the Federal law called the Federal Fair Credit Billing Act, which
32 is not inconsistent with this Act. They dovetail together and were
33 drafted with somewhat a contemplation of the Federal Act at the time

1 they were drafted a few years ago. Now, what the Federal law says is
2 that State law where not inconsistent shall apply especially when that
3 State law is to the benefit of the consumer. What the Federal law pro-
4 vides for is that when you have a complaint about the way you were
5 billed they must respond and they must respond within a certain number
6 of days. It does not talk about how they will charge you interest, or
7 what they will tell you on their bill. What it tells you is, when you
8 think they've made a mistake, how to go about having that corrected
9 within a reasonable length of time. They're not basically the same
10 subject matter but they dovetail together into what's into the con-
11 sumer's best interest.

12 PRESIDENT:

13 Just a moment. Senator Don Moore.

14 SENATOR MOORE:

15 Yes, Mr. President, I think Senator Carroll reinforced my position
16 as to why this is a bad bill by making the statement that the Federal
17 law is not inconsistent with this law. If it's not inconsistent with
18 this law then we don't need it. I think he helped me out very much
19 in making up my mind to vote against this bill.

20 PRESIDENT:

21 Any further discussion? Senator Harber Hall.

22 SENATOR HARBER HALL:

23 Just briefly, Mr. President, I rise to oppose this bill on the
24 grounds that the Federal Government is entering into the area of this
25 type of consumer protection. And I think it's a very serious mistake
26 for individual states to be placing into their statutory law and im-
27 posing their requirements on so many businesses that do interstate
28 trading when those regulations will conflict with the Federal law
29 and are bound to in most instances. And in addition to this I believe
30 this bill is particularly dangerous and expensive through implementation
31 by small businesses who cannot afford the high cost of data processing
32 in order to provide their customers with the type of information
33 required here.

1. PRESIDENT:
2. Any further discussion? Senator Merritt.
3. SENATOR MERRITT:
4. Yes, Senator Carroll, do I understand correctly that this Act
5. becomes effective January 1st, '76?
6. PRESIDENT:
7. Senator Carroll.
8. SENATOR CARROLL:
9. Are you talking about the Federal or the...
10. PRESIDENT:
11. Senator Merritt.
12. SENATOR MERRITT:
13. I'm talking about the bill that we have under consideration.
14. PRESIDENT:
15. Senator Carroll.
16. SENATOR CARROLL:
17. Yes, that's correct.
18. PRESIDENT:
19. Senator Merritt.
20. SENATOR MERRITT:
21. In that event then I think it's totally untimely. The Federal
22. law would have been in effect at that time long before this could
23. become law. If I ever saw a bill that's inflationary, it's this one.
24. You're going to put untold cost on retailers. You're going to have
25. to reprogram their computers, you're going to have customers receiving
26. bills that could be several pages long, when you go back and pick up
27. all those entries. I just think it's...it's terribly inflationary,
28. costly at a time when we do not need it. And I certainly would oppose
29. the bill.
30. PRESIDENT:
31. Any further discussion? Senator Glass.
32. SENATOR GLASS:
33. A question of the sponsor, Mr. President.

1 PRESIDENT:

2 He indicates he'll yield.

3 SENATOR GLASS:

4 Senator Carroll, could you outline briefly what additional pro-
5 visions this bill will provide over the Federal law. In other words,
6 what...what does this do that the Federal law does not do?

7 PRESIDENT:

8 Senator Carroll.

9 SENATOR CARROLL:

10 Very briefly, it's like talking about making a sort of a fruit
11 salad and having apples and oranges and that's basically what the
12 differences are between the two. The Federal law, for example, talks
13 about correction of billing errors, regulation of credit reports, length
14 of billing periods, prompting crediting of payments, credit excess
15 payments, has nothing to do with the specific provisions of this Act.
16 The two are dovetailing into each other, however, which the Federal
17 law not only allows, but suggests in its closing section that the
18 State should act in the best interest of their local type of industry and
19 local consumers. What the State law would do is say - how you shall
20 tell your customer, tell your consumer when something has been pur-
21 chased, whether or not they're going to have time upon which to decide
22 whether to charge it or pay cash. And once they've made that election
23 then how are you going to charge them interest. All we're asking for
24 is the truth, and it's not going to be hundreds of pages long, because
25 as something is paid for, once you've made the election to go on
26 credit it goes off of that cycle. So, one deals with how you tell
27 the consumer what you're going to do and the other, basically, deals
28 with how you handle complaints after the fact.

29 PRESIDENT:

30 Any further discussion? The question is shall Senate Bill ...
31 Senator Carroll.

32 SENATOR CARROLL:

33 I would just like to have one second to close if I may, Mr.

SB 1151
3rd Reading
5/20/75

1. President.

2. PRESIDENT:

3. Senator Carroll may certainly close the debate. Senator Carroll.

4. SENATOR CARROLL:

5. I think the important point is there should be nothing costly
6. about the truth. There should be nothing costly about an industry
7. telling its customers what they're going to charge them for and why.
8. If that costs money then there's something wrong with our laws. All
9. this bill does is say to industry - when you're going to apply a
10. revolving credit account, tell the people what you're going to charge
11. them for. We don't say in this law how often you have to ask for
12. percentages back, what percentages you have to pay. That's up to
13. you to do by contract with your consumer. All we're saying to you,
14. though, is that when you do make that contract, do it honestly and
15. live up to it. This is an opening bill, it allows for an honest
16. approach to what your're charging for. I think this is important
17. Legislation to the people of our State, and I would ask for a favorable
18. roll call.

19. PRESIDENT:

20. The question is shall Senate Bill 1477 pass. Those in favor will
21. vote Aye. Those opposed will vote Nay. The voting is open. Have
22. all voted who wish? Take the record. On this question the Ayes are
23. 26, the Nays are 21. Senate Bill 1477 having failed to receive a
24. constitutional majority is declared lost. Senate Bill 1151 on 3rd
25. reading, Senator Don Moore.

26. SECRETARY:

27. Senate Bill 1151.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Don Moore.

32. SENATOR MOORE:

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

1. 1151 as amended requires the Department of Public Aid to change from
2. the Special Need System of determining need and paying grants to a
3. consolidated grant system, or as it is known, as a Flat Grant System
4. as used in the AFDC cases, now, for the recipients of assistance for
5. the Aged, Blind and Disabled program who are not in long-term care
6. facilities. Provision is made for the creation of additional special
7. need categories. The amendment also enables the Department of Public
8. Aid to increase the amount of income disregard to current maximums
9. allowed by Federal law. The amendment establishes an emergency
10. assistance program for the aged, blind and disabled. In effect what
11. this bill does, Mr. President, it does go to a Flat Grant Program for
12. the aged, blind and disabled categories. In all fairness to the mem-
13. bers of this Body, I have to state that the cost of this bill would be
14. someplace in the vicinity of thirty to fifty million dollars. I
15. also in all fairness to this Body should make the representation that
16. the Illinois Department of Public Aid does oppose this bill. I think
17. the concept is good, however, I think it's a step in the right direction.
18. And I'd be happy to try and answer any questions that the membership
19. might have.

20. PRESIDENT:

21. Any further discussion? Senator Weaver.

22. SENATOR WEAVER:

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

24. PRESIDENT:

25. Will he yield? And he indicates he will.

26. SENATOR WEAVER:

27. Senator Moore, what kind of deficiency are we talking about on
28. Senate Bill 555 next Spring?

29. PRESIDENT:

30. Senator Moore.

31. SENATOR MOORE:

32. Senator Weaver, I cannot give you an exact figure at this time.
33. From the preliminary reports that we have from our staff I would

1. anticipate a deficiency appropriation under Senate Bill 555, which is
2. the Appropriation Bill for the Illinois Department of Public Aid for
3. fiscal year '76, of approximately one hundred and fifty million dollars.

4. PRESIDENT:

5. Senator Weaver.

6. SENATOR WEAVER:

7. Well, Senator Moore, if this bill passes then why don't we just amend
8. Senate Bill 555 and add that much money at this point rather than come
9. back in next Spring for another deficiency?

10. PRESIDENT:

11. Senator Moore.

12. SENATOR MOORE:

13. If this bill did pass, Senator, then there would have to be an
14. increased appropriation in Senate Bill 555 to cover the additional
15. expenses that would be incurred here. However, I do want to point
16. out that under the amendment that was adopted, Amendment No. 2, there
17. is discretion left in the Department of Public Aid to determine what
18. the grant level should be. Under the original committee amendment
19. the General Assembly mandated the amounts that would be...

20. PRESIDENT:

21. Will the members be in their seats.

22. SENATOR MOORE:

23. The General Assembly mandated the amount of the payments. The
24. Department did not approve of this, and therefore, I changed it.

25. PRESIDENT:

26. Senator Demuzio.

27. SENATOR DEMUZIO:

28. Thank you, Mr. President and members of the Senate. I just want
29. to for the benefit of the members on our side of the aisle that have
30. not been listening that the fiscal note of Senate Bill 1151 is in
31. the area of anywhere from three to seventy two million dollars in
32. flat grant assistance for this year. And I, for one, with the deficiency
33. appropriations that we've already given to the Department of Public

1. Aid am opposed to this piece of legislation, and I would urge the
2. members on this side to vote against it.

3. PRESIDENT:

4. Senator Netsch is recognized.

5. SENATOR NETSCH:

6. Mr. President, I would like, also, to call the attention of mem-
7. bers to another very important consideration and a very troubling
8. consideration with respect to Senate Bill 1151 as it now exists. The
9. Legislative Advisory Committee purports to take this position in support
10. of this bill in order to help add on to the amount of grants to be re-
11. ceived by people on AABD. That, it seems to me is a highly desirable
12. goal. Illinois is not up to national average and we ought to be way
13. ahead of national average in terms of the amounts that we are willing
14. to supplement to a...an important group of people and a group that
15. needs that kind of additional income very badly. But, as the memo
16. from the Department of Public Aid points out, this may not be the best
17. way. In fact, is not in their judgement, the best way to achieve it.
18. There are always problems as heaven knows I hope we learned last year,
19. when you change over to a Flat Grant System. There are some people
20. who are recipients of AABD, who will get additional funds, there are
21. some who will get about the same, and many who will not be helped at
22. all. The Department in its memorandum, which has been made available
23. to all members of the Senate, has pointed out several devices for
24. achieving the objective of helping those people on AABD, who need
25. additional funds without, perhaps, the same financial commitment
26. as this bill involves, and certainly without the discrimination and
27. unfairness and unevenness that this bill involves. I do not know what
28. discussions and negotiations went on between the Legislative Committee
29. and the Department, but apparently they were unsuccessful in resolving
30. their differences. I am not concerned, that's not true that I'm not
31. concerned, but I would recognize that whatever we did in this area
32. would involve some additional funding for this program. That is some-
33. thing to which I am quite willing to be committed. But, I want that

1. money to go in the form and where it is needed, and there is strong...

2. PRESIDENT:

3. Just one minute, Senator. One minute, Senator. The decorum
4. and dignity of the Senate is lessening. Now, let's start listening
5. and less talking. Senator Netsch may conclude.

6. SENATOR NETSCH:

7. Thank you. And there is evidence that there are several other
8. alternatives suggested by the Department, that it is willing to go
9. along with which would achieve that result. I would ask the sponsor
10. to find another device for getting rid of the lien which I think is
11. an abomination and should be done away with and for achieving some
12. of the other purposes of this bill. But, in terms of its critical
13. elements, which is the supplemental...the State supplemental payments,
14. this is not the best way to achieve what purports to be that objective.

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. For those of you who missed that ten minute dialogue, I think
19. Senator Netsch stands opposed as I do to Senate Bill 1151. It's all
20. too seldom that she and I agree, and I want to take this opportunity
21. to agree with her. I think Senate Bill 1151 should be defeated.

22. PRESIDENT:

23. Any further discussion? Senator Smith.

24. SENATOR SMITH:

25. Mr. President and Ladies and Gentlemen of the Senate. I too am
26. in full agreement with the expressions that you made, Senator, with
27. regards to this bill. I recall full well when this bill was in
28. Committee, the one who now stands before you offered a worthwhile
29. amendment that would fully have served the purposes intended to be
30. served by this bill. I've discussed at length with the Senate sponsor
31. of the bill as it's in its present condition, and I'm going to make...

32. PRESIDENT:

33. Just a moment, Senator. Now, the Chair is going to insist that

1. if staff personnel desires to have conferences that they have them on
2. a...at a place other than on the Senate Floor. I think there is a
3. dichotomy between the elected Senator and a member of staff. We want
4. you here, we need you here, we don't want and will not tolerate the
5. noise. Continue, Senator.

6. SENATOR SMITH:

7. I was about to say that this bill provides a flat grant method
8. as something that is to many obnoxious, and not alone on that, it's
9. the total amount that this bill seeks to appropriate, and if and when
10. we get to the regular Advisory Commission bills you will find that
11. we have made competent, worthwhile, sensible provisions to do that
12. which this bill purports to do, and I hope that the Body will vote
13. No with regards to this particular bill and send it where it deserves
14. to go, the graveyard.

15. PRESIDENT:

16. Any further discussion? The question is shall Senate Bill 1151
17. pass. Those in favor will vote Aye. Opposed Nay. The voting is
18. open. Have all voted who wish? Have all voted who wish? Take the
19. record. On this question the Ayes are 7, the Nays are 35. 4 Voting
20. Present. Senate Bill 1151 having failed to receive a constitutional
21. majority is declared lost. Now, may I have the attention of the Body.
22. Senator Harber Hall is here with a group of distinguished international
23. visitors. The Chair recognizes Senator Harber Hall.

24. SENATOR HALL:

25. President Partee and fellow Senators, I think you will join me
26. in welcoming a group of Rotary Study Exchange individuals who are in
27. the form of a team from Australia. These gentlemen are from Queensland
28. and they're coming here to study many of our business methods and our
29. Government and particularly in the State of Illinois, how we do things,
30. and they are represented by Mick Jackas, and Mick is an air traffic
31. controller. Russ King is a broadcaster with a small rural constituency,
32. Jim Lyons is a pharmacist, John Johnson is a child welfare officer,
33. Terry Gibbs is a manager of a corn marketing board, Darrell Hanley is

1. a high school deputy principal, and I'd like Darrell to come up and
2. give you a few words of greeting. Darrell.

3. (Speech given by Darrell Hanley)

4. PRESIDENT:

5. On behalf of our membership let me say to you Gentlemen, we are
6. pleased to have you in Illinois. Come back again. Is the Committee
7. on Education ready on Senate Bill 1493? For what purpose does Senator
8. Romano arise?

9. SENATOR ROMANO:

10. Mr. President, I arise to Table Senate Bill 1020.

11. PRESIDENT:

12. Senator Romano seeks leave to Table Senate Bill 1020. Is there
13. leave? Leave is granted. The bill is Tabled.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senate Bill 1493. Senator Buzbee.

16. SENATOR BUZBEE:

17. Mr. President, we have an amendment to offer to Senate Bill 1493.
18. You'll recall this is the agreed...The Committee and Education Bill
19. concerning the additional funds for the State Aid Formula, and we
20. had unanimous consent on both sides, Republican and Democratic, to
21. put this bill out as a Committee Bill, and we are, now, amending
22. it again, unanimous agreement on the amendment. The amendment does
23. two things...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee...

26. SENATOR BUZBEE:

27. ...has it been read a second time?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. It's on 3rd reading. Let us...

30. SENATOR BUZBEE:

31. I'm sorry...I...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. ...let us move the bill back. Senator Buzbee moves...asks leave

1. of the Body to have Senate Bill 1493 moved to the order of 2nd reading.
2. Is there leave? Leave is granted. The Bill's on 2nd reading. Senator
3. Buzbee.

4. SENATOR BUZBEE:

5. The amendment does two things. It says that, as you know there
6. was a change in Title I definition by the Federal Government, and
7. in some cases in...the case of the City of Chicago, as an example, the
8. new definition enhanced Chicago's position. In the City of Springfield,
9. the old definition was better for Springfield. So, what we've done
10. with this amendment is that it says you can use either definition under
11. this bill, which ever happens to be better for your area. The second
12. portion of the amendment says that the transportation rate, which we've
13. included in the new bill to be used for computation of the School Aid
14. Formula, that the transportation rate does not have to be used for
15. the rollback portion. So, again, we've tried to make it the best of
16. both worlds, and I would ask for...I would move that the amendment be
17. adopted.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Buzbee has moved the adoption of the amendment. All those
20. in favor say Aye. All opposed. The amendment is adopted. Any further
21. amendments. 3rd reading. Gentlemen, we have concluded 3rd bills on
22. the first run through. We will now return to Senate Bills 3rd reading
23. at the top. Senate Bill 14, Senator Palmer.

24. SECRETARY:

25. Senate Bill 14.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Palmer.

30. SENATOR PALMER:

31. Mr. President and members of the Senate. Senate Bill 14, a very
32. important piece of Legislation and much needed Legislation in the
33. State of Illinois. What Senate Bill 14 does, it relates to gun control,

1 handgun control. What it does is it prohibits possession of handguns
2 in public except for law enforcement officials, military and security
3 personnel. What it does it permits private possession of handguns for
4 hunting, target practice, or self defense at home and business by
5 persons having State registration cards. What it does is that it ex-
6 pands the definition of the illegal use of a loaded gun as compared
7 to the ineffective concealed weapon approach. And in this way, of
8 course, it eases the burden of police to make an arrest and to convict,
9 because under this law it becomes unnecessary to prove that the weapon
10 is concealed or not accessible. This bill provides simply the lawful
11 use of a handgun and provides for the crime and penalty for the
12 unlawful use of a loaded gun. I made reference, here, about the in-
13 effective concealed weapon approach. Under our law an officer cannot
14 make an arrest of a person carrying a handgun unless it's concealed.
15 Now, under that ineffective statute it becomes necessary for an officer
16 to make a proper search. This, of course, brings in the constitutional
17 provision of the Search and Seizure. And, therefore, the experience
18 in the courts are by the attorneys making a motion to suppress, many
19 of the cases result in a discharge, because no warrant was present
20 and, therefore, the search was not proper and the person carrying the
21 gun walks out of the courtroom. What this bill does, it simply says
22 that if a person is carrying a gun not lawfully, an officer can make
23 the arrest. And I think with this...is not...Senate Bill 14 is cer-
24 tainly not offered to this Body as a cure all, but it does help and
25 will make certain persons hesitate to carry the guns, because they're
26 more easily arrested, and, therefore, will not be accessible to
27 commission and into commission of the many, many murders and crimes
28 that are occurring in our great State and in the Country, and I can
29 say to you, Ladies and Gentlemen, that the people are demanding gun
30 legislation. And I think this is the kind of a piece of legislation
31 that you ought to give a great deal of attention to and give it a
32 favorable vote. I'm open to questions is anybody wants to ask me.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Johns.

3. SENATOR JOHNS:

4. Mr. President, Senate Bill 14 as amended would be a disaster.
5. My good friend, Ben Palmer, Senator Ben's from Chicago and the other
6. allied sponsors are also from Chicago. In most instances on any
7. Legislation they always implement the Home Rule. Well, I can tell
8. you that the abolition of the handgun, the ability to have one might
9. be alright for Chicago, might be alright under a Home Rule type
10. arrangement for that, but the rest of the downstate doesn't want it.
11. You will make lawbreakers out of law-abiding citizens if you ever
12. try to restrict the use of the handgun and the ownership of it. The
13. real aim should be, here, as it was yesterday, when Senator Kosinski
14. wanted more probation officers. The real aim should be to punish those
15. that violate criminal statutes. The real aim should be for the courts
16. to punish those that repeatedly break the law. The criminal is not
17. going to recognize any other laws if he has the intent to destroy or
18. to maim, to rape, to rob at the use...with the use of a handgun. The
19. deal is, punish the criminals that violate this...this great privilege
20. that was given to us a long time ago. I own several guns, I intend to
21. fight this Legislation as long as possible. I value my guns. They're
22. craftsmanship. I like to use them for target practice, I like to carry
23. a pistol on my side into the woods, and when I'm there camping at night
24. I like to have it to prevent any disasters of any kind. Hush, Demuzio,
25. you're distracting. But, if you really want a rebellion, if you really
26. want the people to be upset, take the right of ownership of a handgun
27. from them. Put this to a referendum and watch it. I say to you, my
28. friends from Chicago, I appreciate perhaps the need for it in Chicago
29. but I tell you that leave the rest of the downstate alone. We value,
30. we treasure this privilege of having our guns, we love the out-of-doors,
31. we want them with us, we want to be able to protect our families against
32. those that might be insane, those that would attempt to rob us, or harm
33. us in our homes. It gives you a great deal of comfort to have a gun

1. at your use and disposal when your family is threatened. I...I ask
2. my colleagues to fight this bill with all the sincerity that I have
3. used in my speech. Thank you very much.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Buzbee.

6. SENATOR BUZBEE:

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

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. He indicates he will yield.

10. SENATOR BUZBEE:

11. Do I understand that this bill would say that it would be illegal
12. to carry a handgun, as an example, in your car, or on your person while
13. you are out, let's say, hunting or fishing or you're on your way to
14. go hunting and fishing in a car. Would it be illegal to carry that
15. handgun unless you are a police officer or security guard? Is that
16. true, Senator Palmer?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Palmer.

19. SENATOR PALMER:

20. This bill provides that if you were on your way hunting or target
21. practice and you have sufficient evidence to the effect that you are
22. engaged in that type of activity. You may carry a gun in your car
23. but it must be in a case unloaded.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Well, what about if you're, let's say, you're out hunting or
28. fishing in your boat and you have a gun in your...in a holster. Is
29. that illegal?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Palmer.

32. SENATOR PALMER:

33. Just repeat that again, Senator. If you're what?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. If you're hunting or you are fishing in a boat, let's say, and you
5. have a handgun in a holster. Is that illegal?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Excuse me, Gentlemen. If we could have some order. The two
8. gentlemen are only separated by a few seats and they cannot hear
9. one another. Senator Palmer.

10. SENATOR PALMER:

11. No, Senator, it's not. As a matter of fact this bill actually
12. provides for the proper use of a gun while you're hunting.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Senator Palmer, I was handed a note just a minute ago that Con-
17. gressman Mikva is in favor of this bill. Is that true. Would you
18. comment on that.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Palmer.

21. SENATOR PALMER:

22. Congressman Mikva is definitely in favor of gun control. He
23. is in favor of a much stronger measure that would eliminate the manu-
24. facture, the possession and the selling of guns, which, of course,
25. would absolutely offend and...our Senator Johns, there. I would like
26. to answer Senator Johns later, but this bill suits, in my opinion, suits
27. Senator Johns' position and also his constituents, because it gives
28. them the right to carry a gun. What this bill does is actually separate
29. the good guys from the bad guys. In other words you have a right to
30. carry a gun lawfully but you do not have a right to carry a gun un-
31. lawfully.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Buzbee.

34. SENATOR BUZBEE:

1. It seems to me an easier way to separate the good guys from the
2. bad guys is to make the good guys wear white hats and the bad guys
3. black hats, but, Senator Palmer, I...I understand...I understand your
4. problems and your reasoning for...for this sort of legislation. How-
5. ever, I would point out in my district that this sort of legislation
6. is interpreted as an attempt at the beginning of disarming the public.
7. Now, I know that you probably don't intend it that way, however, there
8. are some very strong feelings in my district that perhaps that is,
9. in fact, what will happen. And so as a result I'm going to have to
10. vote No on this bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Glass.

13. SENATOR GLASS:

14. Thank you, Mr. President and Ladies and Gentlemen. I rise to
15. support this bill. Those, Senator Johns and Senator Buzbee, who have
16. spoken against the bill have cited a concern that a person will not
17. be allowed to have a handgun on his person for some legitimate pursuit
18. such as hunting or target practice. That is entirely wrong. The
19. bill is carefully drafted to exclude all legitimate uses for a handgun.
20. And within the bill there are opportunities for anyone having any
21. legitimate interest in having a handgun on their person to have one.
22. If you...if you were to have a handgun in violation of this Act, it
23. seems to me you would have no business with one. We all are aware of
24. the numerous violent crimes that are committed with handguns. I
25. think that this is a very reasonable bill. I would ask leave, Mr.
26. President, to be added as a cosponsor of the bill and would urge
27. support of all members.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Glass asks leave to be added as cosponsor. Is there
30. leave? Leave is granted. Senator Harber Hall.

31. SENATOR HALL:

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

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Hall, if you would hold that motion for one minute. We
2. have other Senators who would like to speak on this issue. Senator
3. Merritt.

4. SENATOR MERRITT:

5. Mr. President, I certainly hate to take issue with my good friend,
6. Senator Ben Palmer from Chicago, whom I respect deeply. I think he's
7. done a marvelous job in attempting to get this bill amended. I know
8. the problems you have in the City of Chicago. But, by the same token
9. I join Senator Johns and Senator Buzbee in trying to attempt to re-
10. late to you what a downstate rural population is and how you will create
11. their rath and furor with any bill that even attempts to skirt around
12. the edges of this issue. They consider it their basic right and free-
13. dom granted under the Constitution, both Federal and State, to keep
14. and bear arms. And I think you only have to look at those countries
15. in past history who've come under Communist domination, first with
16. regulation then licensing, then registration, then complete confisca-
17. tion. Now, what we really need, Mr. President...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Excuse me, Senator Merritt. We seem to get noiser and noiser.
20. If we could have some order please. Senator Merritt.

21. SENATOR MERRITT:

22. Now, what we really need is a step in the direction that Senator
23. Daley had the courage to take today in giving mandatory sentences.
24. In my opinion his bill was too weak, but at least it was a step in the
25. right direction. We need those strong, mandatory sentences on those
26. convicted with crimes using firearms. And what we need more than
27. anything is to put the handcuffs on the criminal where it belongs
28. and leave our God-fearing, law-abiding citizens alone downstate.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. Mr. President and members of the Senate. I don't think that, in
33. all due respects to Senator Palmer, that this bill is going to reduce

1. the deaths or crimes committed by handguns at all. I don't...people
2. want to use handguns irregardless of what the law is, or if they
3. have difficulty in getting them they're going to obtain them. I...
4. I rise in opposition to this...to this bill and urge my colleagues
5. to vote No.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Kosinski.

8. SENATOR KOSINSKI:

9. Mr. President and members of the Senate. It is a great honor for
10. me to introduce to a classroom that has done a very outstanding job
11. in teachings of the Catholic faith as well as being a great citizen
12. of this great country. I'd like to introduce the members of the
13. St. Mary's of the Angels Parish School, the Reverend Father Edwin
14. Conolovich, the Pastor and faculty Emily Clutch and George Breski
15. Will you please rise and be introduced.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Ask that they stand and be recognized by the Senate. Senator
18. Vadalabene.

19. SENATOR VADALABENE:

20. Yes, thank you, Mr. President and members of the Senate. In
21. respect to my colleague, Senator Palmer, in my two terms in the House
22. and now in the Senate, I have opposed all types and any types of
23. gun legislation, and I urge my colleagues to oppose this bill, also.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further discussion? Senator Harber...Senator Fawell.

26. SENATOR FAWELL:

27. Mr. President, first of all, and I very seldom do this, I under-
28. stand that the St. Joseph's School from Downers Grove, the eighth
29. grade class is in the seats behind me, and I would like to introduce
30. them if they haven't left. They're in the process of leaving right
31. now.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further debate? Senator Harber Hall moves the previous

1. question. All in favor say Aye. Opposed. Debate is closed. Senator
2. Palmer may close the debate.

3. SENATOR PALMER:

4. Mr. President and members of the Senate and Senator Weaver. You
5. know I..I've been listening to the...my distinguished colleagues...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Excuse me, Senator Palmer.

8. SENATOR PALMER:

9. What?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. We have several caucuses over to the right of the Chair that
12. Senator Rock is trying to listen, would ask that you take your
13. conferences off the Floor. Senator Palmer.

14. SENATOR PALMER:

15. Mr. President, if they are caucusing and trying to solicit bills
16. for this...votes for this bill, I hope you will not disturb them.
17. As I was starting to say, my illustrious and distinguished colleagues
18. from down South arose and spoke against this bill. You know they
19. really...they really did not speak against this bill, they have al-
20. ways, because of habit, have some general feeling against gun legis-
21. lation. But, Senate Bill 14 does not interfere with the constitutional
22. provision that Senator Merritt raised the right to bear arms. It
23. does not interfere with that at all. Senator Merritt, I want to tell
24. you if you read the bill, every person down South has a right to have
25. a gun, to have it in their home, to protect themselves, to protect
26. their business, to protect their farms, to protect their homes, just
27. so long as they comply with the other law and register. Now, there
28. is also been some reference to the question of punishing the criminal
29. who has committed a crime. Please believe me that I have no quarrel
30. with that. Certainly you should punish the person who has committed
31. the crime with the gun. I am in accord with that. But, remember,
32. Gentlemen of the Senate, this is in a way a little too late, this
33. ...the damage in that particular case where you are trying to apply

1. a statute of punishment, a crime has already been committed. A
2. penalty may be imposed upon a person who has already killed some-
3. body, or has already damaged somebody. Certainly it's the big
4. cities that...

5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Palmer, your time is...

7. SENATOR PALMER:
8. ...gun violence...

9. PRESIDING OFFICER: (SENATOR BRUCE)
10. ...has concluded.

11. SENATOR PALMER:
12. ...and, therefore, it's more apparent in the big cities...

13. PRESIDING OFFICER: (SENATOR BRUCE)
14. ...Thank you very much.

15. SENATOR PALMER:
16. ...But, people get killed in the small cities, too. All I would
17. tell you is that we're not taking away your rights. We are just...
18. this bill Senate 14, only tells you not to use it unlawfully. And
19. I want to call attention to one more thing...I mean repeat it, be-
20. cause it bears emphasis and the reason is our present law requires
21. that a gun has got to be concealed before you can make the arrest.
22. If this law passes it is not necessary for the officers to prove that
23. the gun was concealed or inaccessible. Just the possession of the
24. gun in the public. I ask for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Howard Mohr.

27. SENATOR MOHR:
28. Yes, Mr. President, I'm sorry I understand the debate has been
29. closed on this and I have been called off the Floor. An inquiry of
30. the Chair. Has the Home Rule Amendment been put on here?

31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Palmer. The question is has the Home Rule Amendment
33. been placed on Senate Bill 14?

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- 1. SENATOR PALMER:
- 2. No, it has not, but I am trying to help and protect the great
- 3. State of Illinois, the Southern people too as well as City of Chicago.
- 4. PRESIDING OFFICER: (SENATOR BRUCE)
- 5. Senator Howard Mohr.
- 6. SENATOR MOHR:
- 7. Well, Mr. President, I'm from the same county as Senator Palmer
- 8. and have the same concerns, only, I'm concerned really right at this
- 9. stage of the game with Cook County and I think that's where he should
- 10. be concerned. If this bill fails he could put it on postponed con-
- 11. sideration and...and put the Home Rule Amendment on it. Could he
- 12. not?
- 13. PRESIDING OFFICER: (SENATOR BRUCE)
- 14. That would be Senator Palmer's option.
- 15. SENATOR MOHR:
- 16. That would be a good option. I just thought I'd get the opinion
- 17. of the Chair. Thank you, Sir.
- 18. PRESIDING OFFICER: (SENATOR BRUCE)
- 19. Roll call has been requested. The question is shall Senate Bill
- 20. 14 pass. All those in favor vote Aye. Those opposed vote Nay. The
- 21. voting is open. Have all voted who wish? Take the record. Senator
- 22. Palmer has moved to postpone for further consideration Senate Bill
- 23. 14. Consideration will be postponed. Senator McCarthy.
- 24. SENATOR McCARTHY:
- 25. Yes, Mr. President and members of the Body. I'm about to make
- 26. a motion to proceed out of the order of the regular business. The
- 27. motion is in writing. It's filed with the Secretary. But, generally
- 28. what the motion does is it's made pursuant to rule 4 of our rules,
- 29. which allows a Senator to make a motion to go out of order upon
- 30. unanimous consent, or if there's objection upon being supported by
- 31. a majority of those voting on the question. I would like to have
- 32. unanimous consent to move to the order of 2nd reading to this bill
- 33. known as Senate Bill No. 285, the Unemployment Compensation Bill,

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1 to consider that bill for the purposes of amendment. Do I have
2 unanimous consent?

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Is consent granted? Leave is granted. Senator McCarthy.
5 Senate Bill...or House...Senate Bill 285. 235. 285.

6 SENATOR McCARTHY:
7 285.

8 PRESIDING OFFICER: (SENATOR BRUCE)
9 On 2nd reading.

10 SECRETARY:
11 Senate Bill 285.

12 (Secretary reads title of bill)
13 2nd reading of the bill. No committee amendments. Two Floor amend-
14 ments offered by Senator McCarthy, and a request for a fiscal note
15 by Senator Glass.

16 PRESIDING OFFICER: (SENATOR BRUCE)
17 Senator McCarthy.

18 SENATOR McCARTHY:
19 Yes, Mr. President, on the first amendment, there, I didn't mark
20 them. It would be the long amendment, which are being circulated
21 among the members. I would like ultimately to move that that amend-
22 ment be adopted. What it does, the long amendment, two page amend-
23 ment, is to make several changes in Senate Bill 285. In the first
24 instance with reference to the rates that would be paid to unemployed
25 workers, the following formula would obtain, rates would be based
26 upon the State average work week of covered employees under the Act.
27 And in the event of a single worker...

28 PRESIDING OFFICER: (SENATOR BRUCE)
29 For what purpose does Senate Glass arise?

30 SENATOR GLASS:
31 I rise on a point of order, Mr. President.

32 PRESIDING OFFICER: (SENATOR BRUCE)
33 State your point.

34 SENATOR GLASS:
35 I filed a request for a fiscal note on this bill and I believe that
36 should be responded to before the bill is read.

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. One moment, Senator Glass. Senator McCarthy, there is a fiscal
3. note attached to the Legislation. A request for a fiscal note.
4. Senator McCarthy.

5. SENATOR McCARTHY:

6. Yes, Mr. President, I'm aware of the fact that there was a re-
7. quest filed late last night for a fiscal note. I'm also aware under
8. the provision of the law that provides for fiscal notes, as to the
9. substantive law I'd like to quote it to the membership. It's chapter
10. 63, section 4233. It says - vote as to an necessity of fiscal notes.
11. It goes on to say - whenever the sponsor of any measure is of the
12. opinion that no fiscal note is necessary, any member of either House
13. may thereafter ...is necessary...any member of either House may there-
14. after request that a note be obtained, and in such case the matter
15. shall be decided by a majority of those votes present and voting in
16. the House of which he is a member. Now, Mr. President, pursuant of
17. that section of the statute, I am of the opinion that no fiscal note
18. is necessary to this bill, and so I would like to move that the
19. request for the fiscal note, because of the nature of this legislation
20. is out of order, is unnecessary, I'd like to be supported by an
21. affirmative vote on that motion. We need, perhaps, the gong on that.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. For what purpose does Senator Graham arise?

24. SENATOR GRAHAM:

25. I think that Senator McCarthy's opinion might be different than,
26. perhaps, the majority of the Senate with regard to the necessity for
27. a fiscal note. I think, ultimately, that this is going to be solved,
28. or not solved by the ruling from the Chair, and I hope at that time
29. the Chair is going to be prepared because we are.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator McCarthy has moved pursuant to Chapter 63, Section 43.3..42.3
32. as sponsor of the legislation the fiscal note as requested is not
33. necessary...that statutory provision. In that case the matter shall

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1. be decided by a majority vote of those present, and the question is,
2. is a fiscal note required on Senate Bill 285. All those in favor
3. say Aye. Senator Glass.

4. SENATOR GLASS:

5. Well, Mr. President, I would just like to respond. I have the
6. section in question, but I...there hasn't been any...any debate on
7. the necessity for a fiscal note. Senator McCarthy has simply said
8. he doesn't think one is necessary. I would only submit to the member-
9. ship that this would be a bad precedent to establish, and my recollection
10. when fiscal notes have been requested they've been routinely provided
11. and I don't think this should be an exception. I would hope that the
12. membership would support this request for a fiscal note.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator McCarthy.

15. SENATOR McCARTHY:

16. Well, I don't...thank you, Mr. President and members of the Senate.
17. A fiscal note can be attached to any bill where there is a request.
18. But, I think the purpose of the fiscal note must be twofold, it must
19. be meaningful, it must be informative, and I think it has to be em-
20. brace with the general legislative intent covering the enactment
21. of this bill. As I remember, then Representative Paul Simon, he wanted
22. to have a fiscal note attached in some instances where State funds
23. were expended so that we would know what the State's fiscal position
24. is. And, Mr. President, insofar as this bill is concerned we're not
25. dealing with any State funds except funds that have been set into a
26. trust fund. It is governed by another section of the law, which is
27. not being subject to this amendment, and I don't accuse Senator
28. Glass of being dilatory except I state quite sincerely to this Body,
29. that in my opinion a fiscal note is not necessary in this bill. If
30. I've handled one bill on unemployment compensation benefits subject
31. matters, I've handled five, and never before has any member ever re-
32. quested that a fiscal note be supplied. The compliance of the fiscal
33. note would be meaningless. It's not necessary, it's not germane,

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1. and I would like the question, Mr. President, to be stated by you, again,
2. that is so the majority members of this Body could state by their votes
3. that a fiscal note was not necessary to this legislation, so that we
4. can proceed with the amendments and move this important legislation
5. to 3rd reading.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is, is a fiscal note required on Senate Bill 285.
8. Those supporting the position of Senator Glass will vote Aye. Those
9. supporting the position of Senator McCarthy will vote No. The voting
10. is open. Have all voted who wish? Take the record. On that question
11. the Ayes are 23, the Nays are 33. A fiscal note is not required on
12. Senate Bill 285. Be no applause from the gallery please. Senator
13. McCarthy.

14. SENATOR McCARTHY:

15. I think we're now...I think we now are and revert to the order
16. of the first amendment. I think I was in the process of...

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. That is correct.

19. SENATOR McCARTHY:

20. ...explaining the first amendment to 235. What that does is...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator ParTEE. For what purpose do you arise?

23. SENATOR PARTEE:

24. On a point of personal privilege. Just before...these people will
25. probably be gone before...I'd like to introduce in the southwest gallery
26. some students from the Charles Wacker School in Chicago accompanied
27. by their teacher, Mrs. Healey. I'd ask them to stand and be recognized
28. by the Senate.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Ask them to stand and be recognized by the Senate. Senator
31. McCarthy on Amendment No. 1.

32. SENATOR McCARTHY:

33. Yes, Amendment No. 1 changes the maximum benefits for...

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1 PRESIDING OFFICER: (SENATOR BRUCE)

2 For what purpose does Senator Merritt arise?

3 SENATOR MERRITT:

4 A point of information more than anything else...so that we might...

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 State your point.

7 SENATOR MERRITT:

8 ...so that we might be able to identify these on my desk. At least
9 there are three amendments if not more. I wonder if Senator McCarthy
10 in each instance when explaining that amendment could briefly tell
11 were it begins on...

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 The Secretary will read the first few lines of Amendment No. 1.

14 SECRETARY:

15 (Secretary reads part of Amendment No. 1)

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Senator Graham, for what purpose do you arise?

18 SENATOR GRAHAM:

19 I...I would like for the Chair to suggest to the Pages that no
20 material, and I reemphasize - and no material except those amendments
21 or materials relating to 285 be laid upon the desks of the Senators
22 at this time. Crimintently we can't separate all this paper down here.
23 So if they'll hold this other stuff till this bill is taken care of
24 I think most of us will appreciate it.

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 I think that is an excellent suggestion. Nothing is distributed
27 without the consent of the Chair. We will restrict the distribution
28 to Amendments to 285. Senator Partee, for what purpose do you arise?

29 SENATOR PARTEE:

30 Well, I'd like to get the consensus of the Senate on that kind
31 of a question, because it has created some personal problems for me.
32 The rule of the Senate has always been that the Leader of the Senate
33 had the opportunity determining what should be passed out and what

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1. should not. Now, much of the...much of the materials that have been
2. passed out here today have been against Senator McCarthy's amendment
3. as well as for it. But, more against than for. I've taken the uni-
4. lateral position, I think it's proper, that in a country such as ours
5. where we do have freedom of the press, where the dissemination of
6. notions and ideas ought to be freely given, that I have not restricted
7. it. Now, I can only say to you that I know you get a lot of paper
8. that you can't read, but the fact of the matter is that if somebody
9. takes the time to prepare it, takes the time to want us to read it,
10. if they bring it at the last minute that's not our fault if we don't
11. get a chance to read it, but let them pass it out. It keeps people
12. working making paper.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Graham.

15. SENATOR GRAHAM:

16. Senator Partee, I had no idea of attempting to preclude anybody
17. on 285, but I've got amendments here for Senate Bill 18, Senate Bill
18. 1287 and fifteen or twenty other bills that we're not going to be
19. talking about for a while and those could be held up.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. That is the ruling of the Chair that we will not distribute amend-
22. ments to any bill except 285 until such time as business is concluded
23. on that, and Sergeant-at-Arms is so instructed. Senator McCarthy.
24. SENATOR McCARTHY:

25. Yes. Yes, Mr. President, it's a two page amendment, the Clerk's
26. identified it, Senator Merritt nodded his head like he had it in front
27. of him. What this does is change the benefit schedules. This amend-
28. ment if adopted would allow a single individual unemployed to draw
29. fifty percent of the State average week wage as a maximum. Next
30. then provides that the minimum be increased from ten dollars to fifteen
31. dollars per week. It goes on, in the case of a married, unemployed
32. person, that he would be able to draw a maximum of sixty percent of
33. the Statewide average weekly wage. An individual unemployed who has

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1. dependents would be able to draw a maximum of sixty-six and two thirds
2. of the Statewide average work week. It goes on and clarifies other
3. portions of the bill, deleting the right of the person participating
4. on a labor dispute to draw unemployment compensation except for those
5. decisions which have been held favorably in that instance as well as
6. a lockout. And I believe that is the implication of the amendment.
7. Just by further explanation, in case you're interested, these are the
8. way in which the figures would come out. On a man making a hundred
9. dollars a week, unemployed and single, his maximum benefits would be
10. fifty dollars. If his wages qualified him for the highest rate of
11. a hundred and eighty four dollars of the Statewide wage he would be
12. limited to fifty percent. That would mean his maximum if he made a
13. hundred and eighty four more, would be ninety-two dollars. The...
14. married person, their maximum would be a hundred and ten dollars, the
15. individual with dependents, the maximum would be a hundred and twenty
16. three dollars. That's been scaled down from proposals that were in-
17. troduced and defeated in the House where the figures were considerably
18. higher. I think it realistically compares to the benefits that exist
19. under the Act now, and provide for a proper type of increase. The
20. benefits that exist now for a single person maximum are sixty-seven
21. dollars, married, ninety-two, with one dependent ninety-nine dollars,
22. with two a hundred six, three, one hundred ten dollars, and four, one
23. hundred eighteen. There is one final exception in this bill, and it
24. provides for people who make an excess of a hundred eighty-five dollars
25. and have dependents. Those...those individuals would be entitled to
26. two thirds of their average wage, but not to exceed one hundred fifty
27. dollars. I think that's the explanation of the amendment. I would
28. be happy to respond to any questions. If there are no questions I
29. would like to move its adoption.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further debate? Senator Graham.

32. SENATOR GRAHAM:

33. Senator McCarthy, on the bottom line, bottom two lines of your

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1 amendment, - payable to such individuals with respect to a week shall
2 not exceed a hundred and fifty dollars. Now, if you're...your ceiling
3 limitation on this is going to be in conformity with your percentage rate
4 that you're talking about, it seems to me like that figure should be
5 nearer a hundred and thirty dollars.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Senator McCarthy.

8 SENATOR MCCARTHY:

9 Yes, Senator Graham, I thought I alluded to that. There is an
10 exception. The general maximum rate is a hundred and twenty-three
11 dollars except in the case of a person with dependents who makes some-
12 where between a hundred and eighty-four and two hundred twenty-five
13 dollars a week. In that instance he receives two thirds up to a
14 maximum of a hundred and fifty. I though I had explained it to you,
15 but you...you understand it.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Senator Graham.

18 SENATOR GRAHAM:

19 You...you can understand, Senator, the trouble we have understanding.
20 Hearing is the problem, understanding is not the problem. Mr. President,
21 and members of the Senate, I would like to suggest to you that as we
22 prepare ourselves for condiering the amendment proposed by Senator
23 McCarthy and later on there will be more proposed, one by myself, I
24 think it's well that we discuss, briefly, what in the opinion of some
25 of us, his proposed cosmetic amendment really does. Number one, total
26 payments for a year, like 1975, this may be a little unusual but it is
27 an unusual year, would increase from an estimated five hundred and
28 fifty m'illion to seven hundred and ninety million. That's forty-seven
29 percent. The increase has a much harder impact on the small employer
30 because his taxable payroll is smaller and any charge against it has
31 to be at a higher percentage of relationship. Any percentage increase
32 in the average UC tax has a greater impact, naturally, upon the small
33 employer when the profit margin in his business is less to begin with.
34 Last fall, Mr. Nugent's outfit estimated the fund would drop, this fund
35 would drop to fifty-one million by March 1976. However, current pay-

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1 outs are running higher than expected by this bureau. This coupled
2 with higher rates will likely cause Federal borrowing by the year's end.
3 Right now the State is not allowed to do this. Labor wants more for
4 its members. Many of us want them to be taken care of too. The Labor
5 Leaders only exist by virtue of the fact that they want more for
6 their members continually. That's why the members drive Chevrolets
7 and the Labor Leaders drive Cadillacs. UAW and others are nationally
8 committed to eliminating the weeks waiting period. They're not
9 nationally committed to where the money comes from, but let's get rid
10 of the waiting period. I can suggest to you, with all sincerity, if
11 Senate Bill 285 as amended is passed Illinois will be second only to
12 Connecticut in Unemployment Compensation benefits. That is a dubious
13 position I think at a time when we have lost forty-seven thousand busi-
14 nesses in Illinois. Ladies and Gentlemen of this Senate, think well,
15 think carefully before we rush in to the pressure applied by so many
16 to the adoption of this cosmetic amendment, which is offered by the
17 Senator from Decatur.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Senator Glass.

20 SENATOR GLASS:

21 A question of the sponsor, Mr. President.

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 He indicates that he will yield.

24 SENATOR GLASS:

25 Senator McCarthy, in resisting my request for a fiscal note you
26 did point out that the money involved in this bill will not come from
27 the State of Illinois, but will come from the employers of the State,
28 and I would ask you, in light of Senator Graham's comments, that your
29 amendment would cause a forty-seven percent increase. Whether you
30 feel that's a reasonable impact in these times upon the employers. Do
31 you really feel that's something they can afford?

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Senator McCarthy.

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1. SENATOR McCARTHY:

2. Well, Senator Glass, I'm not going to dispute your percentages,
3. because I don't know what the percentages will be. I...I think the
4. percentages of forty-seven percent increase in cost are suspects. But,
5. no doubt, the cost of unemployment is going to cost the employers more.
6. It's going to cost them more whether this bill is ever adopted or not.
7. It's going to cost them more because more people are out of work, and
8. the basic question or answer or response is, who bears the load of
9. unemployment. Historically in this State the cost of unemployment has
10. been borne by the employers as a cost of doing business. The alternative
11. is to allow the general taxpayers in the State of Illinois to pay all
12. Unemployment Compensation benefits out of their State taxes or put
13. them on public aid. Now, I can further respond just by saying this,
14. that other increases that employers have had in the past few years
15. have far exceeded the forty-seven percent that you talk about. The
16. cost of some of their raw materials, I think fuel oil has gone up,
17. electrical rates, a lot of things have gone up as a result that we
18. in whole, or in part have been part of causing in the inflationary cycle,
19. and we do have the situation, now, of a economic unemployment situation
20. where people have committed themselves to obligations which they must
21. fulfill, and this is the system that has worked and until a better
22. system comes along, Senator Glass, we try to improve on the vehicle
23. that we have.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Glass.

26. SENATOR GLASS:

27. Well, thank you, Senator McCarthy, for in somewhat of a round about
28. way answering my question as to whether you think this forty-seven per-
29. cent estimated increase is a reasonable one for the employers to bear.
30. Certainly I agree that the employers of the State have borne and that
31. it's probably is consistent with public policy for them to sustain this
32. cost rather than putting it on the general taxpayer. But, on the other
33. hand this kind of an increase coupled with the other increases that

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1. you cited in materials and all of the other cost of doing business,
2. it seems to me far in excess of what is reasonable. There was no
3. agreed bill process as has been the case in years gone by with regard
4. to this bill. At least no agreed bill process that resulted in any
5. kind of an agreement. So, what is happened is that this bill is being
6. handed to us without real regard for the ability of the employers to meet
7. it, and it is...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Glass, I would point out that your time has expired.

10. SENATOR GLASS:

11. Thank you, Mr. President. It is well in excess of what is reason-
12. able and I therefore would urge the defeat of the amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further debate? The question is on the adoption of Amend-
15. ment No. 1. Those in favor vote Aye. Those opposed vote Nay. The
16. voting is open. Have all voted who wish? Take the record. On that
17. question the Ayes are 33, the Nays are 12. Amendment No. 1 having
18. received the majority vote is adopted. Senator McCarthy. Amendment
19. No. 2.

20. SENATOR MCCARTHY:

21. Yes, Mr. President. Amendment No. 2 is a three line amendment.
22. Senator Graham, I have furnished you the three line amendment. This
23. has to deal with the right of the female spouse to claim dependency.
24. What this amendment does, Mr. President,...do you have a question of
25. identifying the amendment to three. All right. What this does is
26. allow a situation where there is a working, married couple and one,
27. either the husband or wife, is laid off of work. In that instance the
28. person laid off of work can claim as a dependent their dependent
29. children if that individual contributes at least one fourth to the
30. dependent children's care. This is a variation of the so-called
31. Catania amendment. It's better than the Catania amendment in my
32. opinion, and I would point out to the Body that this election can
33. only be made once in each benefit year. Let me give you a for instance.

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1. If my wife and I are both working and she is laid off at General
2. Electric making a hundred dollars a week and I face a layoff at
3. Caterpillar making a hundred eighty-four dollars a week, and we have
4. two dependent children. My wife, I think it would be imprudent of her
5. to try to claim the two dependent children and have her benefits only
6. be fifty dollars per week, where I'm going to get laid off at a hun-
7. dred and eighty-four, I would..we would have a family conference and I'd
8. decide that we better wait for my layoff and I'd claim the dependents
9. because that would bring it up to the hundred and twelve dollars. I'd
10. just give that as an example of what I think the amendment works. If
11. there are no questions about it, I move its adoption.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? Senator Harber Hall.

14. SENATOR HALL:

15. Yes, I...Mr. President, feel that the parent who has a child
16. should be required to furnish at least fifty percent. I don't think
17. twenty-five percent is adequate, I don't think it's reasonable in
18. the case of Social Security, we know that a majority is required and
19. for that reason I'm going to oppose this amendment.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there further discussion? Senator Graham.

22. SENATOR GRAHAM:

23. One question, Senator McCarthy. Senator, does General Electric
24. still have their plant in Decatur?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator McCarthy.

27. SENATOR McCARTHY:

28. I think it's in a phase out right at the present time, Sir.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Graham. Any further discussion? Senator Daley.

31. SENATOR DALEY:

32. Mr. President and fellow Senators, a point of personal privilege.
33. I would like to introduce a group of students from the 23rd Senatorial

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1 district from Seward School up in the balcony. Would they please rise?

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Ask that they stand and be recognized by the Senate. The question
4 is on the adoption of Amendment No. 2. All those in favor vote Aye.
5 All those opposed vote Nay. The voting is open. Have all voted who
6 wish? Take the record. On that question the Ayes are 33, the Nays
7 are 14. Amendment No. 2 having received the majority of vote is de-
8 clared adopted. Amendment No. 3 by Senator Schaffer.

9 SENATOR SCHAFFER:

10 Amendment No. 3 is very simple. It would prohibit anyone earning,
11 any individual earning over twenty thousand dollars a year from qual-
12 ifying for Unemployment Compensation. We've had a lot of publicity up
13 in the northern part of the State about people who earn very large
14 salaries during the first part of the year and then draw Unemployment
15 Comp during the tailend, and I think when someone gets up in the
16 salary category of twenty thousand dollars a year they should be denied
17 Unemployment Compensation so that there is more money available for
18 the people who really need it.

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 Senator McCarthy.

21 SENATOR MCCARTHY:

22 Yes, Mr. President and members, Senator Schaffer. Senator
23 Schaffer, I don't find myself fixed and granted on your idea. I do,
24 however, resist it being attached to this particular piece of legis-
25 lation. And it would strike me that there are other items of bills
26 in ahead of this Senate where you may very wish to...very well wish
27 to confer with some of the sponsors to explore and surface that idea,
28 but, I would ask that the membership on...in this Body respect my
29 wishes insofar as this bill is concerned and reject this amendment
30 as not being the type that I would want on this vehicle.

31 PRESIDING OFFICER: (SENATOR BRUCE)

32 Senator Schaffer moves the adoption of Amendment No. 2...3 to
33 Senate Bill 285. Senator Schaffer.

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1. SENATOR SCHAFFER:

2. Well, I'm sorry, Senator. This appeared to be a very appropriate
3. bill and I think would make your bill a stronger bill. I would suggest
4. it would, also, eliminate a potential conflict of interest, because
5. it might be argued under the premise that we are seasonal employees
6. and since some of us, I don't happen to be one of them, that makes
7. twenty thousand dollars a year. With this amendment on we wouldn't,
8. in effect, be voting for raises for ourselves. I do think it's a good
9. amendment, and it's not a frivolous amendment. We do have the situation.
10. The statistics will bear me out, and I think someone who makes over
11. twenty thousand dollars a year can make it on their own and the money
12. should be there for the people that make considerably less.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Schaffer moves the adoption of Amendment No. 3 to Senate
15. Bill 285. Those in favor vote Aye. Those opposed vote Nay. The
16. voting is open. Have all voted who wish? Take the record. On that
17. question the Ayes are 19, the Nays are 33. Amendment No. 3 having
18. failed to receive a majority vote is declared lost. Amendment No.
19. 4 by Senator Graham.

20. SENATOR GRAHAM:

21. Mr. President and members of the Senate. Two reasons for suggesting
22. this amendment. First of all it'll help Senator McCarthy's bill.
23. Thirdly of all it'll give those an opportunity that have their red
24. lights on to find out if their green lights work. Very briefly, this
25. amendment proposes a simple method by which Unemployment Trust Fund
26. can be kept solvent if we're interested in solvency. What this amend-
27. ment proposes that each employer shall require his collective employees
28. to contribute one third of the employers yearly contribution to the
29. Employment Trust Fund. In this amendment the employer is authorized to
30. deduct these employee's contributions from the employee wages. The
31. ratio of each individual employers...employee's yearly contribution in
32. relation to his earnings must be a ratio identical to one half the
33. ratio of the employer's yearly contribution paid by the employer in

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1 that calendar year. The weekly deduction by the employer shall be one
2 fifty second of the employee's yearly contribution. This amendment will,
3 in my opinion, shared by others, help greatly in guaranteeing the integ-
4 rity of the Unemployment Trust Fund, allow many small business firms
5 and concerns to stay in business, give employees a chance to become
6 directly involved in this business venture, and to encourage the to-
7 getherness spirit something similar to that that was suggested by
8 Senator Partee in the reapportionment map. Ladies and Gentlemen, at a
9 press conference this morning your Governor and mine, I guess, and the
10 organized Labor Leaders made their pitch supporting Senate Bill 285.
11 The Governor stated as he is usually capable of not misstating the
12 truth, but he confuses the facts, that industry and business were crying
13 wolf, again. Let me tell you why they're crying wolf. From 1967 to
14 1972 Illinois lost a total of eighty-seven thousand manufacturing jobs.
15 You just heard Senator McCarthy say that GE was phasing out in Decatur.
16 Phasing out my foot, they're closing. Regarding their competitive
17 position the Illinois economic market place, eighty-seven thousand
18 manufacturing jobs represents a 6.2 reduction. This is higher than any
19 of our neighboring states. Now, to give you an exemple, and this
20 would apply to Decatur and could apply to many others, in 1973 the GE
21 payroll was two hundred million. In 1974 under a hundred and eighty
22 million. In 1975 it will decrease further. In the last two years the
23 job loss in Illinois has contributed to this. I know my time is up
24 and I rarely ever, Senator McCarthy, go beyond that, and I rarely ever
25 call you. I appreciate my time. I can understand the numbers game.
26 Sometime maybe they'll change, but I appeal to you to adopt this
27 amendment.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Senator Harber Hall.

30 SENATOR HARBER HALL:

31 Mr. President, I strongly support the amendment offered by
32 Senator Graham. What could be more sound than a vested interest in
33 a fund as important as the Unemployment Compensation. I think it's

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1. pretty reasonable to presume that anyone would have no trouble coming
2. down to the General Assembly and asking something over which they
3. would not have to pay anything for. By the same token if a small part
4. of it can be picked up by each individual affected I think it makes
5. the proposition a heck of a lot more sound and reasonable and ethical.
6. It's very difficult to...for me to see these massive increases in a
7. fund for unemployed where they have no...where they are furnishing the
8. fund absolutely no contribution. For that reason I think this is a
9. good amendment, would make an otherwise unpalatable bill more palatable.
10. I strongly urge support.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Latherow.

13. SENATOR LATHEROW:

14. Thank you, Mr. President and members of the Senate. I rise, too,
15. in support of this amendment. I think that all you have to do is live
16. in western Illinois along the Mississippi River and take a look at
17. what's happening over in the State of Iowa. Strictly on the basis of
18. economic climate and their ability to hire and get along with an
19. economic picture for business far better than what we have in Illinois.
20. Let us just continue what we're doing and we're going to see the con-
21. tinuation of the development on the opposite side of the river from
22. us just like we're seeing today. I think this amendment is a good
23. amendment.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Graham moves the adoption of Amendment No. 4 to Senate
26. Bill 285. Those in favor vote Aye. Those opposed vote Nay. The
27. voting is open. Did you want to talk? Have all voted who wish?
28. Have all voted who wish? Take the record. On that question the Ayes
29. are 21, the Nays are 35. Amendment No. 4 having failed to receive
30. the majority vote is declared lost. Any further amendments? 3rd
31. reading. We will now revert to the order of Senate Bills on 3rd reading,
32. Is leave granted? Senate Bills 3rd reading. Senate Bill 1493. It
33. was amended, we have now had intervening business. Senator Buzbee.

1 SECRETARY:

2 Senate Bill 1493.

3 (Secretary reads title of bill)

4 3rd reading of the bill.

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 Senator Buzbee.

7 SENATOR BUZBEE:

8 Yes, Mr. President, this is the school aid supplemental money, it's
9 29.9 million dollars. We just amended the bill a few minutes ago,
10 you'll recall. What the bill does, it permits school districts to in-
11 clude for the next two years, transportation tax in the computation of
12 the operating tax rate. But, by the amendment we just put on it ex-
13 cludes the transportation tax rate as far as the rollback provision is
14 concerned. It reduces the maximum operating tax rate for State aid
15 purposes for unit districts to 2.97 percent. It is currently now three
16 percent, and for elementary districts it reduces it to 1.93 percent.
17 It is currently now 1.95 percent, and it increases the guaranteed
18 assessed valuation per average daily attendance pupil, for those dis-
19 tricts to forty-two thousand four hundred twenty-four dollars. It's
20 now forty-two thousand dollars, and sixty-five thousand two hundred
21 eighty-five dollars for elementary districts. It's now sixty-four
22 thousand six hundred and fifteen dollars. It increases to twenty-five
23 percent, which is now fifteen percent, the permissible expenditure
24 level above the twelve hundred and sixty dollars support level for
25 innovative programs and educational enrichment. Amendment No. 1,
26 which was put on a week or two ago by Senator Fawell permits any dis-
27 trict to exclude the tax extended for payment of the district con-
28 tribution to the municipal retirement fund, and the tax extended under
29 the provisions of the Local Governmental and Governmental Employees
30 Tort Immunity Act from the calculation of its operating tax rate.
31 Again, this is a committee bill, the Committee on Education, it came
32 out with unanimous support of both sides in the Committee, and I
33 would ask for a favorable roll call.

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1. PRESIDENT:

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

3. SENATOR CHEW:

4. A point of personal privilege, Mr. President.

5. PRESIDENT:

6. State your point.

7. SENATOR CHEW:

8. In the gallery we have the Lar S School here from Chicago, 14th
9. and Monticello. I'd like to have them rise and be recognized by the
10. Senate.

11. PRESIDENT:

12. Will they rise. The question is shall Senate Bill 1493 pass.

13. Senator Berning. Debate has been closed. For what purpose do you
14. arise, Senator?

15. SENATOR BERNING:

16. I have a motion on file on the Secretary's Desk, Mr. President.

17. PRESIDENT:

18. In connection with this bill?

19. SENATOR BERNING:

20. In connection with...oh 14...I beg your pardon.

21. PRESIDENT:

22. It's alright, Senator. The question is shall Senate Bill 1493
23. pass. Those in favor will vote Aye. Those opposed will vote Nay.
24. The voting is open. Have all voted who wish? Take the record. On
25. this question the Ayes are 55, the Nays are none. Senate Bill 1493
26. having received a constitutional majority is declared passed. Will
27. the members be in their seats. Will the members be prepared now to
28. go to the order of the Agreed Bill List. The members have pursuant
29. to the arrangement made yesterday submitted to the Secretary on an
30. individual basis their desires in terms of a vote on those bills on
31. the Agreed List. Pursuant to the motion passed yesterday, there is but
32. one bill which will be removed from the list, it having obtained 15
33. negative votes. That bill which will be struck from the Agreed Bill

1. List is Senate Bill 314. The rest of the bills on the Agreed Bill
2. List as given you yesterday are for voting at this time. So that the
3. record will be clear and the Constitution will be complied with, the
4. Secretary will now be requested to read a third time all bills set
5. forth on the Agreed Bill List with the exception of the one previously
6. stricken, 314. Subsequent to the reading of these bills a roll call
7. will be taken. The Journal will reflect the negative votes as set
8. forth on the documents, which you as individuals, handed to the Sec-
9. retary. Is there any question about this procedure? Senator Merritt.

10. SENATOR MERRITT:

11. Mr. President, I'm wondering then how will we know...will a list
12. be given us later of what the roll call vote was on the various bills?

13. PRESIDENT:

14. The roll call will be taken and the Journal will reflect those
15. that voted in the affirmative on all of these bills. It will, also,
16. reflect those that voted in the negative on all these bills.

17. SENATOR MERRITT:

18. Will we have to wait to get the printed Journal before we learn
19. that?

20. PRESIDENT:

21. We always do, Senator.

22. SENATOR MERRITT:

23. Well, not necessarily do we? We...

24. PRESIDENT:

25. Well, the only...Senator, Senator, the only way you could do it is
26. to get the printed Journal, because we're going to take a roll call.
27. That roll call will show affirmative votes. You see we're only going
28. to take one roll call, Senator. And then when the Secretary applies
29. the negative votes as requested by the members then that information
30. will go into the Journal, and will be available to all. Senator
31. Netsch.

32. SENATOR NETSCH:

33. Mr. President, so that the record will be clear and because some

1. of us did not hear your opening comments. Would you say how many of
2. the bills were stricken from the Agreed Bill List?

3. PRESIDENT:

4. I have announced previously that only one bill was stricken from
5. the Agreed Bill List. And that was Senate Bill 314. Because the
6. negative votes were within the purview of the motion passed yesterday.
7. Senator Netsch.

8. SENATOR NETSCH:

9. That means, Mr. President, that twelve or more persons indicated
10. that they were voting No on the bill?

11. PRESIDENT:

12. That is correct.

13. SENATOR NETSCH:

14. And that is the only bill on which that occurred. Is that correct?

15. PRESIDENT:

16. That is correct.

17. SENATOR NETSCH:

18. Thank you.

19. PRESIDENT:

20. Senator Morris.

21. SENATOR MORRIS:

22. I would just like to get it clear. On this roll call if I vote
23. Yes, the Noes that I've turned in will show on the book as No votes.

24. PRESIDENT:

25. If you vote yes on this roll call, the Nays which you have turned
26. in will be reflected in the Journal on those bills where you have
27. indicated a desire to vote Nay.

28. SENATOR MORRIS:

29. There were a couple bills that I know several people were con-
30. cerned with. Is there a way we will be able to check and see as to
31. the number of people that were opposed?

32. PRESIDENT:

33. Yes, at the conclusion of the roll calls and when the matters go

1 into the Journal. The affirmative as well as the negative vote on
2 each of the individual bills will be set forth in the Journal. Read
3 the bills.

4 SECRETARY:

5 Senate Bill 54.

6 (Secretary reads title of bill)

7 Senate Bill 55.

8 (Secretary reads title of bill)

9 Senate Bill 57.

10 (Secretary reads title of bill)

11 Senate Bill 88.

12 (Secretary reads title of bill)

13 Senate Bill 201.

14 (Secretary reads title of bill)

15 Senate Bill 214.

16 (Secretary reads title of bill)

17 Senate Bill 302.

18 (Secretary reads title of bill)

19 Senate Bill 314.

20 (Secretary reads title of bill)

21 Take 314 out of the record.

22 Senate Bill 335.

23 (Secretary reads title of bill)

24 Senate Bill 353.

25 (Secretary reads title of bill)

26 Senate Bill 355.

27 (Secretary reads title of bill)

28 Senate Bill 406.

29 (Secretary reads title of bill)

30 Senate Bill 438.

31 (Secretary reads title of bill)

32 Senate Bill 484.

33 (Secretary reads title of bill)

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Agreed Bill
disc
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1 Senate Bill 560.
2 (Secretary reads title of bill)
3 Senate Bill 596.
4 (Secretary reads title of bill)
5 Senate Bill 639.
6 (Secretary reads title of bill)
7 636, I'm sorry.
8 Senate Bill 641.
9 (Secretary reads title of bill)
10 Senate Bill 778.
11 (Secretary reads title of bill)
12 Senate Bill 800.
13 (Secretary reads title of bill)
14 Senate Bill 801.
15 (Secretary reads title of bill)
16 Senate Bill 808.
17 (Secretary reads title of bill)
18 Senate Bill 818.
19 (Secretary reads title of bill)
20 Senate Bill 834.
21 (Secretary reads title of bill)
22 Senate Bill 850.
23 (Secretary reads title of bill)
24 Senate Bill 852.
25 (Secretary reads title of bill)
26 Senate Bill 854.
27 (Secretary reads title of bill)
28 Senate Bill 857.
29 (Secretary reads title of bill)
30 Senate Bill 858.
31 (Secretary reads title of bill)
32 Senate Bill 959.
33 (Secretary reads title of bill)
34 859 rather.

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Agreed Bill
Passed
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- 1 Senate Bill 865.
- 2 (Secretary reads title of bill)
- 3 Senate Bill 870.
- 4 (Secretary reads title of bill)
- 5 Senate Bill 881.
- 6 (Secretary reads title of bill)
- 7 Senate Bill 882.
- 8 (Secretary reads title of bill)
- 9 Senate Bill 884.
- 10 (Secretary reads title of bill)
- 11 Senate Bill 887.
- 12 (Secretary reads title of bill)
- 13 ACTING SECRETARY: (MR. FERNANDES)
- 14 Senate Bill 894.
- 15 (Secretary reads title of bill)
- 16 Senate Bill 900.
- 17 (Secretary reads title of bill)
- 18 Senate Bill 901.
- 19 (Secretary reads title of bill)
- 20 Senate Bill 911.
- 21 (Secretary reads title of bill)
- 22 Senate Bill 943.
- 23 (Secretary reads title of bill)
- 24 Senate Bill 944.
- 25 (Secretary reads title of bill)
- 26 Senate Bill 945.
- 27 (Secretary reads title of bill)
- 28 Senate Bill 946.
- 29 (Secretary reads title of bill)
- 30 Senate Bill 951.
- 31 (Secretary reads title of bill)
- 32 Senate Bill 953.
- 33 (Secretary reads title of bill)
- 34 Senate Bill 965.

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Agreed Bill list
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- 1 (Secretary reads title of bill)
- 2 Senate Bill 968.
- 3 (Secretary reads title of bill)
- 4 Senate Bill 969.
- 5 (Secretary reads title of bill)
- 6 Senate Bill 970.
- 7 (Secretary reads title of bill)
- 8 Senate Bill 978.
- 9 (Secretary reads title of bill)
- 10 Senate Bill 981.
- 11 (Secretary reads title of bill)
- 12 Senate Bill 983.
- 13 (Secretary reads title of bill)
- 14 Senate Bill 984.
- 15 (Secretary reads title of bill)
- 16 Senate Bill 985.
- 17 (Secretary reads title of bill)
- 18 Senate Bill 986.
- 19 (Secretary reads title of bill)
- 20 Senate Bill 987.
- 21 (Secretary reads title of bill)
- 22 Senate Bill 989.
- 23 (Secretary reads title of bill)
- 24 Senate Bill 1002.
- 25 (Secretary reads title of bill)
- 26 Senate Bill 1004.
- 27 (Secretary reads title of bill)
- 28 Senate Bill 1005.
- 29 (Secretary reads title of bill)
- 30 Senate Bill 1009.
- 31 (Secretary reads title of bill)
- 32 Senate Bill 1032.
- 33 (Secretary reads title of bill)
- 34 Senate Bill 1048.

1 (Secretary reads title of bill)
2 Senate Bill 1058.
3 (Secretary reads title of bill)
4 1058.
5 (Secretary reads title of bill)
6 1063.
7 (Secretary reads title of bill)
8 1065.
9 (Secretary reads title of bill)
10 1066.
11 (Secretary reads title of bill)
12 Senate Bill 1070.
13 (Secretary reads title of bill)
14 1082.
15 (Secretary reads title of bill)
16 Senate Bill 1083.
17 (Secretary reads title of bill)
18 Senate Bill 1084.
19 (Secretary reads title of bill)
20 Senate Bill 1085.
21 (Secretary reads title of bill)
22 Senate Bill 1087.
23 (Secretary reads title of bill)
24 Senate Bill 1086.
25 (Secretary reads title of bill)
26 Senate Bill 1088.
27 (Secretary reads title of bill)
28 Senate Bill 1092.
29 (Secretary reads title of bill)
30 Senate Bill 1090.
31 (Secretary reads title of bill)
32 3rd reading of the bills.
33 SECRETARY:
34 Senate Bill 1105.

AB 1147
Bill Reading

- 1 (Secretary reads title of bill)
- 2 Senate Bill 1106.
- 3 (Secretary reads title of bill)
- 4 Senate Bill 1108.
- 5 (Secretary reads title of bill)
- 6 Senate Bill 1111.
- 7 (Secretary reads title of bill)
- 8 Senate Bill 1112.
- 9 (Secretary reads title of bill)
- 10 Senate Bill 1113.
- 11 (Secretary reads title of bill)
- 12 Senate Bill 1118.
- 13 (Secretary reads title of bill)
- 14 Senate Bill 1119.
- 15 (Secretary reads title of bill)
- 16 Senate Bill 1121.
- 17 (Secretary reads title of bill)
- 18 Senate Bill 1122.
- 19 (Secretary reads title of bill)
- 20 Senate Bill 1125.
- 21 (Secretary reads title of bill)
- 22 Senate Bill 1131.
- 23 (Secretary reads title of bill)
- 24 Senate Bill 1147.
- 25 (Secretary reads title of bill)
- 26 Senate Bill 1152.
- 27 (Secretary reads title of bill)
- 28 Senate Bill 1153.
- 29 (Secretary reads title of bill)
- 30 Senate Bill 1156.
- 31 (Secretary reads title of bill)
- 32 Senate Bill 1159.
- 33 (Secretary reads title of bill)

1 Senate Bill 1160.
2 (Secretary reads title of bill)
3 Senate Bill 1161.
4 (Secretary reads title of bill)
5 Senate Bill 1165.
6 (Secretary reads title of bill)
7 Senate Bill 1173.
8 (Secretary reads title of bill)
9 Senate Bill 1177.
10 (Secretary reads title of bill)
11 Senate Bill 1178.
12 (Secretary reads title of bill)
13 Senate Bill 1180.
14 (Secretary reads title of bill)
15 Senate Bill 1181.
16 (Secretary reads title of bill)
17 Senate Bill 1186.
18 (Secretary reads title of bill)
19 Senate Bill 1257.
20 (Secretary reads title of bill)
21 Senate Bill 1259.
22 (Secretary reads title of bill)
23 Senate Bill 1260.
24 (Secretary reads title of bill)
25 Senate Bill 1282.
26 (Secretary reads title of bill)
27 Senate Bill 1289.
28 (Secretary reads title of bill)
29 Senate Bill 1291.
30 (Secretary reads title of bill)
31 Senate Bill 1293.
32 (Secretary reads title of bill)
33 Senate Bill 1297.

*SB 1392
Agreed Bill List
3rd Reading
SB 969
Agreed Bill List
3rd Reading*

1 (Secretary reads title of bill)
2 Senate Bill 1325.
3 (Secretary reads title of bill)
4 Senate Bill 1381.
5 (Secretary reads title of bill)
6 Senate Bill 1387.
7 (Secretary reads title of bill)
8 Senate Bill 1392.
9 (Secretary reads title of bill)
10 Senate Bill 1447.
11 (Secretary reads title of bill)
12 Senate Bill 1460.
13 (Secretary reads title of bill)
14 Senate Bill 1478.
15 (Secretary reads title of bill)
16 Senate Bill 1489.
17 (Secretary reads title of bill)

18 3rd reading of the bills.

19 PRESIDENT:

20 Will the members be in their seats. The bills appearing on your
21 Calendar on the Agreed Bill List have all been read a 3rd time. The
22 question is shall these bills pass? Those in favor will vote Aye.
23 Opposed Nay. The voting on this series of bills is open. Have all
24 voted who wish to vote? Take the record. On these bills the Ayes
25 are 56, the Nays are 1. These bills having received a constitutional
26 majority are each and individually declared passed. Senator Rock.

27 SENATOR ROCK:

28 Thank you, Mr. President. On a point of personal privilege.

29 PRESIDENT:

30 State your point, Senator Rock.

31 SENATOR ROCK:

32 I am informed that there is a group in the gallery from the Austin
33 Middle School, which is at 543 North Waller in the eighteenth Legis-

1. lative District. A Mr. Bersinski and a Mrs. Mollit accompany the
2. group. I'd ask that they stand and be recognized.

3. PRESIDENT:

4. Please stand and be recognized by the Senate. May I have your
5. attention. A question was asked a few moments before the roll call
6. as to whether or not you have to wait until these matters are journal-
7. ized for a reflection of your vote. We do have a Legislative service,
8. which perhaps some of you are unaware, which will give earlier recorda-
9. tion. On that point Senator Regner is recognized.

10. SENATOR REGNER:

11. Yes, Mr. President and members of the Senate. I brought the list
12. down to the Legislative Information System Committee downstairs and
13. they've informed me, now, that they have the numbers. We should have
14. the list of the...each of these bills on the Agreed Bill List and the
15. individual votes on each one of those bills for your usage by the
16. time we return this evening.

17. PRESIDENT:

18. Well, Senator Regner, thank you very much. Would you come to the
19. platform a moment. We return to the order of the stricken bill, which
20. is Senate Bill 314, Senator Johns. Read the bill.

21. SECRETARY:

22. Senate Bill 314.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Johns.

27. SENATOR JOHNS:

28. Mr. President...thank you, Mr. President. Senate Bill 314 is a
29. bill for the Department of Conservation, which allows the Department
30. of Conservation to acquire land, which is subject to a vested remainder
31. interest through a life estate. The impact of this bill is that it
32. would allow the Department to obtain remainder interest in real property
33. subject to life estates. I think it's a good bill. I don't know why

1. it came off the Agreed List unless there was a few that didn't under-
2. stand it. It's a very simple bill. I would appreciate a favorable
3. roll call.

4. PRESIDENT:

5. I don't know why either, Senator, but the question is shall Senate
6. Bill 314 pass. All in favor vote Aye. Opposed Nay. The voting is
7. open. Have all voted who wish? Take the record. On this question
8. the Ayes are 39, the Nays are 4. 3 Voting Present. Senate Bill 314
9. having received a constitutional majority is declared passed. Senate
10. Bills on 3rd reading. Senate Bill 18, Senator Nimrod. Senator Nimrod
11. has asked leave to return Senate Bill 18 from the order of 3rd reading
12. to the order of 2nd reading. Is there leave? Leave is granted.

13. Senator Nimrod.

14. SENATOR NIMROD:

15. Mr. President and fellow Senators. The amendment has been dis-
16. tributed to your desks and it's the same one that was on your desks
17. a few weeks back, and I would like to just review the changes that
18. take place. And what this amendment is, is a consolidation amendment,
19. which provides for two major changes from the bill, and that is it
20. reduces the time limit for enrollment in the party from the five month
21. period to three months. In other words what it does it takes it down
22. to the first day for filing petitions. So that, in fact, you would
23. have twenty-one months in which the primary enrollments would be open
24. and for a three months period it would be a closed primary. Now,
25. another provision of this amendment is to insure that all voters are
26. afforded an opportunity to either enroll, retain, or terminate, or
27. change their enrollment prior to the first day of filing. And the
28. County Clerk Board will elect the Commissioners. The county clerks
29. and the county is, in other words, is reimbursed for this particular
30. cost. The other changes, of course, require the voters enrollment to
31. be indicated in the binder card, and this is used for the judges for
32. election in the polling places and it, also, clarifies the fact that
33. a voter may terminate as well as change his enrollment. It makes, also,

1. a...there was a duplication in there and that has been eliminated in
2. the case of military personnel. Be happy to answer any questions on
3. this amendment. If not I would certainly ask for the adoption of this
4. amendment, Mr. President.

5. PRESIDENT:

6. Senator Morris is recognized.

7. SENATOR MORRIS:

8. Would the sponsor yield to a question?

9. PRESIDENT:

10. He indicates he'll yield.

11. SENATOR MORRIS:

12. I would like to know what it would cost to enforce this amendment?

13. PRESIDENT:

14. Senator Nimrod.

15. SENATOR NIMROD:

16. I have here a fiscal note from the State Board of Elections and
17. they estimate it would be about six hundred thousand dollars. That
18. is for the distribution of the notice to each of the voters.

19. PRESIDENT:

20. Any further discussion? Senator Morris.

21. SENATOR MORRIS:

22. They say six hundred thousand dollars for the distribution of the
23. notice to the voters. There is five hundred and five point nine
24. voters in Illinois. That would be ten cents per voter, which would
25. pay for the postage. Who is going to pay for and what is it going
26. to cost for printing, clerical work and other instruments and required
27. for the distribution of this situation?

28. PRESIDENT:

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Senator Morris, I think that you're probably aware that it's not ten
32. cents for postage. It would be 6.1 cents for postage and it's two
33. cents for the document and a penny and a half for the handling. And

1. this was estimated to be at a ten cent cost in total for the document
2. which would be the six hundred thousand dollars.

3. PRESIDENT:

4. Senator Morris.

5. SENATOR MORRIS:

6. I would assume that nobody in the State Board of Elections has
7. ever run for office and had to pay for printing if that's how they
8. figure. I would like to rise in opposition against this amendment.
9. In fact, against this bill, which is just plain bad Legislation. This
10. amendment figured on a conservative basis, just the portion which
11. would require the mailing, would cost the counties in Illinois over
12. a million and a half dollars when you figure clerical time, the printing
13. cost for the paper and the distribution of these forms, so people could
14. know what party they are affiliated in. And if Senator Nimrod is in
15. support of forcing a million and half dollar burden on the counties
16. in the State of Illinois so that the Democratic and Republican Parties
17. can be happy about their so-called party integrity, then I hope that
18. he and other members who vote for this will not mind coming back in
19. a few weeks and at the request of, probably, Senator Schaffer, the
20. defender of County Government, approving a tax increase without a
21. referendum for the counties of Illinois. This amendment is just an
22. effort to make a bad bill a little bit better. But the fact of the
23. matter is that it is just plain bad legislation. The system we have
24. in Illinois is more than adequate to protect party integrity. Before
25. you vote in a primary election you have to declare your party to the
26. judges and they are on record at the County Court House as to how
27. you are affiliated in a political party. We are trying to encourage
28. in Illinois people to participate in the elective process. This just
29. closes a great number of people out, but then again that may be what
30. some people want to do in our political system. I would urge you to
31. vote against this amendment and against the bill. A - because of the
32. cost. It's going to be a million and a half dollars of local money
33. plus five hundred thousand of State money and B - because it's bad

1 Legislation.

2 PRESIDENT:

3 Any further discussion? Senator Dougherty.

4 SENATOR DOUGHERTY:

5 Thank you, Mr. President. At this point and time I would like to
6 commend Senator Nimrod for the great deal of effort he's put forth in
7 order to solve this situation that was created some years ago by
8 Pontekus versus Kuser Decision, which later went to the United States
9 Supreme Court. The United States Supreme Court decided at that time
10 when it likely chose primary voting but at least suggested an amend-
11 ment whereby it could be cured. This Senator Nimrod has attempted to
12 do. And he has worked very hard at it. He has now offered an amend-
13 ment to you which he feels will further better the bill. I am not in
14 complete agreement with this...to this degree that I had another amend-
15 ment I was going to offer. In view of the fact that this bill is going
16 to get a very thorough hearing in the House, and I'm quite sure of it,
17 I do believe in order to get this bill in proper form so that it may
18 be acted upon in the House, I'm going to support this amendment.

19 PRESIDENT:

20 Senator Palmer.

21 SENATOR PALMER:

22 Senator Nimrod, I'd like to ask this question as to the status
23 of the voter now. With the adoption of this amendment to your bill
24 what is required of a voter if he is registered as a Democrat or a
25 Republican now. Is there anything necessary for that voter to do
26 if he wishes to remain a Democrat or wishes to remain a Republican?

27 PRESIDENT:

28 Senator Nimrod.

29 SENATOR NIMROD:

30 Yes, Senator Palmer, what this amendment would do would not force
31 the voter to make any change whatsoever. However, what it also will
32 do is this. It affords him an opportunity, he will receive a notice

1. from the County Clerk. On the notice indicating to him his last party
2. affiliation, whether he was a Republican or a Democrat, or whether he
3. was not affiliated, and he may at that time return a notice saying
4. that he wants to change, or leave it the same, or indicate approval
5. of his present affiliation, and on that basis if he does nothing he
6. will remain as the notice has indicated. So, that on this basis every
7. voter, every registered voter will receive a notice as to what his
8. present status is and offer him an opportunity to change prior to the
9. time of the primary.

10. PRESIDENT:

11. Senator Palmer.

12. SENATOR PALMER:

13. Senator Nimrod, I only asked this question for emphasis because
14. you did answer it. In other words if a person does nothing he remains
15. the same. Thank you very much.

16. PRESIDENT:

17. Any further discussion? Senator Clarke.

18. SENATOR CLARKE:

19. Mr. President, I just want to comment that when Senator Dougherty
20. started he inadvertently, I'm sure without thinking, used that phrase
21. "at this point in time", and that reminded me that that phrase became
22. a part of our election about the time our party started disintegrating a
23. couple of years ago. I think that this amendment and this bill is
24. going to help us further exclude people and I really can't see why
25. somebody in this side is sponsoring it. I can see why some on the
26. other side might want it.

27. PRESIDENT:

28. Any further discussion? Senator Nimrod moves the adoption of
29. Amendment No. 6 to Senate Bill 18. All in favor will say Aye. Opposed
30. Nay. The Ayes have it. A roll call is indicated and requested.

31. Senator Nimrod moves the adoption of Amendment No. 6. All in favor of
32. the adoption of this amendment will vote Aye. Opposed will vote Nay.
33. The voting is open. Have all voted who wish? Take the record. I

1. knew there were more Ayes than Nays. On this question the Ayes are
2. 31, the Nays are 21. Amendment No. 6 is adopted. Any further amend-
3. ments? 3rd reading. Senate Bill number 32, Senator Graham. Senate
4. Bill 37, Senator Rock. Senator Rock is recognized.

5. SENATOR ROCK:

6. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
7. Senate Bill 37 is that bill that is...was emanated from the Illinois
8. Legislative Investigating Commission and concerns itself with the
9. subject of horseracing. Both...both thoroughbred and standardbred.
10. As you will recall we put some nineteen amendments on the bill. I'm
11. informed by the Secretary that Enrolling and Engrossing now has this
12. sixty page document all put together. So, what I'm suggesting, Mr.
13. President, this or sometime this afternoon is an appropriate time
14. for the members to receive their copies and I will hold the bill until
15. everybody is thoroughly satisfied. I hope to call it, perhaps, Thurs-
16. day morning if we can get to that order of business on Thursday morning.
17. But, it will give everybody at least a day and a half to go through
18. the bill and satisfy themselves as to whatever questions they have.

19. PRESIDENT:

20. Is there a leave to pass this bill and return to it when it is in
21. proper form? Leave is granted. Senate Bill 45, Senator Fawell.

22. SECRETARY:

23. Senate Bill 45.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Fawell.

28. SENATOR FAWELL:

29. Yes, Mr. President and members of the Senate. The Calendar summary
30. tells the whole story. This law now applies only to the City of
31. Chicago and Senate Bill 45 would simply have it extend downstate. I
32. know of no opposition and would appreciate a favorable roll call.

33. PRESIDENT:

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1. Any further discussion? The question is shall Senate Bill 45
2. pass. Those in favor will vote Aye. Opposed Nay. The voting is
3. open. Have all voted who wish? Take the record. On this question
4. the Ayes are 43, the Nays are 2. 5 Voting Present. Senate Bill 45
5. having received a constitutional majority is declared passed. Senate
6. Bill 18, Senator Nimrod.

7. SECRETARY:

8. Senate Bill 18.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Yes, Mr. President, thank you, and fellow Senators. I realize
15. that this bill has been within our Chamber here for the last few
16. months and that on several occasions I've had an opportunity to talk
17. to most of you about this particular bill and its primary purpose.
18. Now, I believe that very strongly that this bill is an answer to
19. preserving our whole two party system. I think that we have seen in
20. the past...

21. PRESIDENT:

22. Excuse me one minute, Senator Nimrod. For what purpose does
23. Senator Netsch arise?

24. SENATOR NETSCH:

25. To be recognized when you...next after Senator Nimrod. I just
26. wanted to be...

27. PRESIDENT:

28. Oh, I see. I'm sorry. Continue, Senator Nimrod.

29. SENATOR NIMROD:

30. Thank you. I would say that in the past we have seen the abuses
31. of the crossover, we have also seen the problems that have come up
32. where party officials have been selected by either other party
33. candidates. We also find that elected officials and candidates are

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1. no longer held responsible to the party platform. I think contrary
2. to what has been said and what is the actual fact, we have found that
3. in those states, which have some form of a closed primary, and in
4. a particular, a report that was read in the Waukegan paper...was
5. written in the Waukegan paper, I think it confirms in our neighboring
6. states, which in Wisconsin, an article there by one of the stalwarts
7. here from our press, indicates to us that open primaries elections,
8. they fail to lure the voters. And, in fact, those of us which have
9. closed primaries, in fact, have a greater participation. I would say
10. that a bill that, certainly is one that is supported by major newspapers,
11. that is supported by the parties, by the party leaders, and I think
12. that affords an opportunity for those that want to be independent can
13. be independent. It certainly has a place within our whole system of
14. Government, and I would certainly be willing to answer any questions
15. at this time, or else I would call for a favorable roll call.

16. PRESIDENT:

17. Senator Netsch is recognized.

18. SENATOR NETSCH:

19. Mr. President, I agree with Senator Nimrod in only one aspect of
20. what he said and that is that most of us now are quite familiar with
21. this and know exactly what it does and what it is intended to do. I
22. would like to make just a couple of very brief points. I have had
23. people looking for evidences of the effect of crossover voting in
24. states that have a so-called open primary, for example, for some
25. period of years, and while we can speculate on what might have taken
26. place in a lot of elections, there is simply no hard evidence that
27. there are massive raiding by one party of another where there's oppor-
28. tunity for some flexibility in the primary system. And that I say
29. with some assurance, because I have looked hard for that evidence
30. for a long period of time. I would like, also, to say that it seems
31. to me, and this is clearly what is important, that this bill runs
32. completely contrary to everything that is happening in this Country
33. today in the terms of people's attitudes toward politics, and I say

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1. that with, actually, a single objective in mind, Senator Nimrod, and
2. that is an objective of strengthening the political parties. I really
3. believe they should be strengthened. Mine as well as yours. I am
4. absolutely convinced that this is exactly the wrong way to do it. Un-
5. til we can develop a different form of respect for what we do as pol-
6. iticians, you're not going to be able to lure people back into the
7. political party process by demanding a blood oath before they can vote
8. in a primary. That is not what most people in this country want. It
9. is certainly not what young people want. What you are going to do is
10. turn people off even more from participating in their political parties.
11. And neither one of them is going to develop that strength unless there
12. is a greater level of participation. I genuinely believe that this
13. bill is what politicians want. It is not what the voters want.

14. PRESIDENT:

15. Senator Morris. We will have no demonstration from the gallery.
16. It would be quite a simple matter to clear the gallery. Senator
17. Morris.

18. SENATOR MORRIS:

19. I think Senator Netsch has spoken very well on this issue. As
20. I said on the amendment I hope everyone realizes they're putting a
21. minimum of a million and a half dollar burden on the counties in
22. Illinois as well as a five hundred and ninety thousand dollar burden
23. on the State of Illinois. But, worse than that we're putting a burden
24. upon the voter that many voters will say it is no longer worth partici-
25. pating for. The turnout in the elections in Illinois has been better
26. in primary elections since 1972 and the ruling which eliminated the
27. twenty three months rule. We do not, Senator Nimrod, have an open
28. primary system in Illinois. We are required to declare our political
29. party and this bill does not deal with that situation. An open primary
30. bill was introduced and that bill is not any longer alive. As for
31. turnout, the turnout has been increasing in primary elections, at
32. least in my area and other areas of the State, because it is now
33. easier for people to participate. Senator Netsch is right. This is

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1 not a bill for people. This is a bill for party leaders. This is a
2 bill so that everyone knows what everyone is doing and keeps them
3 all in line. It's going to discourage people from participating and
4 in the process lower the turnout and lower the effectiveness of Govern-
5 ment. If we want to increase peoples' interest in Government, if we
6 want to improve Government that we now have we must do everything in
7 our power to increase participation. We should take the hurdles out
8 of the paths of people on the way to the polls. This is like putting
9 a sixteen foot high jump in front of them. They're just not going to
10 be there. This bill is a bad bill. This bill should be defeated and
11 should be defeated by both Democrats and Republicans. I've received
12 resolutions from county clerks from Democratic counties and from Re-
13 publican counties in opposition to this bill. I've received resolu-
14 tions in opposition from Democratic party organizations and Republican
15 party organizations. It's a bad bill. It will narrow the participation
16 in the political process, and in the end it will destroy the two party
17 system in our country, or at least in the State of Illinois. It will
18 take people away from participating in the parties and in the end
19 those of you who vote for this will be sorry because the parties will
20 continue to die. I urge you, on behalf of people and voters, to vote
21 against this bad piece of Legislation.

22 PRESIDENT:

23 Senator Schaffer.

24 SENATOR SCHAFFER:

25 This is a bad piece of Legislation and from my point of view it
26 is particularly a bad piece of Legislation for the Republican party.
27 I feel that this particular bill would be the death knoll of the two
28 party system in Illinois and cause a demise to the Republican party.
29 We do not have the well oiled machinery of the Chicago Democartic
30 Organization to make this bill work. Our people tend to be a little
31 more independent and tend to take offense at these things. This bill
32 would be the end of the two party system and the end of the Republican
33 party. It is devoid of goodness and deserves to be soundly defeated.

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1. PRESIDENT:

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Mr. President and members of this Body. I lived in the State of
5. Wisconsin where they hand you two ballots. You are responsible for
6. voting either the Democrat or Republican primary ballot and stuffing
7. the one you don't vote in the spoiled box. I don't see that the
8. Democratic party is a darn bit stronger in the State of Wisconsin
9. than it is in the State of Illinois, or that the Republican party is
10. stronger and that's been in effect, now, for forty years. I say this
11. if you don't pay your dues to the country club for Christs sake don't
12. expect to go. Now, if you want to belong, if you want to belong, you
13. know...you get out and you join. Otherwise you don't expect to partici-
14. pate. I don't expect to vote in any corporate meetings if I don't
15. buy some stock. And I say this to anybody that this country is grown
16. great because of the two party system. And it'll stay strong by rea-
17. son of the two party system. I'm as proud of anything I have, I'm
18. as proud to say I'm a Democrat and I hope you Republicans are as
19. proud to say you're Republicans as anything except your religion.
20. It's time the American people had some pride in the organization they
21. belong to and quit wanting to sneak around and pass themselves off
22. as something they aren't. Sheep in wolf's clothing are something
23. else the other way around. But, I think it's time the people say
24. I'm proud to belong to a church, I'm proud to be a Democrat, I'm
25. proud to be an American.

26. PRESIDENT:

27. Senator Wooten.

28. SENATOR WOOTEN:

29. Mr. President and colleagues, when we get down to something like
30. this we are at the essentials of politics. I fear that sometimes we
31. not only generate rhetoric but we are...we become victims of it our-
32. selves. I don't know how you view me here but back home I am a regular
33. organization Democrat. I am interested in my party and its welfare,

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1. and this bill will hurt the Democratic party in Rock Island County.
2. As I have emphasized before, we use the present system to build our
3. party and we want to go on building it. For that reason, because
4. of the best interest of the regular organization Democratic party in
5. Rock Island that I oppose this bill.

6. PRESIDENT:

7. Senator Newhouse.

8. SENATOR NEWHOUSE:

9. Thank you, Mr. President. Mr. President, the problem with this
10. bill is that it is a country club bill. And it is a corporation bill.
11. It's a closed corporation bill. And the problem with that, of course,
12. is how does the ordinary citizen participate in the electoral process.
13. The fact is that the ordinary citizen is leaving the electoral process
14. and leaving fast. The returns show that the crossovers sometimes
15. exceed those within the party. That ought to give the parties a
16. message. The other message is that there are more and more voters
17. who call themselves independents and at some point they are going to
18. outnumber both parties. The rational solution to this is for the
19. parties to make it possible for people to participate in the electoral
20. process rather than to bar them. This bill has the effect of barring
21. people again. If it goes into effect I would suggest that what is
22. going to happen is that there will be fewer and fewer voters to de-
23. clare themselves anything. And at some point the parties won't have
24. the strength to elect anybody. The fact is that the parties had better
25. begin to reexamine what it is that they're doing. That becomes a hard
26. proposition. It becomes a hard proposition only if the leadership
27. of the party is interested in only the leadership and not in the parties
28. If the parties are going to regenerate themselves, if they're going
29. to grow, if they're going to get back the prestige that they once held
30. and by golly they don't now have it, then the parties better get up
31. off their rear ends and listen to what the people are having to say.
32. Some of the things that people are having to say are entirely contrary
33. to what the leadership of these institutions want to prove. If we

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1 don't begin to listen to them there won't be any need for the aisle in
2 here. We'll need four or five different aisles. I suggest that this is
3 a bad bill and ought to be defeated and both parties ought to get back
4 to the work of trying to determine what it is that their constituencies
5 want.

6 PRESIDENT:

7 Senator Harris.

8 SENATOR HARRIS:

9 Mr. President and members of the Senate. When Senator Nimrod
10 introduced this bill at the very beginning of the Session, it was
11 the product of very sincere and conscientious interim, hearings and
12 effort to provide for the opportunity for party people to structure
13 the nominating procedure within the party primary. And I don't have
14 any quarrel with that principle, and Senator Nimrod's motivation is
15 absolutely sincere and conscientious in his stewardship and effort
16 to pass this bill. I joined with him as a cosponsor at the time this
17 bill was introduced. I've evaluated its practical effect, and it
18 does seem to me that the times of today call for a greater effort on
19 the part of party leadership to attract people into the primary to
20 support and even endorse in those counties where there are recommended
21 nominations. But, further in those counties where there are, in fact,
22 contests in the primary, there must be the greatest amount of opportunity
23 possible for participation in the primary. And on lengthy and careful
24 evaluation from the time this bill has been introduced, aside from the
25 fact that it will cost a significant amount of money, the fact that
26 the times of today communicate to me our need for openness. I'm pre-
27 pared now to embrace the effect of the case law of Illinois today.
28 And so I no longer feel that Senate Bill 18 is, in fact, essential.
29 But, further I believe it should be rejected by the Senate. Thank you,
30 Mr. President.

31 PRESIDENT:

32 Senator Berning.

33 SENATOR BERNING:

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

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1 issue which has been in my opinion, accelerated out of all reason of
2 importance. Purely and simply what we are talking about is the
3 right of a group to make a selection, what we call erroneously, the
4 primary election is purely a party selection. Therefore, it ought
5 to be the prerogative only of those who are legitimate party members to
6 participate in that selection process. The success of the parties
7 and their candidates then rise or fall on the selection of a candidate
8 which has been made by the party members. Obviously, being a Republican,
9 I am never invited to participate in a Democrat caucus, and that is
10 as it should be. By the same reasoning, I as a Protestant, am not
11 privy to the Catholic, the Hebrew, the Mohammedans, or any other faith's
12 internal decisions, and that again is as it should be. But, I submit
13 to you, members of the Senate, by making the privilege of party member-
14 ship meaningful by being able to participate effectively in determining
15 the party selection of candidates by participating in the party's de-
16 termination of policies and platforms. We ought to be able to appeal to
17 people to participate in and within the party structure and in that sense
18 I think Senate Bill 18 will ultimately redound to a strengthening of
19 both parties. For that reason, among others, I think this is a
20 measure that ought to pass.

21 PRESIDENT:

22 Any further discussion? Senator Fawell.

23 SENATOR FAWELL:

24 Just a few words. I don't suppose I can add a whole lot to it.
25 But, I just want to put some personal thoughts of my own. In Du Page
26 County I have always felt some of the spirited primaries we have had
27 have attracted a number of people to the Republican party. In my
28 way of thinking, I think a person joins the political party by voting
29 in the primary and as a very practical matter he doesn't have, or she
30 doesn't have much of a motivation when it is prior to the time when
31 he or she even knows the candidates for political party office, commit-
32 men and so forth, who they're going to be, and it's long before, really,
33 you know who the candidates for nomination are going to be, and so

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1. to my way of thinking what we're saying in this day of Watergate, this
2. day and age when the independents are the fastest growing political
3. party, this day and age when people are growing disenchanted with the
4. Democratic party and Republican party both, that the primary system
5. which is so very important is going to be an exclusive thing as a
6. very practical matter to the party leaders and their spouses and Uncles
7. and close patronage workers et cetera. This, I think is just a repul-
8. sive thing to the average person and we will hear it, but as a very
9. practical matter what confounds me is that I think that even those
10. who may believe that this bill is something that should be done, are
11. making a political mistake. I gather there is not a great deal of
12. love for Governor Walker on either side of the aisle here, and yet
13. it seems to me that what you're saying to Governor Dan is that you're
14. going to be the one to veto this bill and rescue the independents, and
15. that I think is a very practical, political fact of life. One person
16. said to me about Governor Walker, that anybody that can get both political
17. parties mad at him can't be all bad, and there is a heck of a lot of
18. truth to that insofar as the people of the State of Illinois are con-
19. cerned. This is, I think, a blunder in every possible way from a practi-
20. cal political viewpoint and certainly from the viewpoint of good
21. Government which means, like it or not, the more people we can involve
22. in the whole process of choosing the people in principles that will
23. be infused in the Government which is what a political party should
24. be all about - the better off we're going to be. This is not a very
25. good bill in my opinion.

26. PRESIDENT:

27. Any further discussion? Senator Nimrod may close the debate.

28. SENATOR NIMROD:

29. Mr. President and fellow Senators. I can understand the concern
30. of those who are independents. I can understand the concern of those
31. who have fought within the system to arrive and think that they can
32. deny the party the right...or the voice to be heard. Whatever we are
33. we do represent a Republican or a Democrat major party. There are

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1. many other parties. This does not prohibit any of the other parties
2. there involved at anytime they want to do it. But, I think what we
3. must say is that Independents and special pressure groups have, in
4. fact, crossed over and selected party officials, party nominees, and
5. certainly selected a number of elected officials who at a later date
6. we find do a great disservice both to the party and to the office
7. which they held and on the platform in which they ran. I think that
8. what we're saying here is that we're opening up the system. If, in
9. fact, there is an Independent party then it ought to be registered
10. as such. They ought to be known as Independents and work within
11. whatever Independent party they want. If they choose to come and
12. join one of the two major parties and the joining doesn't cost any
13. money, all it costs is the indication that you want to participate
14. for that election to help select its candidates, you have that oppor-
15. tunity. This is really broadening, this is really making people re-
16. sponsible, this is an opportunity for more people to be involved and
17. have a meaning for it. And I believe that we will have the death of
18. the two party system unless this kind of Legislation is passed. I
19. would certainly urge each and every Senator to consider this. I
20. have not received any opposition from any of the regular organizations
21. contrary to what was said. Only I received resolutions from only three
22. counties out of a hundred and one. I have not...I've had support for
23. this bill after extensive hearings from the major newspapers and from
24. both major parties. We, also, have had support after an explanation
25. from many of the special groups who will be denied the right to make
26. their influence upon the candidate primary on the day of election. If
27. you want to make a choice, if you want to participate, this is the way
28. to do it. And I would certainly urge us to support this very important
29. landmark measure. Thank you, Mr. President.

30. PRESIDENT:

31. The question is shall Senate Bill 18 pass. Those in favor will
32. vote Aye. Opposed will vote Nay. The voting is open. Have all
33. voted who wish? Take the record. Senator Nimrod requests postpone

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1. consideration. For what purpose does Senator Kosinski arise?

2. SENATOR KOSINSKI:

3. Personal privilege, Mr. President.

4. PRESIDENT:

5. State your point.

6. SENATOR KOSINSKI:

7. Mr. President and honorable Senators. I have a great feeling to-
8. day to present three young attorneys who were sworn in by the Supreme
9. Court this morning. Mr. Thomas Hanson and his lovely wife Linda.
10. Dennis Burke and his lovely wife Carol. John and Kathryn Burke, Bob
11. Roy and Dorothy Roy. Will you all please rise and your families
12. right behind the President on the East side.

13. PRESIDENT:

14. Senate Bill...for what purpose does Senator Egan arise?

15. SENATOR EGAN:

16. Mr. President and members of the Senate. On a point of personal
17. privilege. It's an honor I think to all of that today we can join
18. with the...in the happy event of the birthday of our colleague, Senator
19. ...

20. PRESIDENT:

21. What's his name?

22. SENATOR EGAN:

23. The fellow that sits next to me...

24. PRESIDENT:

25. Senator Kenneth Hall.

26. SENATOR EGAN:

27. Senator Kenneth Hall, who is today celebrating...he's 39 and
28. holding. But, there will be some cake available upon recess upstairs
29. and I'm inviting everyone in behalf of Senator Hall. Thank you.

30. PRESIDENT:

31. Senator Hall is recognized.

32. SENATOR HALL:

33. Thank you, Mr. President and members of the Senate. I'm indeed

1. honored, I...he just stated my age a little wrong. I'm actually 36.
2. But once again I want to thank you for the great honor. Thank you.

3. PRESIDENT:

4. Senator Palmer, for what purpose do you arise?

5. SENATOR PALMER:

6. I'm reminded in honor of Senator Hall's birthday relating to House
7. ...Joint Resolution 51 in honor of tavern owners...I would like to be
8. named as the Senate sponsor and I would like this not to be approved
9. today, but I would like it be referred to the Executive Committee.

10. PRESIDENT:

11. Senator Morris...

12. SENATOR PALMER:

13. So we can...so we can toast...we can toast the Happy Birthday.

14. PRESIDENT:

15. A rather strained correlation. Senator Moore.

16. SENATOR MOORE:

17. Mr. President, I don't know that Senator Palmer is qualified to
18. handle that resolution, a fellow that's on straight 7-up.

19. PRESIDENT:

20. Senator Palmer.

21. SENATOR PALMER:

22. I had the distinct pleasure and honor of having this resolution
23. presented to the Executive Committee last year and we...we had some
24. real celebration on the toast, and there was an objection that there
25. was no toast in honor of the Irish. But, we have a new one, a brand
26. new toast and also we honor the tavern keeper in the middle of the
27. block as well as the one on the corner, and I remember the way you
28. raised it, so again I renew my motion. Now, if Senator Moore would
29. like to join as cosponsor, I will be glad to accept him.

30. PRESIDENT:

31. Senator Moore.

32. SENATOR MOORE:

33. Oh, I'm glad he finally recognized the Irish and being from a

1. wet community I'll be pleased to join in that sponsorship.

2. PRESIDENT:

3. Is there leave to take Senate Joint Resolution...what is the
4. number of the resolution?

5. SENATOR PALMER:

6. The number of the resolution...

7. PRESIDENT:

8. House Joint Resolution 51 from the Secretary's Desk for referral
9. to the Executive Committee. Is there leave? Leave is granted. Senator
10. ...Senator Harber Hall.

11. SENATOR HALL:

12. Well, I was certainly pleased to see everyone congratulate brother
13. Kenny on his birthday. I want you to know that Mother always gave him
14. a birthday party and never gave me one. She always favored him too.

15. PRESIDENT:

16. Senate Bill 32. Senate Bills on 3rd reading. Senate Bill 32,
17. Senator Graham.

18. SECRETARY:

19. Senate Bill 32.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Graham.

24. SENATOR GRAHAM:

25. Mr. President and members of the Senate. Some few years ago we
26. made a mistake in this State. One of the few. But, we did create
27. or have the Governor create it by Executive order, Illinois Law En-
28. forcement Commission and set up the provisions for it. Now, we have
29. about a twenty-two member commission, open ended, holes drilled for
30. more if the Governor wants it, and Advisory Commission of some ten
31. or fifteen people, and we have the directors appointed by the...
32. people appointed by the Governor looking over the shoulder of the
33. people that are making the grants to law enforcement agencies in the

1 State of Illinois. Now, some of you people have had some experiences
2 in your counties with the Illinois Law Enforcement Commission with
3 regard to some of the grants that are made and probably some of the
4 contingencies that are attached to those grants when they are made.
5 We have, as I say, a director of the Law Enforcement Commission who
6 is able to sign grants up to a quarter of a million dollars without
7 anybody looking over his shoulder except those people appointed by
8 him and or the Governor. Now, in my opinion, Mr. President and members
9 of the Senate...

10 PRESIDENT:

11 Now, just a moment, please. Will the members be in their seats.
12 Senator Graham.

13 SENATOR GRAHAM:

14 My opinion...my opinion of this kind of an exercise is like putting
15 the fox in the chicken coop to watch the chickens. There is a necessity
16 a having a conduit for the handling of the Federal funds that comes
17 into the State of Illinois that will be dissuaded and allowed granted
18 to some of the communities that need them for law enforcement purposes.
19 I'd like to suggest to the people of the City of Chicago, that last
20 year you had a little trouble with seventy million dollars. This
21 should have come to your police on a payroll grant. The person who
22 should have filed that suit, in my opinion, also the Director
23 of the Illinois Law Enforcement Commission didn't, because apparently
24 we had a little trouble up there. Now, our new proposal for this is
25 to set up a commission specifying the members and their qualifications
26 or their vocations and putting some people on this commission that
27 are capable of doing the job that we're capable of selecting those
28 who perform in this. And I'm telling you if you'll give me a
29 reservation over at the Statehouse Inn I'll finish this.

30 PRESIDENT:

31 Just a minute, Senator. Senator, you're a duly elected Senator,
32 you deserve the ear of your colleagues. Sometimes we get carried
33 away....

1 SENATOR GRAHAM:

2 This is an important...

3 PRESIDENT:

4 ...Senator.

5 SENATOR GRAHAM:

6 ...venture, I think. We are proposing eight persons for the Law
7 Enforcement...or for this commission on criminal justice. One - there
8 should be a State's Attorney, one who shall serve as Chairman of the
9 Commission, three mayors, one public defender, one sheriff, one chief
10 of police, four circuit judges designated by the Chief Justice of the
11 Supreme Court, the Attorney General or his designated representative,
12 the Director of Law Enforcement or his designated representative, the
13 Director of Corrections or his designated representative, so that we
14 may put together a commission of people who should by their own en-
15 deavors be qualified to pass upon the grants, the issuing of the grants
16 that are so important for law enforcement in the State of Illinois.
17 We're proposing, also, a Legislative Advisory Commission that will be
18 selected evenly politically by the House and Senate. Any they shall
19 select from their own membership their chairman and they shall meet
20 with this Law and Criminal Justice Commission quarterly. Ladies and
21 Gentlemen of the Senate, there was a subcommittee appointed that
22 thought that of the Judiciary Committee, Senator Daley appointed that
23 thought we didn't spell out that this should be specifically designated
24 to be a part of and conform to the Omnibus Crime Control Act of 1968.
25 We did that in Amendment No. 3. We also amended the Amendment No.
26 with Amendment No. 3 that the Commission would meet, the Advisory
27 Commission would meet with the regular commission quarterly. Ladies
28 and Gentlemen of the Senate, I submit to you that this is a law, a
29 proposal that is about three years too late and I suggest that we give
30 it a favorable roll call and would appreciate that please.

31 PRESIDENT:

32 Any further discussion? The question is shall Senate Bill 32
33 pass? those in favor will vote Aye. Opposed will vote Nay. The

1. voting is open. Have all voted who-wish? Take the record. On this
2. question the Ayes are 37, the Nays are 10. Senate Bill 32 having re-
3. ceived a constitutional majority is declared passed. Senate Bill 90,
4. Senator Nudelman.

5. SECRETARY:

6. (Machine cut-off)

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Nudelman.

11. SENATOR NUDELMAN:

12. Mr. President, two years ago I had a package of bills which passed
13. out of here on the Consent Calendar and got lost in the morass of the
14. late...lateness of the Session in the House. One of them passed this
15. morning on the Consent Calendar and by confusion the other two did
16. not. This is the first of the other two and the synopsis tells the
17. whole story. Amends the Criminal Code Article of Official Misconduct
18. so that a trial shall be in the county where the defendant was elected,
19. appointed or employed unless he seeks to have the trial where the
20. offense was committed. It's a simple bill that passed out of here
21. fifty to nothing last time. I seek favorable support.

22. PRESIDENT:

23. Any further discussion? Senator Glass.

24. SENATOR GLASS:

25. I'd like to ask the sponsor a question. Senator Nudelman, doesn't
26. this bill change one of the basic tenets of criminal law. That is
27. that the crime...the trial for a crime occurs in the situs of where
28. it is committed. Are there any other instances where that is not the
29. case?

30. PRESIDENT:

31. Senator Nudelman.

32. SENATOR NUDELMAN:

✓ 33. Senator, it's a question of interpretation. For example, the

1 retailers occupational tax, they try them here in Springfield rather
2 than in the area where the individual retailer operates his store.
3 That bill passed on the Consent Calendar this morning. Where did
4 the crime happen, is a question that is sometimes debatable, and I
5 suggest that, all things being equal, the situs should be the home
6 county of the defendant.

7 PRESIDENT:

8 Senator Glass.

9 SENATOR GLASS:

10 Well, Senator, I would respectfully differ with you. I think
11 unless there is some reason that would prevent you from determining
12 where a crime was committed, and it seems to me that in most instances
13 that is not hard to determine, we should not change what, at least
14 in...to my knowledge, has been consistent with our practice through-
15 out the years and, in fact, the centuries, and that is that any crime
16 or anyone accused of a crime ought to be tried for that crime as
17 alleged to have been committed. So, on that basis I would opposed
18 this bill, and would hope that it be defeated.

19 PRESIDENT:

20 Senator Nudelman may close the debate.

21 SENATOR NUDELMAN:

22 The same allegation was made with the retailers occupational tax
23 thing. The alleged that because the office was here in Springfield
24 the trial should be here that the site of the crime was here. I
25 respectfully submit, Senator, that the situs of the crime, if any,
26 in the retailers occupational tax situation is where the retailer
27 did not perform as he should have. The trials were had here at the
28 convenience of the Government. I don't think that's proper, I think
29 they should be where the crime was committed and I think the same thing
30 is true in this situation and it's a carry through of that bill, and
31 I seek your favorable support.

32 PRESIDENT:

33 The question is shall Senate Bill 90 pass? Those in favor will

1. vote Aye. Those opposed will vote Nay. The voting is open. Have
2. all voted who wish? Take the record. On this question the Ayes are
3. 35, the Nays are 7. 4 Voting Present. Senate Bill 90 having received
4. a constitutional majority is declared passed. Senate Bill 91, Senator
5. Nudelman.

6. SECRETARY:

7. Senate Bill 91.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Nudelman.

12. SENATOR NUDELMAN:

13. Mr. President and Ladies and Gentlemen of the Senate. This is
14. the third of that series of bills. The synopsis once again describes
15. the bill in one sentence. It amends the Illinois Governmental Ethics
16. Act. Provides that a person charged with violating the Ethics Act
17. shall be tried in the county in which he resides, and I submit that
18. the violation would occur there because that's where his statement
19. would be mailed from and it's not where it goes but where it's from
20. that determines where the alleged crime is convicted, or where the
21. alleged violation is...is occurred. And I would submit that that's
22. where the trial should be.

23. PRESIDENT:

24. Any further discussion? Senator Glass.

25. SENATOR GLASS:

26. Well, again, Mr. President, I would respectfully differ with
27. Senator Nudelman on this. I think on the filing of the Ethics state-
28. ment whether if it's in Springfield, it seems to me that if there is
29. a violation the filing of the statement here is where the act occurs
30. and this is where the trial ought to be. So, I would not like to see
31. us depart from what I think is traditionally good criminal law, and,
32. therefore, oppose the bill.

33. PRESIDENT:

1. The question is shall Senate Bill 91 pass. Those in favor will
2. vote Aye. Those opposed Nay. The voting is open. Have all voted
3. who wish? Take the record. On this question the Ayes are 40, the
4. Nays are 8. 3 Voting Present. Senate Bill 91 having received a
5. constitutional majority is declared passed. The Chair recognizes
6. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
9. On a point of personal privilege.

10. PRESIDENT:

11. State your point, Senator Rock.

12. SENATOR ROCK:

13. I would like to acknowledge the presence and have the Senate
14. greet an outstanding young woman from my district, who was today, also,
15. sworn in before the Illinois Supreme Court as an attorney licensed to
16. practice law in our state. Would Mrs. Elaine Andrews please stand
17. and be recognized.

18. PRESIDENT:

19. On a point of personal privilege, I too, would join to introduce
20. two lovely ladies who are teachers of history at the Quinis High
21. School in Chicago, and I'd ask them to stand and be recognized.
22. Senator Noreen and Senator Lynn. They're here for impact legislative
23. seminar. Would you ladies stand and be recognized by the Senate.
24. Incidentally, they're teaching my daughter history. Senate Bill 97,
25. Senator Regner. Senator Rock, would you come to the rostrum, please.
26. Senate Bill 97, Senator Regner. Passing it. All right. Senate Bill
27. 99, Senator Nudelman.

28. SECRETARY:

29. Senate Bill 99.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Nudelman.

1. SENATOR NUDELMAN:

2. Mr. President and Ladies and Gentlemen of the Senate. This is a
3. bill which grants certain rights to witnesses before grand juries. It
4. simply states that a witness before a grand jury shall be informed
5. that he has a right to counsel, that counsel may appear with him and
6. take no part in the proceedings other than to advise his client of his
7. right, and it further goes on to say - that if any indictments are re-
8. lated to the witness' testimony are returned the witness must be pro-
9. vided with a transcript of his testimony. I think it's simple legis-
10. lation, it grants certain rights which people should have, and we are
11. remiss for not having passed it much sooner, and I would solicit your
12. favorable support.

13. PRESIDENT:

14. Any further discussions? Senator Glass.

15. SENATOR GLASS:

16. Senator Nudelman, doesn't this do violence to the secrecy of the
17. grand jury, if you allow attorneys to be present during their pro-
18. ceedings?

19. PRESIDENT:

20. Senator Nudelman.

21. SENATOR NUDELMAN:

22. Senator, there is nothing about the grand jury proceedings, now,
23. which prohibits a witness from talking. As you know, the attorney -
24. client relationship would prohibit the attorney from talking about
25. it. But, currently, the witness before the grand jury can go out
26. and tell anybody anything about what he has said before the grand jury
27. that he cares to. There's no prohibition against that, currently. So,
28. this does not detract from the secrecy of the grand jury proceedings
29. at all.

30. PRESIDENT:

31. Senator Glass.

32. SENATOR GLASS:

33. Well, does the bill, in fact, provide for a transcript of the pro-

1. ceedings before the grand jury?

2. PRESIDENT:

3. Senator Nudelman.

4. SENATOR NUDELMAN:

5. It provides for such a transcript...let me read it to you. If
6. there is a trial which results from his testimony. That's correct.
7. It is now the law as you well know.

8. PRESIDENT:

9. Any further discussion? The question is shall Senate Bill 99
10. pass. Those in favor will vote Aye. Opposed Nay. The voting is open.
11. Have all voted who wish? Take the record. On this question the Ayes
12. are 42, the Nays are 4. 3 Voting Present. Senate Bill 99 having re-
13. ceived a constitutional majority is declared passed. Will Senator
14. Donnewald come to the rostrum. Senate Bill 100, Senator Nudelman.

15. SECRETARY:

16. Senate Bill 100.

17. (Secretary begins reading title of bill)

18. PRESIDENT:

19. Senate Bill 100 is the bill. 100. I thought you said 101. I'm
20. sorry. 100, thank you.

21. SECRETARY:

22. Senate Bill 100.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Nudelman.

27. SENATOR NUDELMAN:

28. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
29. This is a companion bill, and all this does is to require that a tran-
30. script of the questions that we referred to in the last bill, be kept
31. so that when and if needed they'd be there...they'd be available.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further...

1. SENATOR NUDELMAN:

2. I would solicit your favorable support.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further debate? The question is shall Senate Bill 100
5. pass. All those in favor vote Aye. All those opposed No. The voting
6. is open. Have all those voted who wish? Take the record. On that
7. question the Ayes are 45, the Nays are 5. Senate Bill 100 having re-
8. ceived a constitutional majority is declared passed. Senate Bill 101.
9. Read the bill.

10. SECRETARY:

11. Senate Bill 101.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Nudelman.

16. SENATOR NUDELMAN:

17. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
18. This bill differs slightly. It doesn't deal with grand jury proceedings.
19. It deals with preliminary hearings or examinations, which are held in
20. lieu of or preliminary to a grand jury proceeding, and it merely states
21. that a defendant shall have the right to subpoena and cross-examine
22. witnesses at such a hearing. It is presently the custom but it should
23. be legislated, and this bill would do it. And I solicit your support.
24. Thank you.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further debate? The question is shall Senate Bill 101
27. pass. All those in favor vote Aye. All those opposed No. The voting
28. is open. Have all those voted who wish? Take the record. On that
29. question the Ayes are 55, the Nays are none. Senate Bill 101 having
30. received a constitutional majority is declared passed. Senate Bill
31. 126. Read the bill.

32. SECRETARY:

33. Senate Bill 126.

1. (Secretary reads title of bill)

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just...just a moment. Senator Egan.

4. SENATOR EGAN:

5. I thought maybe we'd check with this to make sure we don't overstep

6. the recess time at 5:00 o'clock. So, if you'll...if we can hold off

7. for just a second I'll find out.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

10. SENATOR HARRIS:

11. Well, Mr. President, that 126, of course, is not subject to the

12. Friday deadline. It does provide for an appropriation within the fiscal

13. '76 opportunity. It seems to me we could come back to this bill without

14. Senator Egan losing his position.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Partee is off the Floor at this time. Do we have leave

17. to come back to this series of bills? Leave is granted. Senator Palmer

18. ...Senator Palmer, do you wish to consider 161. Read the bill.

19. SECRETARY:

20. Senate Bill 161.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Palmer.

25. SENATOR PALMER:

26. Yeah, Mr. President. This bill was supposed to have been on the

27. Agreed Consent List. What it does is allow an election for community

28. college boards to be complying with the regular primary election held

29. in the same year. In such event, the same polling place...places and

30. judges of election shall be used as for the...the regular primary election

31. This, of course, saves money and provides for better procedures. This

32. is approved by all concerned, and especially by the guardians of the

33. Election Code. Senator Graham and Senator Dougherty have approved this

1. bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Latherow.

4. SENATOR LATHEROW:

5. I have...Mr. President, I have a question I'd like to ask.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. He indicates he'll respond.

8. SENATOR LATHEROW:

9. What happens where the particular district does not coincide with
10. the lines of a voting precinct?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Palmer.

13. SENATOR PALMER:

14. If it does not coincide with what?

15. SENATOR LATHEROW:

16. With the boundaries of a voting precinct.

17. SENATOR PALMER:

18. Well, then, you can't...can't have it in this particular district,
19. then. This...only applies to those districts that can't qualify and
20. have an election in the same area and same primary.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further debate? The question is shall Senate Bill 161
23. pass. All those in favor vote Aye. All those opposed No. The voting
24. is open. Have all voted who wish? On that question the Ayes are 50,
25. the Nays are none. Senate Bill 161 having received a constitutional
26. majority is declared passed. Senate Bill 184. Senator Dougherty,
27. for what purpose do you arise?

28. SENATOR DOUGHERTY:

29. Mr. President, aren't we remaining in sequence? We jumped from
30. 126 to 161. Now, I find I'm on 181...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Well, we...Senator, we had leave of the Senate to return back to
33. that order.

1. SENATOR DOUGHERTY:
2. Okay.
3. PRESIDENT:
4. Senate Bills on 3rd reading. Take 184 out of the record. Senate
5. Bill 130, Senator Johns.
6. SECRETARY:
7. Senate Bill 130.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDENT:
11. For what purpose does Senator Weaver arise?
12. SENATOR WEAVER:
13. Mr. President, I thought there was an understanding we'd bring
14. this bill back for an amendment.
15. PRESIDENT:
16. Senator Johns.
17. SENATOR JOHNS:
18. I'm getting just a little bit confused, Senator Weaver. It seems
19. like every bill I've got you want to bring it back. Now, I've got...
20. we've got to get together on this sooner or later and put it down where
21. we both remember it, because I don't recall...this one's been amended
22. down several times. It's been...committee work's been done on it. You're
23. on the committee, I believe, that brought this back, you know, and I
24. just don't recall this one. But, now, I trust you and I'm going...
25. I'm going to hold this bill and talk to him about it, because his word
26. has always been good with me. But, it just seems like I'm running into
27. this repeatedly and I want to be sure I'm doing the right thing.
28. PRESIDENT:
29. Senator Weaver.
30. SENATOR WEAVER:
31. Well, if you want to check the transcript on May the 2nd, you
32. agreed to bring this bill back, Senator Johns.
33. PRESIDENT:

1. Senator Johns.

2. SENATOR JOHNS:

3. All right. Then, I'll tell you what. Because, I know him well.
4. I'm going to bring this back to 2nd reading for the purpose of amend-
5. ment, Mr. President.

6. PRESIDENT:

7. Senator...who asked leave of the Body? Senator Johns has asked
8. leave of the Body to return Senate Bill 130 to the order of 2nd reading
9. for the purpose of an amendment. Is there leave? Leave is granted.
10. What is the number of the amendment? Amendment No. 3 offered by
11. Senator Weaver. Senator Weaver is recognized.

12. SENATOR WEAVER:

13. Thank you, Mr. President. This amendment would provide that the
14. moral obligation on any default of these bonds after the effective
15. date would be removed. As it now stands, Mr. President, the...should
16. there be default, the Governor has to advise the General Assembly and
17. include an appropriation for these bonds in default and we'd be probably
18. in the same position as the State of New York in the future. This is
19. to try to preclude that.

20. PRESIDENT:

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

22. SENATOR KNUPPEL:

23. Well, on a matter of personal privilege. I...I passed several
24. bills on to 3rd reading with the understanding I'd be happy to bring
25. them back for amendment. Now, I just wanted the other side or anybody
26. that asked me to do that to know that I hope that if you want me to
27. bring it back to 2nd reading, I'll see the amendment before it comes
28. up on 3rd reading. I don't think this is quite fair and I...I know
29. just as far as I'm concerned I made that promise and I'm glad to bring
30. any bill back. But, if you fellows got any amendments, don't pull this
31. on me.

32. PRESIDENT:

33. Senator Weaver.

1. SENATOR WEAVER:

2. Well, Mr. President, I gave copies of this amendment to Mr.
3. Francis Whitney, to Senator Rock. I looked for Senator Johns this
4. afternoon and I gave one to Senator Hynes, and I'm sorry that I did
5. not get one to Senator Johns this afternoon but I couldn't find him
6. and I didn't expect him to call this bill today.

7. PRESIDENT:

8. Senator Johns. Senator Johns.

9. SENATOR JOHNS:

10. This...Mr. President, since this involves quite of a bit of a
11. hassel I think I'll take it from...out of the record right now. And
12. we'll discuss it later.

13. PRESIDENT:

14. Take it out of the record. (Machine cut-off)...Resolutions.
15. Is Senator Newhouse still on the Floor? Did you desire recognition
16. a moment ago? we'll only be a moment, now, Gentlemen and Ladies. Hold
17. it down.

18. SECRETARY:

19. Senate Resolution 78.

20. PRESIDENT:

21. Senator Newhouse. Just a moment.

22. SENATOR NEWHOUSE:

23. I...I wonder if the sponsor would yield to a question? I'm...
24. I'm sorry I didn't hear the first part of your explanation. I've
25. given quick reading of the amendment. I simply don't understand what
26. it does.

27. PRESIDENT:

28. That bill is now out of the record, Senator.

29. SENATOR NEWHOUSE:

30. It's out of the record.

31. PRESIDENT:

32. It's out of the record. Resolutions.

33. SECRETARY:

1. Senate Resolution 78 by Senator Nudelman. It's congratulatory
2. PRESIDENT:

3. Senator Nudelman.

4. SENATOR NUDELMAN:

5. Mr. President, there is no necessity to read this. I would...
6. it's a congratulatory. It's to a friend of the family who has accom-
7. plished in middle years a great feat. She graduated from college last
8. week. I would move you that we suspend the rules for immediate con-
9. sideration.

10. PRESIDENT:

11. Senator Nudelman moves for the suspension of the rules for the
12. immediate consideration and adoption of this resolution. All in favor
13. say Aye. Opposed Nay. The resolution is under consideration. Senator
14. Nudelman now moves for the immediate adoption of this resolution. All
15. in favor will say Aye. Opposed Nay. The resolution is adopted.

16. SECRETARY:

17. Senate Resolution 79 introduced by Senators Harris, Partee and
18. all Senators. It's congratulatory.

19. PRESIDENT:

20. Senator Harris.

21. SENATOR HARRIS:

22. Mr. President, this is a congratulatory resolution for Orion
23. Samuelson, the Farm Service Director of WGN TV and WGN Radio. He
24. was made a company vice-president. He's an outstanding human being.
25. I took the liberty of adding all Senators as cosponsors. I would
26. move to suspend for immediate consideration.

27. PRESIDENT:

28. Senator Harris moves for the immediate suspension of the rules
29. for the immediate consideration of this resolution. All in favor will
30. say Aye. The Ayes have it. Senator Harris now moves for the immediate
31. adoption of this resolution. All in favor will say Aye. Opposed Nay.
32. The resolution is adopted.

33. SECRETARY:

1. Senate Joint Resolution No. 40 by Senator Chew.

2. PRESIDENT:

3. Senator Chew.

4. SECRETARY:

5. (Secretary reads SJR No. 40)

6. PRESIDENT:

7. Senator Chew is recognized.

8. SENATOR CHEW:

9. Now, Mr. President, this resolution deals with the Department of
10. Transportation and the Department of Aeronautics. It seems to me that
11. some people in the State Government, especially the executive branch,
12. have chosen to designate who does and who does not use or ride in State
13. owned airplanes. I had a very sad experience...if I could have the
14. attention of the membership, Mr. President.

15. PRESIDENT:

16. Proceed.

17. SENATOR CHEW:

18. I had a very sad experience last week, after having gotten per-
19. mission from the Department of Aeronautics to ride a plane to Chicago
20. that was already scheduled for the trip. I stayed in my office until
21. approximately twenty minutes to six p.m., and then I rode out to the
22. airport with a couple of the Senators here, and when I approached the
23. airport a pilot, I assume he was the pilot, that was going to take the
24. plane to Chicago, met me outside of the door and said "Senator,
25. apparently you didn't vote right today, the Governor's Office has
26. bumped you from the flight." I thought he was kidding. But, he said
27. I am serious. If there is any questions call the Governor's Office
28. and talk to Pam. P-A-M. I immediately called the Governor's Office
29. and the young lady indicated to me that all she could reveal was the
30. fact that I could not get on that plane by orders of the Governor's
31. Office I asked to speak to the Governor, and of course he was not
32. around. I assume he was flying around the State. I immediately called
33. and she said - I cannot reveal anything. I called the President of

1. the Senate and explained to him what had happened. Upon arriving in
2. Chicago the plane landed and there are witnesses in this Body and
3. also members of the House, that viewed one passenger deplaning from
4. that plane. And the resolution is to have the Legislative Audit
5. Commission to make a full report as to what stature the Governor's
6. office has, by law, that he can direct the aircrafts. Why does his
7. aides ride at their own free will? Why is it that the plane can go
8. anywhere certain people designate the planes to go and et cetera. Now,
9. I have not been able to find whether the Governor himself issued the
10. order, but I assume he has enough henchmen down there that could
11. frighten the people out to the airport into saying what they did. But,
12. insomuch as these aircrafts are paid for by State revenues, I think
13. the General Assembly ought to have a complete report as to their usage.
14. Now, I feel that I was misused, and as an elected State Official the
15. passenger who deplaned at Miggs Airport was not an elected State
16. Official. And I want to know the facts, and I would ask, Mr. President,
17. suspension of the rules for immediate consideration of this resolution.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. You've heard the motion. All those in favor say Aye. All those
20. opposed. The Ayes have it. The rules are now suspended. Senator
21. Chew moves the adoption of the resolution. All in favor say Aye.
22. All those opposed. The Ayes have it. The resolution is adopted.

23. SENATOR CHEW:

24. Thank you, Mr. President.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Introduction of bills.

27. SECRETARY:

28. Senate Bill 1497 introduced by Senator Berning.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Announcement, Senator Lemke.

33. SENATOR LEMKE:

11/11/71
5/2
Museum from James to go
Lemke from the road

- 1. Mr. President and members of the Senate. I'd like to move to
- 2. take Senate Bill 1184 from the Table and have it moved to the order
- 3. of 2nd reading. This is a bill that was Tabled and it's a bill that
- 4. has to be amended for emergency matter of the Municipal...various
- 5. municipal parts of Government in the State of Illinois.
- 6. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 7. Is there leave? Senator Demuzio.
- 8. SENATOR DEMUZIO:
- 9. I didn't hear the motion.
- 10. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 11. Senator Lemke moved that Senate Bill 1184 be taken from the
- 12. Table and advanced to the order of 2nd reading. It is to be amended.
- 13. As I understand it is an emergency measure. Is that correct, Senator?
- 14. SENATOR LEMKE:
- 15. That's right.
- 16. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 17. It is requested by the Municipal League.
- 18. SENATOR LEMKE:
- 19. Yes. It applies to the other hundred and one counties in the
- 20. State of Illinois. Not to Cook.
- 21. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 22. Senator Demuzio.
- 23. SENATOR DEMUZIO:
- 24. I don't know what Senator Lemke means by that remark. Nor do I
- 25. care. I was just curious as to what the bill does in order that it's
- 26. such an emergency that we have to consider it. That's all I'm asking.
- 27. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 28. Well,...Senator Lemke, do you wish to respond?
- 29. SENATOR LEMKE:
- 30. 1184 is a bill in regard to bonding provisions. And this is in
- 31. regards to a bill that the Municipal League wants to amend it, which
- 32. is necessary for the other hundred and one counties in the State of
- 33. Illinois. Not for Cook, since Cook already has it.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The understanding...the understanding I think what you're trying
3. to say, Senator, is that there are to be no more committee meetings
4. this week and it is an emergency measure and that is the reason you
5. wish to bypass committee or refer it to committee.

6. SENATOR LEMKE:

7. I spoke to Senator Harris on this matter and he has no objection
8. to it.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Partee.

11. SENATOR PARTEE:

12. So there won't be confusion. I think it should be made clear
13. that there will be no more committee meetings in terms of Senate bills
14. this week, and certainly there will not be any committee meetings in
15. terms of House bills tomorrow, at least. Possibly we will reschedule
16. them tomorrow for Thursday or Friday. But, at present, there will
17. be no committee meetings tomorrow. We'll start at nine o'clock to-
18. morrow, here, as we did today and we'll run the same schedule tomorrow
19. as we ran today.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Now, on the issue...Just a moment. Senator Philip, is this re-
22. garding Senate Bill 1184? Senator Philip.

23. SENATOR PHILIP:

24. Yeah, Mr. President, I'd just like to make a humble suggestion,
25. now. Our Leadership is not on the Floor. I don't know who you've
26. talked to. Why don't we hold this measure until seven o'clock. We're
27. coming back at seven o'clock. That will give us time to talk to our
28. Leadership, and if you've talked to them and it isn't any problem. Fine.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Partee. Senator Lemke.

31. SENATOR LEMKE:

32. I talked to Senator Harris and he has no objection to it. I'm
33. sure the principles involved...in fact, I was told by the particular

1. individual from the Municipal League that they talked to the Republican
2. Leadership and not to the Democratic Leadership and that the Republican
3. Leadership wanted this bill. As far as I'm concerned it doesn't affect
4. my district at all. And I mean...I'll leave it on the damn table and
5. leave it set there. If you people don't want it, fine. It don't bother
6. me.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Take it out of the record. Senator Johns, for what purpose do
9. you arise?

10. SENATOR JOHNS:

11. I want some clarification. A while ago I asked to take a bill
12. out of the record, because I was shocked that an amendment was given
13. to me just about five minutes after I presented the bill. I've been
14. in my seat all day long. The voting record would show that. The bill...
15. the amendment had been prepared long ago. Now, I want to know where
16. I stand with that bill, Mr. President.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. What bill do you refer to, Senator?

19. SENATOR JOHNS:

20. 130. Senate Bill 130. It was on 3rd reading and was asked that
21. I take it back for purpose of amendment.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Yes.

24. SENATOR JOHNS:

25. But, that amendment was presented to me about five minutes...just
26. ...just before I even had a chance to even look at it. And it guts
27. the bill and I resent the way it was handled. And I want to know
28. where that bill stands.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. The bill is on 3rd reading, Senator.

31. SENATOR JOHNS:

32. It stays on 3rd reading. Now, will we come back to those tonight?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Well, it depends upon how...

2. SENATOR JOHNS:

3. I ask leave of the Body to do so.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. It...the Chair cannot determine when that bill will be reached

6. unless there is leave to consider it by the Body.

7. SENATOR JOHNS:

8. That's what I'm asking. I want leave of the Body...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there leave to consider Senate Bill 130...

11. SENATOR JOHNS:

12. 130.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Leave is granted.

15. SENATOR JOHNS:

16. Thank you.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Welsh. Senator Latherow.

19. SENATOR LATHEROW:

20. Well, Mr. President, I'd just like to recognize I think Senator

21. Partee has done a terrific job of trying to run on the hours and give

22. a proper schedule and it's apparent to me that a lot of people have

23. confidence in that and have left now since it's a little after five.

24. And I might move, now, that we recess until seven o'clock.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Are there further announcements? Senator Welsh.

27. SENATOR WELSH:

28. Mr. President, I'm going to announce, now, that there will be a

29. Democratic caucus at eight a.m. tomorrow morning in the President's

30. office. Eight a.m. tomorrow.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further business to come before...Senator Philip.

33. SENATOR PHILIP:

1. Thank you, Mr. President, I'd like to make a comment about softball
2. practice. Unfortunately, we had a very heavy rain yesterday and the
3. field still has considerable water on it. So, there will be no soft-
4. ball practice tonight. We intend on having practice tomorrow night,
5. the good Lord willing. Thank you.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The Senate stands in recess until 7:10 this evening.

9. (RECESS)

11. (AFTER RECESS)

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. The Senate will come to order.

14. PRESIDENT:

15. The hour of seven ten having arrived, the Senate will come to order.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. A Message from the Governor.

18. SECRETARY:

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

21. Mr. President - The Governor directs me to lay before the
22. Senate the following message:

23. (Secretary reads message from the Governor)

24. PRESIDING OFFICER: (SENATOR VADALABENE)

25. Executive Appointments. The Senate will stand at ease. (Machine
26. cut-off)...will come to order. We're going to revert to the order of
27. House Bills on 1st reading. House Bill 62, Senator Don Moore. Senator
28. Savickas, my good friend.

29. SENATOR SAVICKAS:

30. Mr. President, I object to your arbitrary decision to move to
31. this order of business. I think it calls for a roll call vote.
32. And would you inform me, does it take thirty votes?

33. PRESIDING OFFICER: (SENATOR VADALABENE)

1. Senator Savickas, you're out of order. Proceed. House Bills
2. on 1st reading. House Bill 62, Senator Don Moore.
3. SECRETARY:
4. House Bill 62.
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR VADALABENE)
8. House Bill 63, Senator Don Moore.
9. SECRETARY:
10. House Bill 63.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR VADALABENE)
14. House Bill 64, Senator Don Moore. Senator Donnewald, would you
15. please sit down.
16. SECRETARY:
17. House Bill 64.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR VADALABENE)
21. House Bill 66, Senator Don Moore.
22. SECRETARY:
23. House Bill 66.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR VADALABENE)
27. House Bill 625, Senator Knuppel.
28. SECRETARY:
29. House Bill 625.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR VADALABENE)
33. House Bill 671, Senator Davidson.

1. SECRETARY:
2. House Bill 671.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR VADALABENE)
6. House Bill 729, Senator Rock and Senator Philip.
7. SECRETARY:
8. House Bill 729.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR VADALABENE)
12. Thank you, Senator Soper. House Bill 766, Senator Latherow.
13. SECRETARY:
14. House Bill 766.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR VADALABENE)
18. House Bill 767, Senator Latherow.
19. SECRETARY:
20. House Bill 767.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR VADALABENE)
24. House Bill 780, Senator Netsch.
25. SECRETARY:
26. House Bill 780.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR VADALABENE)
30. House Bill 816, Senator Lane.
31. SECRETARY:
32. House Bill 816.
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR VADALABENE)
3. House Bill 883, Senator Egan.
4. SECRETARY:
5. House Bill 883.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR VADALABENE)
9. House Bill 948, Senator Latherow.
10. SECRETARY:
11. House Bill 948.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR VADALABENE)
15. House Bill 957, Senator Johns.
16. SECRETARY:
17. House Bill 957.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR VADALABENE)
21. House Bill 972, Senator Savickas.
22. SECRETARY:
23. House Bill 972.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR VADALABENE)
27. The Chair recognizes Senator Savickas.
28. SENATOR SAVICKAS:
29. Mr. President and members of the Senate. I would move that House
30. Bill 972, which is a duplicate of Senate Bill 447, which passed the
31. Senate on May 12th, 1975 by, I think, it was about 47 votes to nothing,
32. be moved to 2nd reading without committee action.
33. PRESIDING OFFICER: (SENATOR VADALABENE)

1. Senator Savickas, do you want this bill Tabled or do you want
2. it moved to 2nd reading without reference?

3. SENATOR SAVICKAS:

4. Moved to 2nd reading without reference.

5. PRESIDING OFFICER: (SENATOR VADALABENE)

6. Do I have leave to move House Bill 972 to 2nd reading without
7. reference? Senator Savickas, explain the bill to Senator Soper.

8. SENATOR SAVICKAS:

9. This is the bill that changes...this is Chester Majuewski's bill
10. that changes the name from the Board of Trustees to the Board of
11. Commissioners for the Sanitary...the Senate Bill, right. This is
12. the House version.

13. PRESIDING OFFICER: (SENATOR VADALABENE)

14. All in favor signify by saying Aye. Opposed No. The Ayes have
15. it. Advance to 2nd reading without reference. House Bill 1322,
16. Senator Philip. Table that one. House Bill 989, Howard Mohr. Strike
17. it from the record. House Bill 989, Senator Mohr. Howard Mohr.

18. SECRETARY:

19. House Bill 989.

20. (Secretary reads title of bill)

21. 1st reading of the bill.

22. PRESIDING OFFICER: (SENATOR VADALABENE)

23. House Bill 1322, Senator Philip.

24. SECRETARY:

25. House Bill 1322.

26. (Secretary reads title of bill)

27. 1st reading of the bill.

28. PRESIDING OFFICER: (SENATOR VADALABENE)

29. House Bill 1407, Senator Egan.

30. SECRETARY:

31. House Bill 1407.

32. (Secretary reads title of bill)

33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR VADALABENE)
2. House Bill 1589, Senator Shapiro.
3. SECRETARY:
4. House Bill 1589.
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR VADALABENE)
8. House Bill 1758, Senator Latherow.
9. SECRETARY:
10. House Bill 1758.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR VADALABENE)
14. Senator Latherow, do you wish recognition? Senator Latherow.
15. SENATOR LATHEROW:
16. Mr. President, I didn't know whether you wanted to move that
17. without reference from committee or not, then.
18. PRESIDING OFFICER: (SENATOR VADALABENE)
19. No, I think we ought to send that one to committee.
20. SENATOR LATHEROW:
21. Okay. Thank you.
22. PRESIDING OFFICER: (SENATOR VADALABENE)
23. House Bill 1916, Senator Davidson.
24. SECRETARY:
25. House Bill 1966.
26. (Secretary begins reading title of bill)
27. PRESIDING OFFICER: (SENATOR VADALABENE)
28. Hold it. Hold it, hold it, hold it. House Bill 1916.
29. SECRETARY:
30. House Bill 1916.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDING OFFICER: (SENATOR VADALABENE)

1. House Bill 2209, Senator Vadalabene.
2. SECRETARY:
3. House Bill 2209.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDING OFFICER: (SENATOR VADALABENE)
7. House Bill 2220, Senator Vadalabene.
8. SECRETARY:
9. House Bill 2220.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER: (SENATOR VADALABENE)
13. House Bill 2740, Senator Nudelman.
14. SECRETARY:
15. House Bill 2740.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDING OFFICER: (SENATOR VADALABENE)
19. House Bill 72, Senator Daley. House Bill 72, Senator Daley.
20. SECRETARY:
21. House Bill 72.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR VADALABENE)
25. House Bill 229, Senator Vadalabene
26. SECRETARY:
27. House Bill 229.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR VADALABENE)
31. House Bill 373, Senator Daley
32. SECRETARY:
33. House Bill 373.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR VADALABENE)
4. House Bill 375, Senator Daley.
5. SECRETARY:
6. House Bill 375.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR VADALABENE)
10. House Bill 376, Senator Daley.
11. SECRETARY:
12. House Bill 376.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR VADALABENE)
16. House Bill 533, Senator Lemke.
17. SECRETARY:
18. House Bill 533.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR VADALABENE)
22. House Bill 909, Senator Berning.
23. SECRETARY:
24. House Bill 909.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR VADALABENE)
28. House Bill 1619, Senator Regner.
29. SECRETARY:
30. House Bill 1619.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDING OFFICER: (SENATOR VADALABENE)

1. House Bill 1627, Senator Regner.
2. SECRETARY:
3. House Bill 1627.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDING OFFICER: (SENATOR VADALABENE)
7. House Bill 1634, Senator Regner.
8. SECRETARY:
9. House Bill 1634.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER: (SENATOR VADALABENE)
13. House Bill 1638, Senator Regner.
14. SECRETARY:
15. House Bill 1638.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDING OFFICER: (SENATOR VADALABENE)
19. House Bill 1680, Senator Savickas.
20. SECRETARY:
21. House Bill 1680.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR VADALABENE)
25. Senator Partee, would you break up that caucus, or just keep it
26. a little bit quiet over there, please. House Bill 2193, Senator
27. Howard Mohr.
28. SECRETARY:
29. House Bill 2190...
30. PRESIDING OFFICER: (SENATOR VADALABENE)
31. 2193.
32. SECRETARY:
33. House Bill 2193.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR VADALABENE)
4. House Bill 493, Senator Hynes.
5. SECRETARY:
6. House Bill 493.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR VADALABENE)
10. House Bill 598, Senator Fawell.
11. SECRETARY:
12. House Bill 598.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR VADALABENE)
16. House Bill 1080, Senator Hynes.
17. SECRETARY:
18. House Bill 1080.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR VADALABENE)
22. House Bill 1331, Senator Johns.
23. SECRETARY:
24. House Bill 1321.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR VADALABENE)
28. House Bill 2275,...
29. SECRETARY:
30. That reading was on House Bill 1331 instead of 1321. 1st reading
31. of the bill.
32. PRESIDING OFFICER: (SENATOR VADALABENE)
33. House Bill 2275, Senator Morris.

1. SECRETARY:
2. House Bill 2275.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR VADALABENE)
6. Are there any bills on House Bill 1st that any of the Senators
7. wish to pick up and be called at this time? House Bill 949, Senator
8. Berning.
9. SECRETARY:
10. House Bill 949.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR VADALABENE)
14. House Bill 2191, Senator Berning.
15. SECRETARY:
16. House Bill 2191.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR VADALABENE)
20. House Bill 2192, Senator Berning.
21. SECRETARY:
22. House Bill 2192.
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR VADALABENE)
26. Senator Donnewald, this completes our House bills on 1st, Sir.
27. Would you please come up to the podium. That's it, Senator, move
28. fast.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Schaffer, Senate Bill 264. Senate Bill 273, Senator Hickey.
31. We're on the order of 3rd reading. Read the bill.
32. SECRETARY:
33. Senate Bill 273.

1 (Secretary reads title of bill)

2 3rd reading of the bill.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Senator Hickey.

5 SENATOR HICKEY:

6 Mr. President, I'm passing out some information in brief about
7 Senate Bill 273. It has had two amendments added to it in committee.
8 One really is the heart of the bill. The other is one which opts
9 Chicago out of it. This is strictly a consumer bill.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Just a moment, Senator. Will the members please be in their
12 seats and let's disband the caucuses. The informal caucuses. You
13 may proceed.

14 SENATOR HICKEY:

15 Thank you, Mr. President. In some form all but four states have
16 self-service. This is an idea whose time has come for Illinois.
17 Illinois is losing both motor fuel tax to its neighbors and business,
18 because people are going over the line to buy gasoline. Now, heretofore
19 safety has been given us the reason for not having self-service. But,
20 this bill as it stands, now, is a very, very, safe bill. Particularly,
21 because of two things. It denies the possibility of ever having coin-
22 operated dispensing units and places somebody at all times at the
23 controls, so that anyone who comes into the station and is unfit,
24 unable, or should not, for any reason, take care of himself at a dis-
25 pensing unit, can be denied access to service immediately. There is
26 another thing that this person sitting at the controls all times does,
27 which is, and this is not true, this safety measure is not true in
28 every State. This does guarantee employment...

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Proceed.

31 SENATOR HICKEY:

32 This does guarantee employment to one person at all times when
33 those self-service dispensing units are open. This is a carefully

1. worked out bill. I've started it from scratch myself. It's not
2. an oil company bill, but most of the oil companies in the State who
3. have been interested in this possibility do support this Legislation
4. as it stands. There's been some controversy about whether that person
5. should be at the controls. Some people thought it would be a good
6. thing in stations where they had both kinds of service to eliminate
7. that person. But, I'm not interested in this bill at all unless that
8. person is there for safety reasons, and that a by-product of that per-
9. son being there is guaranteed employment for one person where there is
10. self-service. This is a good consumer bill and I will welcome any
11. questions about it and I solicit the support of every single person
12. in this Assembly. Thank you.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Rock.

15. SENATOR ROCK:

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

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. She indicates she will.

19. SENATOR ROCK:

20. I wonder...there was some discussion. Not being a member of that
21. committee was an amendment, in fact, placed on this bill. And if so,
22. what did it do?

23. SENATOR HICKEY:

24. I didn't hear.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Would you repeat the question, Senator. It is rather noisy and
27. there is no one in the gallery so we can't blame anyone but ourselves.
28. Would you repeat the question, Senator Rock?

29. SENATOR ROCK:

30. Oh, I thought you were making a speech.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. I was.

33. SENATOR ROCK:

1. Okay. I'm told there was a committee amendment or two, and I
2. would just ask what the amendments were and to what they pertain.

3. SENATOR HICKEY:

4. Yes, Senator Rock. I explained that when I began. One amendment
5. was really the heart of the bill, which did have many, many changes in
6. it from the original such as, we refer to gasoline self-service, we
7. changed that to motor fuel all the way through. Who knows what kind
8. of motor fuel we're going to be having in a few years. It, also, there
9. was the original bill had...well, there was some suggested changes
10. which ended up definitely putting the person at the controls, but that's
11. all...that was...the main heart of the bill was Amendment No. 1. Amend-
12. ment No. 2 is the one which was offered by the City of Chicago opting
13. out of the bill which I supported and did pass in committee. Those
14. are the two amendments.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Sommer.

17. SENATOR SOMMER:

18. Would the sponsor yield for a question?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. She indicates she will.

21. SENATOR SOMMER:

22. Senator, would you take an amendment opting the 45th District
23. out of this bill? You know if you're going to opt out the City of
24. Chicago you might as well opt out my district too.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Hickey.

27. SENATOR HICKEY:

28. Senator...Senator, would you like to have your district opted out?

29. SENATOR SOMMER:

30. Some of the other...maybe some of the other Senators would like
31. to, also. Why don't we discuss this.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Glass.

1. SENATOR GLASS:

2. I would like to ask the sponsor a question, Mr. President. I...
3. Senator Hickey, you do indicate on the...memo that you handed out under
4. paragraph eight that the safety regulation also guarantees employment
5. opportunities. But, in fact, won't the bill decrease employment and
6. if so, by approximately how much?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Hickey.

9. SENATOR HICKEY:

10. Senator Glass, I doubt that it will since it does permit self-
11. service dispensing units to be at regular...where there are also regular
12. service pumps. It certainly isn't going to...they're not going to
13. lose any...any employment in those stations, and they will add one
14. for the self-service units. Now, if there are any new stations built,
15. or completely converted there would always be one person there. Now,
16. if you're talking about a great big station where there are lots of
17. attendants and they do lots of other things too, that's something else
18. again. But, you know, nobody can tell exactly who will take advantage
19. of this, but certainly it doesn't...it doesn't lose the possibility
20. of employment which it would lose if there didn't have to be a person
21. at the controls.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Glass.

24. SENATOR GLASS:

25. Well, Senator Hickey, I...I do think that's a good part of the
26. bill that you require at least one attendant, but it seems to me
27. that if you're also stating that we're going to have our...if you also
28. are arguing that the cost of gasoline is going to go down, it seems
29. to me that you're telling us that there will be fewer people employed.
30. I don't know how else you could come to that conclusion. But, I would
31. also like to ask with respect to paragraph nine, Chicago has chosen
32. to opt out of this bill and I guess Senator Sommer was getting at that
33. point, but I am wondering why, if the bill is good, why do we have to

1. exclude Chicago from it?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Hickey.

4. SENATOR HICKEY:

5. Senator Glass, I did not exclude Chicago. In committee there was
6. an amendment offered by Chicago to opt out of the bill, and I did not
7. oppose it. I did not originate that amendment.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Johns.

10. SENATOR JOHNS:

11. Mr. President, I'd like to address myself to the issue and I'd
12. like to explain that if I don't vote either way for the issue it's
13. simply because I'm in the petroleum business and I've long felt that
14. to vote in favor of a piece of Legislation that would benefit my
15. particular occupation would be sort of ill. I would say to Senator
16. Bradley Glass that this bill is a good bill in the sense that it does
17. reduce the number of men that you have to have in the service station
18. business. One of the toughest things in the business today is to
19. find decent help and dependable help, and the amount of money that
20. the dealers have been able to pay the help has been at a minimum, and
21. I would say to you that the cost will be more reasonable to the con-
22. sumer. I'm sure that Senator Howard Mohr knows very well...Senator
23. Howard Mohr, I think you could speak on this issue too about self-
24. service, because he's in the petroleum business. But, I would tell
25. you this...I would tell you this, that it does reduce the cost to the
26. consumer and it would be inflation fighting. And I would be in support
27. of the bill, but I cannot vote for it either way.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. Well, I don't suspect this question is aimed at the sponsor, but
32. somebody wanted Chicago out of this bill, somebody, some unnamed person
33. amended Chicago out of the bill. And I'd like to know why they wanted,

1. whoever that is ...opted Chicago out. If it isn't good for Chicago
2. maybe it's not good for Cary and Crystal Lake and Woodstock. Why
3. did Chicago want out?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Hickey.
6. SENATOR HICKEY:
7. Senator Schaffer, since you said you were not addressing that
8. to me I'd be very happy to let the person who offered the amendment
9. from Chicago respond to your question.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Schaffer.
12. SENATOR SCHAFFER:
13. Who was this mysterious representative of the great City of
14. Chicago, Senator. Aha. Senator Nudelman, why is this a bad bill for
15. the City of Chicago? And why should I want Cary and Crystal Lake
16. and Woodstock and all the other fine towns in my community to have
17. this bill, or why not?
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Nudelman, may respond.
20. SENATOR NUDELMAN:
21. The labor people in Cook didn't want it and the labor people
22. downstate didn't mind it. So, I think that's a good compromise. It's
23. a good bill and we should all vote for it.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Senator Ozinga.
26. SENATOR NUDELMAN:
27. Did you hear that, Senator?
28. SENATOR OZINGA:
29. Yeah. We didn't hear what Nudelman's answer was, number one. But,
30. number two, I would like to know are there self-service stations oper-
31. ating in Chicago right now?
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Hickey.

1. SENATOR HICKEY:

2. Would certainly think, Senator, that there are not since they're
3. not legal in the State of Illinois.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Ozinga.

6. SENATOR OZINGA:

7. Why are they not legal?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Hickey.

10. SENATOR HICKEY:

11. Senator Ozinga, as I understand it, the objection to self-service
12. stations heretofore has been because of the safety problem. People
13. have worried about whether there could be accidents because of them.
14. And, but this bill meets those safety, proper safety regulations. I'd
15. like also to say and I think it's number ten on my list there, that
16. probably if this bill does not go through we could get a court order
17. saying that we should have self-service gasoline stations and that
18. they would be regulated by the State Fire Marshalls. This has happened
19. in some states without any legislatively mandated input for safety,
20. and it has produced really a hazardous, messy situation. North Carolina
21. has just gone through this and I can show you pictures of stations
22. which have sprung up which really are not really safe. So, it's better
23. that the Legislature does mandate really safe regulations.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Ozinga.

26. SENATOR OZINGA:

27. Could...could private enterprise with all safety regulations enter
28. into this self-service type of business without statutory regulations?

29. SENATOR HICKEY:

30. Yes, Senator Ozinga, I think if the Fire Marshall so regulated,
31. I think that could happen. Yes, I think...I think that could happen.
32. For instance, in Wisconsin it's not a statutory matter. But, then
33. there are also some regulations in Wisconsin that are not as stringent
34. as these that

1. we're asking for.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Ozinga.

4. SENATOR OZINGA:

5. Would it not then be better to try and let private enterprise
6. regulate itself first and then if there are abuses then try to regulate
7. statutorily.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Just...just a moment. Let's...let's have some order. The Sergeant-
10. at-Arms, will you have everybody in their seats. Clear the aisles.

11. Senator Hickey.

12. SENATOR HICKEY:

13. Senator Ozinga, I don't...my candid opinion is that it would not
14. work as well. Then we'd get people investing in...in stations that
15. were not regulated by uniform regulations. We could get all kinds of
16. infringements on safety which we'd have to wait until after investment
17. had been made before we told them what they were supposed to do, and we
18. could get the same kind of mess that they have in North Carolina.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Howard Mohr.

21. SENATOR MOHR:

22. Well, Mr. President, my name was brought into this debate. I
23. wasn't going to talk on it, but I would just say that I do not have
24. a conflict of interest here. I am in the heating oil business and
25. as of a few years ago I got out of the service station business and
26. what Senator Johns said about finding help difficult to find, that
27. is absolutely true, and since I've been out of the business it's...
28. and as of today it's probably going to be more difficult to find good
29. help because we're paying people to stay home rather than to go to
30. work. So, he raises a very interesting point. I think with unem-
31. ployment as it is today we'd be making a very serious mistake in
32. eliminating jobs, eliminating help in service stations and going to
33. a self-service station operation. There is much to be said about the

1. danger involved of people filling their own tanks and so forth. But,
2. as the thing that really concerns me is that we would be putting people
3. out of work and you know we spent a lot of time on the discussion of
4. unemployment compensation today, and I think we should be more concerned
5. about incentives to work rather than take work away from people and pay
6. them for staying home.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Philip.

9. SENATOR PHILIP:

10. Thank you, Mr. President. And I might say to the Senator on the
11. other side of the aisle I certainly, in concept, I'd agree with her
12. idea. As you remember in committee I asked you to put on some amendments.
13. One was the dual station which I think we have on. Secondly, was allow-
14. ing other coin operated machines like coffee, cigarettes and such, which
15. I think went on. But, the last one, if I remember correctly, is, and
16. I think your bill is into shape now, is that a person who lives in
17. their gas station could not operate a self-service station. Is that
18. correct? Well, unfortunately, I have some people in my district that
19. are in that position. And if you deny them the opportunity to have
20. not only service pumps and self-service pumps, they're going to be at
21. an unfair disadvantage when it comes to that competitor across the
22. street. And, Mrs. Hickey, that is one of the reason I'm going to have
23. to oppose it. In regards to the opting out the City of Chicago, I
24. think that's great being a suburbanite. Because you're going to en-
25. courage the people from the City of Chicago to come out to the suburban
26. area in Du Page county and buy their gas at self-service stations.
27. And I happen to think that's great. Keep the City of Chicago out.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Mr. President, I just think that Senator Ozinga has just probably
32. presented the best reason why we should be more hesitant about this.
33. Since the stations could, in fact, the local communities can, in

1. fact, provide this service and dispense gasoline and self-service
2. without legislation. We have a State fire marshall...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Let's stop the caucuses, please. Will the members please take
5. them out in the aisle or outside. Proceed.

6. SENATOR NIMROD:

7. It seems to me that we have a State fire marshall, a local fire
8. marshall, local ordinance code both in the counties, the townships,
9. the municipalities. We have the Occupation, Safety and Health Act,
10. which contains...provides for legislation for control into safety and
11. regulation dispensing of these liquids. I'm just rather disturbed
12. that we are now going to the State to force legislation at the county
13. and municipal and local levels in order to do a job that they are
14. equipped and should be able to do by themselves. If there is some
15. reason other than this I might be acceptable, but just to see that
16. this legislation just passing it doesn't do any...give them any other
17. rights that they don't have already, doesn't improve any more safety.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Sénator Demuzio:

20. SENATOR DEMUZIO:

21. Will the sponsor yield for a question?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. She indicates she will.

24. SENATOR DEMUZIO:

25. Since the Home Rule Amendment has been put on here and Chicago
26. is out of this I can only assume that this will neither help nor
27. hinder Congressman Mikva in his district. Is that correct?

28. SENATOR HICKEY:

29. I don't know what this has to do with Congressman Mikva.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Latherow.

32. SENATOR LATHEROW:

33. Thank you, Mr. President, I always marvel at the aspects of

1. private enterprise and how we try to help them. I'm sure our good
2. Senator has worked in a service station and knows the general problems
3. there. And I've tried to find a little article that I received yester-
4. day that concerned a few of the elements of what we would do with a
5. small enterprise that was trying to make itself go and then we here
6. in the General Assembly, that fail to have too much knowledge about
7. the operation of a small service station in order to make it pay,
8. whereby they would have to put in computers and so on inside the
9. station at a much greater cost than what their present operation is,
10. and this particular article suggested to us in the General Assembly,
11. and I wish I could find it, that we might come to his station and help
12. him operate it a few days to get a lot better acquainted with what goes
13. on there. And, also, to handle the many complaints he might have.
14. Now, I haven't answered him yet, but I'll wait until after this bill
15. has been acted upon before I tell him that we're all either going to
16. come there to help him, or we decided we didn't want to have anything
17. to do with his operation.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Glass.

20. SENATOR GLASS:

21. Mr. President, I rise on a matter of personal privilege, and I've
22. noticed Senator Harber Hall has just appeared on the Floor wearing a
23. very interesting button, and I wonder, in view of that, if it might
24. be possible to call the Equal Rights Amendment at this time.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Weaver moves the previous question. All those in favor
27. say Aye. All those opposed No. The Ayes have it. Senator Hickey
28. may close the debate.

29. SENATOR HICKEY:

30. I simply want to repeat what I said earlier, that Illinois is now
31. fourth from the bottom in coming to having self-service stations avail-
32. able to the people. One...one thing I want to say in answer to Senator
33. Nimrod, his implications and some of the others, seem to imply that if

1. we pass this bill that all the service stations we have would have to
2. switch. I think that's a very interesting thing to look at. Why would
3. they have to switch? Is it because all the people want self-service?
4. Or is it because that's the best way to give service? I don't think
5. all of the people would have to switch. Many people don't want to
6. wait on themselves and they do want the extra business of having wind-
7. shields wiped and so forth, and it certainly isn't going to drive all
8. of the regular service stations out of business. This is a consumer
9. bill. Illinois is way behind in not having given it to the people before.
10. This is a safe bill. We talk about private enterprise, most of the
11. oil companies of this State are behind this bill, but when I say behind
12. it I mean just that. It's my bill. I did it from a consumer angle
13. because I know about buying self-service gasoline in Wisconsin where
14. we go frequently. And I know the advantage to the consumer, this is
15. being done for the consumer, and I implore you to vote for the consumer
16. and vote yes for this bill. Thank you.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. The question is shall Senate Bill 273 pass. All those in favor
19. vote Aye. All those opposed No. The voting is open. Have all those
20. voted who wish? Have all those voted who wish? Have all those voted
21. who wish? Take the record. On that question the Ayes are 29, the
22. Nays are 20. 2 Voting Present. Senate Bill 273 not having received
23. the constitutional majority is declared lost. Now, Ladies and Gentle-
24. men...Senator Harber Hall, for what purpose do you arise?

25. SENATOR HARBER HALL:

26. A personal privilege, Mr. President.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. State your point.

29. SENATOR HALL:

30. My name was mentioned and Senator Glass was absolutely correct.
31. I am wearing a ERA YES button, I just came from a very nice supper
32. with some lovely ladies from my district, and I am wearing this button
33. and it reminds me that in Chicago not too long ago I was at a meeting

1. and the honorable Senator from Chicago, Senator Richard Newhouse,
2. pinned a button on me that said Newhouse for Mayor, which I probably
3. wore for some time and somebody said - well, you can't vote for Richard
4. Newhouse, knowing that I come from downstate Illinois, and that's kind
5. of the way I feel about this ERA. I can't vote for ERA.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Ladies and Gentlemen...Ladies and Gentlemen of the Senate, the
8. Chair's inadvertence, I skipped to Senator Schaffer's bill of 264, but
9. it should have been Senator Schaffer's bill 184. That's where the...
10. we should be on the Calendar. Senator Schaffer, do you wish to proceed
11. with Senate Bill 184? Senator Sommer, 193. Senator Nimrod, 209.
12. Read the bill.

13. SECRETARY:

14. Senate Bill 209.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. Mr. President and fellow Senators, Senate Bill 209 provides for
21. a one year extension of the bill we passed last year, because of the
22. quadrant reassessment problem that existed in Cook County, and all this
23. does is provide the insurers that there will be...that none of the
24. taxing bodies will lose any of the monies they had at least as far
25. back as '72. They can at least get as much as that in view of the
26. reassessment, and also it will eliminate any excessive increase in
27. tax for any particular group as a result of quadrant reassessment.
28. Now, it is...it will terminate at the end of this year, or after this
29. assessment because then the entire county will have been reassessed.
30. This was discussed at great length. It was held in committee for about
31. four weeks. There was a subcommittee consisting of Senators Daley
32. and Carroll and myself, and after study on that issue it was realized
33. that it was very necessary for the area. I'd be happy to answer any

1. questions. If not, I would urge a favorable roll call.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? The question is shall Senate Bill
4. 209 pass. All those in favor vote Aye. All those opposed No. The
5. voting is open. Have all those voted who wish? Take the record.
6. On that question the Ayes are 35, the Nays are 1. 5 Voting Present.
7. Senate Bill 209 having received a constitutional majority is declared
8. passed. Senate Bill 210. Read the bill.

9. SECRETARY:

10. Senate Bill...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Just a moment. Senator Wooten, for what purpose do you arise?

13. SENATOR WOOTEN:

14. I've been informed by Senator Davidson that in a less than lucid
15. moment I promised him I would give him an opportunity to offer an
16. amendment to Senate Bill 210. Not wishing to be anything less than
17. a man of my word even when I can't recall the word very clearly I
18. would request permission of the Body to recall 210 to the order of
19. 2nd reading to see what Senator Davidson can do to it.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there leave? Leave is granted. The bill is on 2nd reading.
22. Senator Davidson.

23. SENATOR DAVIDSON:

24. Mr. President, the Secretary has to give me the amendment number
25. because this bill has been amended before.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Amendment No. 2.

28. SENATOR DAVIDSON:

29. Amendment No. 2 to Senate Bill 210, Ladies and Gentlemen of the
30. Senate does a very simple thing. Amendment No. 1 to this bill, it
31. took Chicago and Cook County out of this bill since a lot of us down-
32. state did not think this was the correct idea and had objection to
33. it since the Senator from Rock Island County thought this was a great

1. thing. This amendment does a very simple little thing. It takes
2. all the downstate counties out of this bill except Rock Island County.
3. Now, if the Senator from Rock Island County thinks this is a great
4. thing for his county then let's give it to him, but the rest of us
5. downstate who do not want this, let him have his opportunity. I
6. move the adoption of Amendment No. 2 to Senate Bill 210.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Well, it may be simple and intransigent of me, Mr. President,
11. but I really think I ought to resist this amendment. I actually run
12. in more than one county, and while Rock Island County, it is true, is
13. the pivot of the 36th District. It still does include portions of
14. Whiteside and Henry County, and I must say that, this may come as
15. a surprise to you Senator Davidson, but many counties throughout the
16. downstate area have expressed keen interest in this bill, and I would,
17. therefore, resist it. I'd be very happy to have it in my own county
18. but I'm not one to keep blessings to myself. I would like to share
19. them with others, so I would resist this amendment.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. Yes, Mr. President, I wonder if Senator Davidson wouldn't mind
24. if he gets this amendment on I'm going to offer Amendment No. 3
25. which will include again Jackson, Williamson, Washington, Randolph,
26. Perry and St. Clair and Monroe, because those counties are in my
27. district and we want this bill, so if you're successful with your
28. amendment well, I'm going to offer mine to put my counties back in.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Latherow.

31. SENATOR LATHEROW:

32. I just, Mr. President, had one question to ask Senator Wooten.
33. What's the population of those people in Henry County amount to that

1. he represents?
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Wooten.
4. SENATOR WOOTEN:
5. Now, you may not believe this, Senator Latherow, but I really did
6. not hear your question. Could you repeat it to me again?
7. PRESIDING OFFICER:
8. Senator Latherow.
9. SENATOR LATHEROW:
10. How many people in Henry County do you represent?
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Wooten.
13. SENATOR WOOTEN:
14. I think the massive sum of about fifteen hundred to two thousand.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Latherow.
17. SENATOR LATHEROW:
18. In those two, little, tiny townships that have only about...what it
19. is, about two hundred votes a piece in each of them.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Wooten.
22. SENATOR WOOTEN:
23. That is, I'm happy to say, a growth area in Henry County and
24. people are moving into Phoenix and Hanna at a fairly rapid rate. I'm
25. very glad to see that myself. I'd like to get them registered..
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Is there further debate? All those in favor of Amendment No. 2
28. indicate by saying Aye. All those opposed. The Noes have it. A roll
29. call is requested. All those voting for Amendment No. 2 of Senate
30. Bill 210 indicate by voting Aye. All those opposed vote No. The
31. voting is open. Have all those voted who wish? On that question...
32. take the record. On that question the Ayes are 22, the Nays are 31.
33. Amendment No. 2 fails. Are there other amendments? Senator Davidson.

1. SENATOR DAVIDSON:

2. I have just had a quick lesson of vote counting. The 2nd amend-
3. ment, I mean the 3rd amendment which I have ready for this bill I
4. will humbly withdraw in need of time to pass other bills this
5. evening. Thank you.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Are there further amendments? 3rd reading. Senate Bill 221,
8. Senator Fawell. Read the bill. Strike that. Just a moment. I've
9. been advised and properly so. The Amendment was not adopted and the
10. bill is up for consideration right now, and Senator Wooten.

11. SENATOR WOOTEN:

12. Yes...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. The bill is now on 3rd reading. You may proceed.

15. SENATOR WOOTEN:

16. That's right.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Read the bill.

19. SECRETARY:

20. Senate Bill 210.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Wooten.

25. SENATOR WOOTEN:

26. The bill permits registration of voters in their homes and all
27. counties in Illinois outside of Cook County. I can't make it more
28. complicated than that. I would ask for a favorable roll call.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further debate? Senator Schaffer.

31. SENATOR SCHAFFER:

32. Senator Wooten, I thought this was a bad bill, but since we've,
33. through the all seeing wisdom of a majority of this Body, decided

1. to mandate that every partisan committeeman of either party is
2. a registrar, I think that coupled with this bill will open the doors
3. to such massive vote fraud and problems for the county clerk in this
4. State that I'm absolutely dumbfounded that a man such as yourself
5. could possibly be part of that. What saddens me is that my obvious
6. line of recourse is going to be that the Governor as a rational,
7. reasonable human being will veto both of those bills. And it saddens
8. me to find myself in a position of dependence on that particular
9. individual. But, this bill coupled with the previous bill passed
10. here scares the daylights out of me and I suspect that some county
11. clerks of both political parties are wringing their hands in absolute
12. torment at this point. We are going to hand them problems of dimensions.
13. I hope the next bill that comes up will be a pay raise bill for those
14. poor individuals, because we are really putting them on the line and
15. handing them tremendous problems. I'm sure the vast majority of the
16. people will try and do a conscientious job, but I think you've opened
17. the door to a tremendous amount of problems with these bills, and I
18. hope this one goes down the chute.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Mr. President and members of the Senate, I'd like to speak in
23. opposition of this bill for three reasons. One, is that if this is
24. such a great thing then let's make it for all the State. Let's put
25. Cook County and Chicago back in the bill. This...they were removed
26. with Amendment No. 1. Two, I know that the majority leader's bill,
27. a reregistration of all the people throughout the State is going
28. to pass, then this bill is unnecessary. But, most importantly, I
29. don't know how many of your precinct committeemen you've talked to
30. but I've talked to precinct committeemen in Sangamon County and
31. Montgomery County of both parties and they don't want any part of
32. this bill. They take exception to Senter Wooten's idea that they
33. should have an opportunity to work. That if they want to be active

1. they should mandate to have to do this, and they take real exception
2. to this. If they want to participate as precinct committeemen that's
3. what they want to do, but to say they shall be the Deputy Registrar,
4. they object. And the County Clerk of Montgomery County and of Sangamon
5. County, is not responded to me from Sangamon County, but the County
6. Clerk from Montgomery County takes exception to this bill, because
7. she has a problem with the deputy registrars that she appoints, to
8. get them to do the job. And I think the other real lesson in futility
9. in this bill is...you know if people you have to pursue people to
10. their homes to get them to register, how are you going to get them
11. to vote. If they don't have enough interest in the electoral process
12. to go register, then why should we pursue them unless...futility when
13. they're not going to go vote. This is an unnecessary bill. I urge
14. all of you to vote No.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Graham.

17. SENATOR GRAHAM:

18. Mr. President and members of the Senate. You know I have never
19. envisioned the fact that our Legislative and Executive Bodies would
20. spend so much time rushing into political oblivion. That's exactly
21. what we're working on. The UAW wants registration by postcards. We
22. had some bills the other day to bribe the precinct committeemen to
23. get out and get some more action. We have this one to let them go
24. to the homes. I'm not sure whose homes they're going to be registered
25. in. A great possibility a lot of them will be registered in the
26. precinct committeeman's home. And we might...it might be in the
27. funeral home Senator Weaver says, and it could happen in Urbana.
28. It...there's a great possibility too that our judges in our...their
29. overcrowded courtrooms that we hear so much about, may have so darn
30. many charges of forgery that we might have to enlarge the Institution
31. of Vandalia, because these guys are not going to work that hard.
32. Now, let's don't rush into oblivion. That's what we're trying to
33. do, here. If the precinct committeemen are not going to work, you're

1. not going to force them to work by imposing upon them some cockeyed
2. piece of legislation in Springfield that they resent. Ladies and
3. Gentlemen of this Senate, I think by the way of some funeral home
4. and to the closest cemetery would be the greatest place to send this
5. bill, and I speak in opposition to it.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Nimrod.

8. SENATOR NIMROD:

9. Mr. President and fellow Senators, I just rise to remind us that
10. in looking at our State Constitution, article 3, section 4 puts it
11. very plainly and I have always heard Senator Wooten both in committee
12. and on this Floor speak about enforcing the uniformity in compliance
13. with the Constitution and it says very simply - laws governing voter
14. registration and conduct of electors shall be general and uniform.
15. When you exempt Cook County and when you exempt Chicago, or you provide
16. only for one or the other that has to do with the election laws, you
17. are in conflict with the Constitution of this State. This makes it
18. illegal and unconstitutional and I think it's really a disservice
19. both to this Body and to the public to attempt to force these kind
20. of laws on for a political gain. I think it's the wrong kind of
21. move and I don't think we should waste our time with this and we
22. ought to vote against this kind of measure.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Berning.

25. SENATOR BERNING:

26. Thank you, Mr. President. It just occurs to me, Ladies and
27. Gentlemen of the Senate, that in what appears to be a bona fide and
28. sincere effort to encourage the citizens to participate in the electoral
29. process we are getting, now, to the point of wet nursing them. I
30. submit that any interested voter ought to have enough initiative to
31. get to the registration point and register him or herself. This bill
32. ought to be defeated.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Joyce:

2. SENATOR JOYCE:

3. I think, Mr. President and members of the Body, that we are
4. adding a convenience to the voter. You know, many county clerks
5. just have a precinct registration day and are open from nine to
6. five and it is very difficult for people to get in to vote. And
7. I think we're just adding convenience and making the election pro-
8. cess more open to the people and I think that's what we should surely
9. all want. And I would move for the previous question.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. The motion is to move for the previous question. All those in
12. favor say Aye. All those opposed No. The Ayes have it. Senator
13. Wooten may close the debate.

14. SENATOR WOOTEN:

15. Fair is fair, Senator Soper, I've listened to the oratory on
16. the other side. Give me about a minute and a half. I simply want
17. to respond to some of the statements that were made over there, and
18. I hope you can accept and believe that I'm doing this, because I
19. think it is the best means of widening the process. It's absolutely
20. true, as long as human beings are human the possibility for corruption
21. exists in any institution, in any procedure. I believe if we always
22. take that fearful look at the people around us and the institutions
23. in which we operate that we really cannot advance, we cannot progress.
24. Maybe it is a risk. I, personally, don't think it is that much of
25. a risk. I know of considerable irregularities in absentee voting,
26. but that doesn't mean we should get rid of it. We should try to
27. see that it is conducted on the proper plane. I believe sincerely
28. in this. It's a matter of philosophy, of democracy what you think
29. about the whole process. If I thought for a minute that this would
30. lead to massive corruption, I would back away from the bill. It would
31. have to be a better answer. If it develops that way I'll be leading
32. the fray to get the bills removed. But, it's what in my own fallible
33. judgement I believe to be the answer to what I see as a vexing problem.

1. And I solicit your favorable vote.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. The question is shall Senate Bill 210 pass. All those in favor
4. vote Aye. All those opposed No. The voting is open. Have all those
5. voted who wish? Have all those voted who wish? Take the record. On
6. that...on that question the Ayes are 31, the Nays are 21. Senate
7. Bill 210 having received a constitutional majority is declared passed.
8. There is a request for a verification. The Clerk...you request the
9. positive vote?

10. SECRETARY:

11. The following voted in the affirmative:

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Just a moment. Will the members please be in their seats.

14. Secretary, proceed.

15. SECRETARY:

16. The following voted in the affirmative: Brady, Bruce, Euzbee,
17. Carroll, Chew, Course, Daley, Demuzio, Donnewald, Dougherty, Egan,
18. Hickey, Hynes, Johns, Joyce, Kosinski, Lane, Lemke, McCarthy, Morris,
19. Netsch, Newhouse, Nudelman, Palmer, Rock, Romano, Savickas, Smith,
20. Welsh, Wooten and Mr. President.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. The roll has been verified. Senator Rock. Is Senator Palmer on
23. the Floor? Is Senator Palmer within the bar? Take him from the
24. rolls. On that question the Ayes are 30, the Nays are 21. Senate
25. Bill 210 having received a constitutional majority is declared passed.
26. Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President, having voted on the prevailing side
29. I do now move to reconsider the vote by which Senate Bill 210 was
30. declared passed.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock moves to reconsider Senate Bill 210 by the vote by
33. which it is passed. Senator Partee moves to let that lie on the Table.

1. All those in favor say Aye. All those opposed No. The Ayes have it.
2. The motion is Tabled. Senate Bill 221.

3. SECRETARY:

4. Senate Bill 221.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Fawell.

9. SENATOR FAWELL:

10. Mr. President, I would like to ask leave of the Senate. There is
11. a companion bill...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Just a moment. Order please.

14. SENATOR FAWELL:

15. Mr. President, there is a companion bill, which is on Postponed
16. Consideration. With leave of the Senate I would like to have companion
17. bill 220 and 221 heard together. They can go up or down together.
18. I would assure you for the final time that the bills are identical.
19. One pertains to the Municipal Code, the other pertains to the Park
20. District Code. They both ...they both refer to joint agreements for
21. handicapped children recreational programs.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Do we have leave? Leave is granted. Senator Fawell may proceed
24. on Senate Bill 221.

25. SENATOR FAWELL:

26. Now if I may try the patience of my brother any bit more. I
27. have had the request from several of my colleagues that the Amendment
28. No. 1, I believe, which is affixed to each of these bills, I do
29. have an amendment that can replace each of these amendments. It
30. pertains to the backdoor referendum procedure granting a greater
31. period of time in which the people may petition for a backdoor refer-
32. endum, therefore, I would ask leave to have Senate Bill 220 taken to
33. the order of 2nd reading for the purposes of Tabling the amendment

1. which is thereon and moving for the adoption of Amendment No. 2 to
2. replace Amendment No. 1.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. We have had leave to place Senate Bill 220 back on the order of
5. 3rd reading and the motion is to place it back to the order of 2nd
6. reading for the purpose of an amendment. Is there leave? Leave is
7. granted. The bill is now on 2nd reading. Senator Fawell now moves...

8. SENATOR FAWELL:

9. Yes...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. ...that Amendment No. 1 to Senate Bill 220 be Tabled. Senator
12. Fawell.

13. SENATOR FAWELL:

14. Yes, I would make that motion, Mr. President.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. You've already made it. All those in favor say Aye. All those
17. opposed No. The Ayes have it. The amendment is Tabled.

18. SENATOR FAWELL:

19. And I...I would now like to make a motion for the adoption of
20. Amendment No. 2, which is the one I just explained.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. All right. Is there further discussion on Amendment No. 2 to
23. Senate Bill 220? All those in favor indicate by saying Aye. All
24. those opposed No. The Ayes have it. The amendment is adopted. Are
25. there further amendments to Senate Bill 220? 3rd reading. Senate Bill 221.
26. Do we have leave to revert to the order of 2nd reading as to Senate
27. Bill 221? Leave is granted. The bill is on 2nd reading. Senator
28. Fawell moves that Amendment No. 1 to Senate Bill 221 be Tabled. All
29. those in favor say Aye. All those opposed No. The Ayes have it. The
30. amendment is Tabled. Senator Fawell.

31. SENATOR FAWELL:

32. I now make a motion for the adoption of Amendment No. 2, which
33. is identical to the Amendment No. 2, which was put on the previous...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? All those in favor of Amendment
3. No. 2 to Senate Bill 221 indicate by saying Aye. All those opposed
4. No. The Ayes have it. The amendment is adopted. 3rd reading. Now,
5. Senator Fawell, you may proceed now with Senate Bill 221.

6. SENATOR FAWELL:

7. Yes. Mr. President and members of the Senate...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. No, no, just a moment. I think that the last bill we considered
10. with an amendment was 221. Was it not? Then we would proceed to
11. 220. The bill should be read. Must be read.

12. SECRETARY:

13. Senate Bill 220.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Fawell.

18. SENATOR FAWELL:

19. Yes. Mr. President and members of the Senate. This is the
20. legislation which will grant the power to joint agreement programs
21. sponsored...sponsored by park districts for recreational programs
22. for handicapped children to be financed by two cent levies. The
23. backdoor referendum, I think, is such that those of you who did
24. have some objection have indicated to me, I believe, that you no
25. longer have specific objections to the bill. I would hope that
26. we can, therefore, pass this legislation, and I solicit your favorable
27. roll call.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Nimrod.

30. SENATOR NIMROD:

31. I just want to call attention to Senator Fawell on a technicality,
32. here, where we've amended an amendment, and I'm not sure we did what
33. we should have done before we go ahead here.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Fawell.
3. SENATOR FAWELL:
4. I...
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Fawell.
7. SENATOR FAWELL:
8. I think I have made a grievous error, Mr. President. I...I
9. should not have Tabled Amendment No. 1...
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Confession is good for the soul.
12. SENATOR FAWELL:
13. ...on one of these bills. I...I see that Amendment No. 2 was
14. drawn in such a way that it amended each of these bills in their
15. amended form. Now, I don't know if there is a way to get back
16. from where I am. But, I sure would like to.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Hall, for what purpose do you arise?
19. SENATOR HALL:
20. Parliamentary inquiry, Mr. President. I...it seems to me that
21. this bill was on Postponed Consideration in addition to the techni-
22. cality the sponsor's already pointed out. I just wonder how we can
23. consider this on...
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Well, Senator, if you were listening awhile ago, we asked leave
26. of the Senate to take it from Postponed Consideration to the order
27. of 3rd reading and then back to 2nd reading. And leave was granted.
28. SENATOR HALL:
29. That's my question, though, doesn't it go back to the order of
30. Postponed Consideration?
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. That is precisely what's occurring. Senator Fawell.
33. SENATOR FAWELL:

1. I suppose the proper procedure is, again, to ask leave of the
2. Senate to take Senate Bill 220 back to the order of 2nd reading and
3. then having voted on the prevailing side to ask for a reconsideration
4. of the motion by which Amendment No. 1 was Tabled.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. I think that would be the proper motion. The...Senator Fawell...
7. Senator Fawell moves that having voted on the prevailing side of
8. Amendment No. 2 to Senate Bill...Amendment No...having voted on the
9. prevailing side on a motion to Table Amendment No. 1 moves to recon-
10. sider the vote by which that amendment was Tabled. All those in
11. favor say Aye. All those opposed No. The Ayes have it. The amendment
12. now is reconsidered. Now, you do move for the adoption of Amendment
13. No. 1?

14. SENATOR FAWELL:

15. Yes.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. The motion...all those in favor indicate by saying Aye. All those
18. opposed No. The Ayes have it. The amendment is adopted, again.
19. Senator Fawell.

20. SENATOR FAWELL:

21. May I make this parliamentary inquiry, it would appear to me, there-
22. fore, that the adoption of Amendment No. 2 is now perfected by the
23. presence of...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Reasonably.

26. SENATOR FAWELL:

27. ...Amendment No. 1.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. All right. You...you...yes, Senator Partee.

30. SENATOR PARTEE:

31. Rather than have all of us at this hour of the night go through
32. this kind of confusion, could we ask the Gentleman to take the bill
33. out of the record, get the amendment straight and we'll get back to

1. it. So, it is simple.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. We could do that, Senator, is that your desire?

4. SENATOR FAWELL:

5. Yes, of course. This bill is now in shape I believe. I...the
6. only thing I would have to do is do the same with the other bill,
7. now. It is simply move to reconsider the...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. The bill is ready to be moved to 3rd. Senate Bill 220.

10. SENATOR FAWELL:

11. Yes, yes, it is complete.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. On Consideration Postponed.

14. SENATOR FAWELL:

15. Well, except I...the bill which is before the Senate is 221 and
16. that is on 3rd reading.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Well...

19. SENATOR FAWELL:

20. 220 is on Postponed Consideration and...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. It is presently.

23. SENATOR FAWELL:

24. Yes. I merely asked leave of the Senate in my presentation on
25. 221 to be able to bring 220 back from the order of Postponed Considera-
26. tion so that the two could be heard at the same time.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. I think that we did ask leave of the Senate to do that very
29. thing, Senator, and we did get leave of the Senate.

30. SENATOR FAWELL:

31. Pardon.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Did acquire leave of the Senate for that...

1. SENATOR FAWELL:
2. Yes, yes, we did...yes, we did.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Senate Bill...Senate Bill 220 is in proper order right now.
5. SENATOR FAWELL:
6. Yes.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Now, 221 we will now deliberate. Now, on the Senate Bill 221
9. you wish to having voted on the prevailing side to Table Amendment
10. No. 1...
11. SENATOR FAWELL:
12. Yes.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. ...of Senate Bill 221...
15. SENATOR FAWELL:
16. Yes.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. ...You wish to have that vote reconsidered.
19. SENATOR FAWELL:
20. Yes, I do, Mr. President.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. All those in favor indicate by saying Aye. All those opposed No.
23. The Ayes have it. The bill is...the amendment is reconsidered. You
24. now wish to Table Amendment No. 1 to Senate Bill 221.
25. SENATOR FAWELL:
26. No, no...yes, yes, I do.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Just a moment. Senator Partee. I almost had this straightened
29. out. Senator Partee.
30. SENATOR PARTEE:
31. I know Senator Fawell is very, very concerned about tham and I
32. certainly don't mean to sound obstreperous but it's just very obvious
33. that we are at a point where we can make a tremendous error unless

1. we get it straightened out. I'm only suggesting that some time be
2. given for these motions to be gotten in order. Let's go to another
3. order of business, come back to these when they're straightened out,
4. and it doesn't discombobulate the Body and take everybody's time
5. while they're being straightened out. That's all I'm suggesting.
6. I'm not trying in any way to upset you, frustrate you, discommode
7. you, to cause you any chagrin, or dismay. But, I think we ought to
8. take a moment and get it straightened out, go to some other order of
9. business and come back. Then it doesn't upset everybody else while
10. we're waiting. We'll get it done properly.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. We have accomplished that, now, Senator. The...the only motion
13. we need now is a motion to adopt Amendment No. 1. All those in
14. favor indicate by saying Aye. All those opposed No. The Ayes have
15. it. The amendment is adopted. 3rd reading. Now, the bill's...
16. Senate Bill 220 on the order of 3rd reading. Read the bill.

17. SECRETARY:

18. Senate Bill 220.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Fawell.

23. SENATOR FAWELL:

24. Again, I apologize for the time I've taken. I think everybody
25. knows what the bill does. It's the bill that authorizes the two
26. cent levy for joint agreement programs for recreational programs for
27. handicapped children. Joint agreement programs only by park districts
28. and by cities and villages. We have the extended backdoor referendum
29. that has been attached to this bill. Now, I appreciate the patience
30. you have shown and I would hope we could have a favorable roll call.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Berning.

33. SENATOR BERNING:

1. Thank you, Mr. President. It appears to me that Senator Partee
2. is correct in his analysis of our current situation with this par-
3. ticular bill. I'm confident that no one really understood that this
4. bill was being taken off the Consideration postponed list, and if
5. we are going to step out of line for one we ought to perforce do
6. it for every other one, and that, I submit, will lead only to ex-
7. tended confusion and unfair treatment. Those bills on 3rd reading
8. should come first...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator, just...just a moment. Senator, you must address your-
11. self to the merits of the bill. We did ask leave of the Senate to
12. do that. There was no objection at that time.

13. SENATOR BERNING:

14. Mr. President, on a point of personal privilege, then, I beg
15. to disagree. The announcement...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator, Senator, you're out of order on a point of personal
18. privilege. We're in the middle of debate on Senate Bill 220. You
19. may address yourself to the merits of that bill.

20. SENATOR BERNING:

21. Very well, then, let me ask the sponsor. Is...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Will the sponsor yield to a question?

24. SENATOR BERNING:

25. Is there anything that prevents a park district from expending
26. any of its levy dollars for exactly the purposes that are spelled
27. out in this bill?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Fawell.

30. SENATOR FAWELL:

31. It could utilize corporate fund levies, Senator. These levies,
32. by and large, are taken up for the regular recreational programs and
33. there simply is nothing left over for the handicapped children.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Berning.

3. SENATOR BERNING:

4. It is difficult to oppose anything for any special group of
5. people. However, it is much the same as any one of us. We can
6. live within our income if we make up our mind to it. The park dis-
7. tricts certainly can provide special programs for special people if
8. they want to. On the other hand park districts, schools, the county,
9. the State can spend more money than it can come into possession of
10. if there is no determination. Now, I submit that a backdoor...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator...

13. SENATOR BERNING:

14. ...referendum is a devious way of taking advantage of the cit-
15. izenry. Just as we get caught on a maneuver to take a bill like this
16. from 3rd reading, the citizenry can get caught by not being able to
17. catch a printed notice that there shall be...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator, your time...

20. SENATOR BERNING:

21. ...a third...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Your time has...

24. SENATOR BERNING:

25. ...backdoor referendum.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. ...expired, Senator. Would you close your debate?

28. SENATOR BERNING:

29. Thank you, Mr. President.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further debate? Senator Bruce.

32. SENATOR BRUCE:

33. Yes, Senator Fawell, you've told us what you've done to the bill.

1. Now, what does the bill do in a way of a backdoor referendum? You
2. say you've broadened those provisions. How have you broadened them?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Fawell.

5. SENATOR FAWELL:

6. Rather than a...rather than a customary ten day period after
7. publication for the filing of a petition asking for a referendum,
8. it's been extended to a one month period. In addition, the percentage
9. of the voters that would be necessary to sign the petition is dropped
10. from fifteen percent to five percent.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Bruce.

13. SENATOR FAWELL:

14. I might add too that this pertains only to joint agreement pro-
15. grams between a number of park districts, or joint agreement pro-
16. grams between a number of municipalities so that it isn't...it's
17. quite a unique joint agreement, recreational program for handicapped
18. children.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there...Senator Bruce.

21. SENATOR BRUCE:

22. Well, I just wondered if you can give us a typical district. How
23. many signatures we would be talking about when we have a joint agree-
24. ment over 30 days. What...what would be a typical five percent?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Fawell.

27. SENATOR FAWELL:

28. Now, I've...I really cannot say. It's five percent of the last
29. preceding park district general election. Would depend on the,
30. obviously, on the number of people who would vote in the particular
31. general election. I suppose three hundred, or something like that.
32. I don't know.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

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3rd Reading

1. Is there further debate? The question is shall Senate Bill 220
2. pass. All those in favor indicate by voting Aye. All those opposed
3. No. The voting is open. Have all those voted who wish? Take the
4. record. On that question the Ayes are 47, the Nays are 1. 3 Voting
5. Present. Senate Bill 220 having received a constitutional majority is
6. declared passed. Senate Bill 221, Senator Fawell. Read the bill.

7. SECRETARY:

8. Senate Bill 221.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Fawell.

13. SENATOR FAWELL:

14. This...this is exactly the same bill only it pertains to the
15. municipal code for joint agreements between municipalities.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further debate? The question is shall Senate Bill 221
18. pass. All those in favor vote Aye. All those opposed.No. The
19. voting is open. Have all those voted who wish? Take the record.
20. On that question the Ayes are 42, the Nays are 2. The 3 Voting
21. Present. Senate Bill 221 having received a constitutional majority
22. is declared passed. Senate Bill 231, Senator Bell...no. Senate Bill
23. 234, Senator McCarthy. Read the bill.

24. SECRETARY:

25. Senate Bill 234.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator McCarthy.

30. SENATOR MCCARTHY:

31. Yes, Mr. President and members of the Body. I should like, if
32. it's permissible, to discuss Senate Bill 234 and 235 together, because
33. it relates to changes in the Occupational Diseases Act and the Work-

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1 men's Compensation Act.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Is there leave? Leave is granted.

4 SENATOR MCCARTHY:

5 Basically, Mr. President and members of the Body, these two bills
6 are the recommendations of the AF of L CIO, the United Auto Workers,
7 the Teamsters and the United Mine Workers on the legislative changes
8 to the Workmen's Compensation and Occupational Diseases Act. What
9 the bills spring from and what is unique in them in this...in this
10 Session is that they follow, essentially, eleven recommendations that
11 were made by the National Commission on Workmen's Compensation. This
12 Commission was appointed by President Nixon a few years ago to review
13 the Workmen's Compensation Act in the fifty states and as a result of
14 its deliberation they did come up with these several recommendations.
15 And eleven of the most principle recommendations of the National
16 Commission are contained in these bills. I don't want to go through
17 each and every one of them, but I certainly can hit the highlights.
18 The Commission recommended in this bill suggest that the rate of
19 compensation to a worker who is injured on the job be two thirds of
20 his actual wage. The wage as defined in the bill is the average
21 manufacturing wage in Illinois, which is the wage, I think, that
22 closely...most closely approximates the type of people who are injured
23 in their employment. That is the maximum rate is two thirds of the
24 average manufacturing wage, but not to exceed two thirds of the em-
25 ployees actual wages. There have been extensions in the benefits
26 and the coverage to include agriculture workers. That has been worked
27 out in agreement with the Illinois Agriculture Association, and I
28 can represent to this Body that the Illinois Agriculture Association
29 is in support of the definition of agriculture as included in this
30 bill. There are certain other benefits that I have included among
31 the eleven recommendations that generally broadens the scope of the
32 Act. It provides for the payment to widows of people who are killed in the
33 course of their employment. It pays to the widow during her widowhood.

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1. It pays for dependent children of a person who is injured during his
2. minority and up to age, I think, twenty-five so long as he is enrolled
3. in a course of higher education. Mr. President, this legislation was
4. considered in two sequences in the Labor and Commerce Committee, re-
5. ceived a favorable recommendation. I would be happy to answer any
6. questions that any of the members would have. Subject to any questions,
7. of course, I enlist a favorable vote on this...on these bills.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Graham.

10. SENATOR GRAHAM:

11. Mr. President and members of the Senate. Here, once again, we
12. have by the passage of this legislation indicated that the AFL and
13. CIO and others who are making their own records on the Floor of
14. this Senate, today and tonight, have said to business and industry
15. in the State of Illinois that we don't give a damn. That's what
16. we're saying if we pass these bills. Now, no matter what anybody
17. tells you, even be it the Governor of the State of Illinois, the
18. passage of these bills, this package that we've been considering today
19. is not going to cost anybody anything, makes as much sense as his
20. program, which I term the Walker WAPA Project, the accelerated build-
21. ing program. These bills will cost industry, increase their cost,
22. compensation cost by about 49.6 percent. Or a hundred and twenty-
23. five million or somewhere in that area. Now, when we get over the
24. preconceived notion that industry is going to pay that bill per se
25. we're going to be in a position to face objectively what is contained
26. within these two pieces of legislation. No matter what, if industry
27. picks up the tab, that poor little taxpayer that the bleeding hearts
28. have been saying they want to protect all this time, is going to pay
29. the bill, or, and this is more reliably liable to be the case, - we
30. won't have anybody around to be employed, because they're going to
31. move to Michigan, Wisconsin, Alabama, Iowa, Indiana, or anyplace
32. that they can find a good, substantial, economic climate for business
33. and industry. Now, let's don't be deluded into thinking that business

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1. and industry has always met their responsibilities perhaps as they
2. should, but I'm telling you, Ladies and Gentlemen of this Senate and
3. Representative Hoffman, that no matter what, business and industry
4. has never subjected the people to the kind of treatment since the
5. dark ages of these bills they're going to subject business and in-
6. dustry to. Think it over. Someday when the Union Leaders come back
7. down to driving volkswagons, because they won't have enough dues
8. members to keep them in Cadillacs, they can remember...they get out
9. this record today and read it and say - you know that doggone Senator
10. Berning told me so. You can't have it both ways. You can't drive
11. industry out of the State and you can't have employees paying taxes
12. at the same time. It just doesn't work. There is no way, Ladies
13. and Gentlemen, don't get coursed into being blackjacked by the
14. union bosses and vote for this. Let's get these bills, let's keep
15. them here, let's get them amended into some reasonability, let's
16. get away from the cosmetic amendment, let's make the bills meaningful
17. and then pass them. Ladies and Gentlemen, don't let this fool you.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Glass.

20. SENATOR GLASS:

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

22. PRESIDING OFFICER: (SENATOR ROCK)

23. He indicates he will yield. Senator Glass.

24. SENATOR GLASS:

25. Senator McCarthy, as I understand the present law on occupational
26. diseases, if a worker acquires a disease that has its origin in the
27. work it is compensable if a disease is a natural consequence or
28. approximate cause, approximately caused by his work it is compensable
29. and this bill, and I'm asking you this as I understand it, deletes
30. those requirements. In other words, an individual can have a common
31. cold, or some other type of disease and if it is aggravated as a
32. result of his occupation then it becomes compensable. Am I correct
33. on that, that new concept that's introduced by this bill?

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator McCarthy.

3. SENATOR McCARTHY:

4. Yes, Senator Glass, you are correct. That is to say that the
5. present Occupational Diseases Act provides only for those diseases
6. that come from the employment, and this broadens it to include aggrava-
7. tion on account of the occupation which is new in the Occupational
8. Diseases Act, but is the same as is presently in the Workmen's Compensa-
9. tion Act, and is a recommendation of the National Commission.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Glass.

12. SENATOR GLASS:

13. Well, I...I would just alert the membership to that problem. It
14. seems to me that that is a pretty broad precedent that any disease
15. even though it had no relation to the work that happens to have been
16. aggravated by the work is compensable under this Act, and I suggest
17. to you that that's a broad provision that is not a good precedent to
18. establish, and in addition to Senator Graham's comments I think that
19. provides us with an additional reason for urging the defeat of this
20. bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Harber Hall.

23. SENATOR HALL:

24. Mr. President, I rise to oppose this bill. I have had the interest
25. to serve on the Labor Laws Commission and I want you to know that in
26. case after case after case under this law attorneys prohibit the
27. rapid delivery of needed service under our law, and this will further
28. aggravate this problem. For example, I've heard one case where an
29. attorney in Chicago was acting for his client to recover under the
30. present Occupational Diseases Act, and he wouldn't go downstate to further
31. his client's interest for months and months and months, and yet he,
32. of course, would have claimed one third of the award whatever that
33. would have been. This bill will do absolutely nothing for the speedup

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1. and delivery of the needed attention from the causes involved. But,
2. it will speed up the interest in attorney-client relationship so that
3. they...the cases will be sought after for the fees involved. This
4. is a lawyer's bill. This is not a workman's bill. I vehemently
5. say to you that by broadening on another score by broadening the
6. coverage so that anyone whose affliction can be aggravated would
7. open up any conceivable type of illness that you can imagine where
8. it would be compensable under Senate Bill 234. Senator Graham is
9. absolutely right. These...these completely illogical inclusions
10. into this bill should be amended out so that we can pass a fair and
11. representative good bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Nimrod.

14. SENATOR NIMROD:

15. Mr. President and fellow Senators. I think we, and especially I
16. am well aware that we need to address ourselves to both the Workman's
17. Compensation and the Occupational Diseases Act. Two years ago and
18. last year I attempted to put in a bill, which would provide for a
19. study commission which would have brought together the various people
20. and agencies who are concerned with this problem, to arrive at some
21. equitable and proper kind of a bill. It was defeated by both the
22. vested groups on both sides, both labor and management. I think this
23. bill does not address itself to the solution. I think it is only going
24. to create a more aggravated situation. I think we should be concerned
25. with the workman and what's happening in this case is if it had been
26. a straight management bill, you present a bill that makes it very
27. difficult to support for a good cause. And I think you do a disservice
28. for the people that you represent.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Will the sponsor yield for a question?

33. PRESIDING OFFICER: (SENATOR ROCK)

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1. He indicates he will yield. Senator Schaffer.

2. SENATOR SCHAFFER:

3. I notice in this bill you use the average manufacturer's salary,
4. weekly salary and the unemployment comp you use the State average
5. salary. What's the...what prompted the difference?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator McCarthy.

8. SENATOR McCARTHY:

9. In this Act we use the State average manufacturing wage, because
10. we thought that most closely corresponded with the type of people who
11. generally suffer accidents while on the job. And this is for the
12. maximum benefits, only. Whereas in the unemployment compensation,
13. unemployment doesn't know any special occupational risk, and that's
14. the difference in the rationale. And that applies only to the maximum
15. benefits, Sir.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. Which is higher?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator McCarthy.

22. SENATOR McCARTHY:

23. Excuse me. The one on unemployment compensation is a hundred and
24. ninety-four dollars per week. That's the statewide average of covered
25. employment. Where on Workmen's Compensation the average manufacturing
26. wage is two hundred five dollars. So, this one is eleven dollars
27. higher.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any further discussion? Senator McCarthy may close the debate.

30. SENATOR McCARTHY:

31. Yes, Mr. President and members of the Body, I think this matter
32. has been well ventilated. Let me just mention to you that what we
33. face here in Illinois is an attempt to comply again with the recommen-

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1. dation of the National Commission. I think that we have to look at
2. the possibilities, if we fail to comply with these recommendations,
3. we have to look at the possibility that no longer will there be
4. State Workmen's Compensation laws, but there will be federalization
5. of this entire field which, I think, will cost the employers more.
6. Its net reduction into benefits delivered to the employee, I suggest
7. through a federal administration, would be less efficient than that
8. of the State. I have a couple of other notes. Just let me state
9. just this, that this is the pending legislation on the subject before
10. you. It is phased in terms of amendments to the existing Act, which
11. have already been tested in court decisions, and it strikes me that
12. when you have a existing Act such as we have here, tested in court
13. decisions, any benefits that accrue to the injured worker will be
14. speedily delivered. I urge a favorable vote on this.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. The question is shall Senate Bill 234 as amended pass. Those
17. in favor will vote Aye. Those opposed will vote Nay. The voting
18. is open. Have all voted who wish? Take the record. On that question
19. the Ayes are 34, the Nays are 18. None Voting Present. Senate Bill
20. 234 as amended having received a constitutional majority is declared
21. passed. Senator Harris has requested a verification of the affirmative
22. votes. Mr. Secretary, read the affirmative votes.

23. SECRETARY:

24. The following voted in the affirmative: Brady, Bruce, Buzbee,
25. Carroll, Chew, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
26. Egan, Kenneth Hall, Hickey, Hynes, Johns, Joyce, Kosinski, Lane,
27. Lemke, McCarthy, Morris, Netsch, Newhouse, Nudelman, Palmer, Rock,
28. Romano, Savickas, Smith, Vadalabene, Welsh, Wooten, Mr. President.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Is Senator Course on the Floor? Senator Course is seated in...
31. yes. The roll has been verified. Senator Carroll, for what purpose
32. do you arise? Senator Carroll. Senator Carroll.

33. SENATOR CARROLL:

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SENATOR HARRIS

1. Thank you, Mr. President. Having voted on the prevailing side
2. I move that the vote by which Senate Bill 234 passed be reconsidered.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Carroll moves to reconsider. Senator Partee moves to
5. have that motion lie upon the Table. All those in favor signify
6. by saying Aye. All those opposed. The Ayes have it. The motion is
7. Tabled. Senator Knuppel, for what purpose do you arise?

8. SENATOR KNUPPEL:

9. I'd just like to have the record show that if I had been on the
10. Floor I would have voted affirmatively. I was not able to be here.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Thank you. Senate Bill 235, Mr. Secretary. Read the bill.

13. SECRETARY:

14. Senate Bill 235.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator McCarthy.

19. SENATOR MCCARTHY:

20. Well, I think this has been discussed with 234. So, unless there
21. are any further questions I would like to have a favorable roll call.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Graham.

24. SENATOR GRAHAM:

25. I've never been in a position to really know, but I suppose to
26. be raped a second time really doesn't hurt too much. So, go ahead
27. and get it over with.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Harris.

30. SENATOR HARRIS:

31. You know the other day when we had the discussion on the public
32. aid deficiency and I joined in that appropriation, there was a lot of
33. discussion that day about jobs. And members of the Senate, that's

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1. really what this issue is all about, is the preservation of jobs and
2. an environment within the State of Illinois to keep them here. Now,
3. there may be a belief abroad that the passage of Senate Bill 235 along
4. with the one that just was passed will do great things for working
5. people. Well, if the jobs disappear you will have realized a real
6. hollow victory. And I just caution you to take the long view. We
7. are exporting jobs in Illinois and we are appropriating, now, close
8. to a billion eight hundred million dollars for people who need help.
9. But, the burden very well can become too great. Think about it.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? Senator Partee.

12. SENATOR PARTEE:

13. Mr. President, during the course of my life I have never been
14. interested in Pyrrhic victories. We do have some concern about the
15. working people of this State, we also have concern about those in-
16. dustries which proffer them jobs. We are also concerned that both
17. industry and labor survive. We do have some feelings that we have
18. channéled our energies and effort toward passing a bill which would
19. be a viable kind of bill for both laboring people and industry. We
20. did not arrogate unto ourselves the right to make the kind of de-
21. cisions that were embodied in House Bill 488, but carefully and
22. patiently we sought to embody in the terms of this legislation that
23. which was proper, reasonable and defensible. We have as much concern
24. about the viability of industry as have our colleagues. We have as
25. much concern, perhaps more, about those people who desire to work
26. and those people who have problems, do not have to steal or rob
27. but can be cared for within the State's long arm of consideration.
28. And that is the kind of bill that we are passing tonight, and that
29. is the kind of bill that we will not have to ever worry about having
30. supported.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Bradley Glass.

33. SENATOR GLASS:

8235
5/20/55

1. Thank you, Mr. President and Senators. Somewhat in response
2. to Senator Partee's comments that he is, as I think all of us are,
3. interested in the working man as well as the employers in the State
4. of Illinois. I would call your attention to the fact that when
5. Senator McCarthy presented this bill and the last bill he pointed
6. out that it was endorsed by the AFL - CIO and several other labor
7. organizations. It obviously is not endorsed by any of the employer
8. groups. There used to be, as all or many of us know, an agreed bill
9. process by which these two groups would meet and negotiate and dis-
10. cuss some very complex legislation. This legislation and the ram-
11. ifications are clearly beyond the scope of what most Legislators
12. have time to consider in depth. That process, unfortunately, has
13. gone and what we are taking here tonight is not anything in the
14. way of a compromise but what has, in effect, been handed to the Senate
15. by the AFL-CIO and the other labor groups. I think that's unfortunate
16. and I would point out to the membership that the estimated cost in-
17. crease on the average to the employers of this bill will be 49.6
18. percent. I would urge you to think about the ramifications of that
19. also.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any further discussion? Does Senator McCarthy wish to close
22. the debate?

23. SENATOR McCARTHY:

24. Well, I thought the debate was all closed on 234 as a group.
25. So, I don't care to verbalize anymore except to state that this is
26. a recommendation of the National Commission which was not a labor
27. oriented group. It had management people on it. I urge the same
28. affirmative vote.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. The question is shall Senate Bill 235 as amended pass. Those in
31. favor will vote Aye. Those opposed will vote Nay. The voting is
32. open. Have all voted who wish? Take the record. On that question
33. the Ayes are 33, the Nays are 19. None Voting Present. Senate Bill

235
5/24/75

1 235 as amended having received a constitutional majority is declared
2 passed. . Senator Carroll, for what purpose do you arise?

3 SENATOR CARROLL:

4 Mr. President, having voted on the prevailing side I would now
5 move that the vote by which Senate Bill 235 passed be reconsidered.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Carroll moves to reconsider the vote by which Senate
8 Bill 235 has passed. Senator McCarthy moves to Table. All those
9 in favor signify by saying Aye, All those opposed. The Ayes have
10 it. The motion is Tabled. We're having a little mechanical difficulty
11 here with our super scoreboard, which I voted against. I wonder if
12 I might have leave to go back to Senate Bill 193. Senator Sommer,
13 the sponsor, indicated that he was requested by a member of the
14 Senate who was off the Floor, that he wished to be present, and so
15 for that reason it was held at that time. Senate Bill 193. Is
16 leave granted? Leave. Thank you. Senate Bill 193, Mr. Secretary.

17 SECRETARY:

18 Senate Bill 193.

19 (Secretary reads title of bill)

20 3rd reading of the bill.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senator Sommer.

23 SENATOR SOMMER:

24 Thank you, Mr. President and members. The genesis of this
25 bill comes from my tenure on a Committee on Agriculture for two
26 years. I watched bills affecting the PCB and EPA come through the
27 committee. I agreed with many of their goals, but I also discovered
28 that they weren't satisfied with eradicating pollution in the air
29 and in the streams of this State. They had to get in to what people
30 view as their pleasures. You know they have taken actions against
31 trap shoots. They've contemplated and they've talked about in a
32 couple of committee meetings I was at, taking action against noises,
33 crowd noises at high school football games. This is what this

1. bill addresses itself to. All I'm asking is that they not be allowed
2. to regulate what is known as sporting events. There is a 2nd amend-
3. ment on this bill and Senator Knuppel is the sponsor of that and I'm
4. sure that he will explain it, and I would yield to Senator Knuppel.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. Well, we have a lot of problems in downstate Illinois with small,
9. rural, country elevators and this seems to be where the EPA zeroed in.
10. These...most of these elevators have to have grain dryers to bring
11. the grain down to the necessary moisture level to ship, and more
12. than thirty of these are undergoing the ordeal of possibly having to
13. put on sound pollution control which we have no way of knowing will
14. work. A little town of Tallula over here not very far away went
15. broke about four or five years ago, and some of you on the Agriculture
16. Committee will remember it going broke. People lost their shirts,
17. but it was the first time that anybody had ever paid off on a bond
18. in the State of Illinois for warehousing. And on that little country
19. elevator, they got it going again and sold it, and they started the
20. elevator and now the EPA is on them and it's going to cost over a
21. hundred thousand dollars for the...just for noise pollution devices
22. and there is no assurance that when they get them on that they will
23. work. This is in a community where the elevator was only worth two
24. hundred thousand dollars. What they're going to do is charge this,
25. really, to the rural people who have to sell grain at these small
26. elevators. Now, I've used the number twenty-five hundred, because
27. that has always been considered rural. It will not apply to the
28. larger communities where there are more people affected. Most of
29. these communities may be anywhere from ten people up to two thousand
30. five hundred and the only industry in many of these are the elevator,
31. or is the elevator. I would like to see this bill passed because
32. the EPA provides an imposition to those people. Thank you very much.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Chew.

2. SENATOR CHEW:

3. Yeah, Mr. President, would the sponsor yield to a question?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. He indicates he will yield, Senator Chew.

6. SENATOR CHEW:

7. Does this apply to boxing, also?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Sommer.

10. SENATOR SOMMER:

11. Yes.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Chew.

14. SENATOR CHEW:

15. You know my cousin went into the Army, well, he attempted to

16. go into the Army and when the recruiter asked him several questions

17. he said - I don't know, I don't know, I don't know, I know not. He

18. said where are you from? He said - I'm from down the road there.

19. He said - are all the people down there crazy like you? And he

20. said - practically so, Sir.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Savickas.

23. SENATOR SAVICKAS:

24. Well, that's a hard act to follow, but, Senator, I have been

25. contacted by people that live around, I guess it's near Darien,

26. Illinois where they have the Sante Fe racetrack, and the people there

27. in the homes that are, say within a mile of this racetrack, automobile

28. racetrack there, that have constantly been pounded out with the

29. noise of these stockcar races where they can't even sit out on a

30. summer evening outside, that they must go inside because of the

31. noise. It's my understanding that this bill would prevent the Pollution

32. Control Board from regulating this type of noise pollution. This isn't

33. just ordinary noises. This is day after day at certain hours for hours at

1. a time in a business venture. That there must be some type of control.
2. Would this prevent this type of control on these stockcar races?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Sommer.

5. SENATOR SOMMER:

6. Senator Savickas, it would not. It would prevent control by the
7. EPA and PCB. But you can still have local nuisance ordinances, which
8. would get rid of this. Secondly, I submit to you that auto racing
9. at the Springfield State Fair track out here is now exempt by law.
10. If it's good for Springfield it ought to be good for everybody.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any further discussion? Senator Glass.

13. SENATOR GLASS:

14. I'd like to ask Senator Sommer if it's correct that the Pollution
15. Control Board is now holding hearings on the consideration of regu-
16. lation to allow racetracks to operate between 7:00 a.m. and 10:30
17. p.m. It is my understanding that those hearings are presently under-
18. way.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Sommer.

21. SENATOR SOMMER:

22. Yes, Senator Glass, they have been but those hearings have been
23. pending for better than a year. They're like all those hearings.
24. They just never complete them.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Morris. Senator Morris.

27. SENATOR MORRIS:

28. Would the sponsor yield to a question?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. He indicates he will yield. Senator Morris.

31. SENATOR MORRIS:

32. Senator Sommer, would this also exempt dogfights from regulation
33. of noise?

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Sommer.

3 SENATOR SOMMER:

4 No, Senator Morris, this does not amend the Flat Dog Act.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Morris.

7 SENATOR MORRIS:

8 I'd like to rise in support of this bill. Because in my district
9 the Pollution Control Board can't seem to regulate the Commonwealth
10 Edison Coal Burning Plant, which is literally dumping tons of sulphur
11 on my community everyday. They're now trying to give a four year ex-
12 tension to making Commonwealth Edison come into line with its severe
13 pollution situation. The pollution is so bad that the pilots at O'Hara
14 Field use the Waukegan stack as a signal to come into O'Hara Field, and
15 until they can go about that business I really don't think they should
16 be bothering about sporting events and I urge a yes vote on this bill.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Any further discussion? Senator Sommer may close the debate.
19 Oh, I'm sorry. Senator Kosinski.

20 SENATOR KOSINSKI:

21 Just one comment since I'm so close to environmental control in
22 the City of Chicago. We have, I think, one of the finest programs
23 regarding water pollution, emission and noise. Believe it or not, I've
24 heard more noise complaints in the last six months than I want to hear
25 for the next ten years. But, that is the program in the future and I
26 would be very careful of what I would want to control regarding en-
27 vironmental control in the EPA, with the State, or any city or county.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Senator Sommer may close the debate.

30 SENATOR SOMMER:

31 Let's take the roll, Mr. President.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 The question is shall Senate Bill 193 as amended pass? Those in

1. favor will vote Aye. Those opposed will vote Nay. The voting is
2. open. Have all voted who wish? Take the record. On that question
3. the Ayes are 47, the Nays are none. 2 Voting Present. Senate Bill
4. 193 as amended having received a constitutional majority is declared
5. passed. 247, Mr. Secretary. Senate Bill 247.

6. SECRETARY:

7. Senate Bill 247.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Sommer.

12. SENATOR SOMMER:

13. Mr. President and members, the Calendar in relation to this bill
14. is absolutely wrong. Let me explain to you what the bill is now in
15. its amended form. If you drive an ambulance and you're ordered to
16. go out and pick up someone, you simply pick them up, they put them in
17. the stretcher and they lay in there and you're driving along the road
18. and all of a sudden once in awhile you find this guy in the front
19. seat with you trying to drive the ambulance. Because what happens
20. is once in awhile you have to pick up a patient who is a psychiatric
21. case and you did not know this. The reason you do not know this is
22. because some physicians and hospitals take the position that this is
23. privileged information and cannot be let out. What my bill does is
24. it provides that this information may be let out and the people who
25. drive these ambulances may be told that these people may be dangerous.
26. They don't have to tell them but they may tell them if they wish to.
27. And that's what the bill does at the present time.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any discussion? Senator Kenneth Hall. Kenneth Hall.

30. SENATOR HALL:

31. Thank you, Mr. President. Will the sponsor yield?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. He indicates he will yield.

1. SENATOR HALL:
2. Senator Sommer, did I understand you correctly that you're saying
3. that you may be driving along and you find out someone, an ambulance
4. driver has picked up is in the front seat with him. Have you ever
5. rode in an ambulance?
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Sommer.
8. SENATOR SOMMER:
9. Senator Hall, this...the genesis of this bill came from country
10. areas and I'm not sure what kind of ambulances they use out there.
11. They're not as sophisticated as city ambulances. They're quite often
12. just stationwagon types of things.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Hall.
15. SENATOR HALL:
16. Well, in other words this only applies to ambulances that have
17. a call that has been made for them and dispatched. What about an
18. ambulance dispatched to an accident?
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Sommer...
21. SENATOR HALL:
22. How is the party who called in going to be able to inform the
23. driver of the mentality of the person?
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Sommer.
26. SENATOR SOMMER:
27. Well, as I said, Senator Hall, this...the Calendar is wrong.
28. All this says is that if they have any information they can disclose
29. it and no one can file a suit for having disclosed this information.
30. It does not require that it be disclosed and it doesn't have to be,
31. but this is just to benefit an ambulance driver if the doctor wishes
32. to disclose that this person is a psychiatric case. Right now, they
33. don't do that, they simply say - go out and pick them up.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? The question is shall Senate Bill 247
3. as amended pass. Those in favor will vote Aye. Those opposed will
4. vote Nay. The voting is open. Have all voted who wish? Take
5. the record. On that question the Ayes are 37, the Nays are 8. 2
6. Voting Present. Senate Bill 247 as amended having received a con-
7. stitutional majority is declared passed. 248, Senator Sommer. 248,
8. Mr. Secretary;

9. SECRETARY:

10. Senate Bill 248.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Sommer.

15. SENATOR SOMMER:

16. Mr. President and members. Maybe I can explain this by giving
17. you an example. If you work for a low paying firm, let's say you
18. worked for a firm that paid you two dollars an hour, and you had
19. the opportunity to go to work for a factory that paid you five dollars,
20. and you worked for the factory six months and they laid you off. The
21. two dollar an hour employer could come back and make an allegation
22. that you were not being available for work. I think that's improper.
23. I think it's up to the employer who laid you off, and all this does
24. is prevent the stopping of the check, the unemployment check, made
25. by that previous employer. Subject to all the rest of the conditions
26. of unavailability of work that are in the statute and there are numerous
27. of them.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any discussion? The question...Senator Buzbee.

30. SENATOR BUZBEE:

31. I don't understand the bill.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. That's a statement I expect.

1. SENATOR BUZBEE:

2. That's...that's...I'm asking the sponsor if he would please
3. explain once again. I'm not trying to be obstreperous.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Sommer.

6. SENATOR SOMMER:

7. well, we'll go through it, again, Senator Buzbee. If you work
8. for a low paying employer, right, and then you got a better job,
9. and you got a better job, and after six months or so on the better
10. job you were laid off. That low paying employer who had hired you
11. six months previously and you left, may be able to file a charge
12. against you and say that you're not available for work based upon
13. no objective findings because he doesn't know. They do this some-
14. times. And all this says is that that low paying employer cannot
15. do that, because he's not the employer who laid you off. It has
16. to be the employer who laid you off to make any charge against you
17. if possible.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Egan.

20. SENATOR EGAN:

21. Would the sponsor yield to a question?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. He indicates he will yield. Senator Egan.

24. SENATOR EGAN:

25. I have not had a chance to look at the bill, Senator Sommer. But,
26. I understand that the bill shifts the burden of proving availability
27. from the employee to the employer. It doesn't do anything more than
28. that.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Sommer.

31. SENATOR SOMMER:

32. I think you're correct. In that limited situation that I gave you
33. it does shift the burden, yes.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Egan.

3. SENATOR EGAN:

4. Presently the law states that when the need arises for proving
5. availability, the employee must show that he was available for work.
6. Now, this bill will change that from showing...from the employee
7. showing the availability to the employer trying to prove that the
8. employee was available for work, and I don't understand how they...
9. how you can burden an employer to do this.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Sommer.

12. SENATOR SOMMER:

13. Senator Egan, it does not apply to the employer who laid you
14. off. It applies only to that previous employer who has no knowledge
15. of your case in any case because you left his place of business many
16. months before.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Egan.

19. SENATOR EGAN:

20. That's right. But, the previous employer must prove that the
21. burden shifts to him to prove availability of the employee to work.
22. And in every instance the employer cannot do that. And it may even
23. be that ambiguous that in no instance can an employer do that. I...
24. just...you're going to have to clarify it in my mind, Senator, before
25. I can accept it and I'm not a thousand percent sure that I'm right
26. but I...all indications are that I am.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Graham. I...I'm sorry. Are you finished, Senator Egan?

29. SENATOR EGAN:

30. Yes.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Thank you. Senator Graham.

33. SENATOR GRAHAM:

1 Only wanted to make one observation. Looking at the Calendar
2 and observing the Calendars that have gone by, we in this Session
3 are up to our hips in unemployment compensation bills.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Senator Wooten.

6 SENATOR WOOTEN:

7 May we go back to the classic example and...I think, Senator,
8 there are one or two steps there that you might add, which would...
9 this was all clear at one time in committee. But now it's gone. A
10 man works for one firm at a low paying job, quits takes another job,
11 is fired from that, then the sentence is...well, all right. Then,
12 the thing you left out, he files for unemployment. Okay, he files
13 for unemployment. Now, what in the process happens that makes this
14 bill necessary? Do they write back to the first employer to verify
15 his claim, what in that process makes your bill necessary?

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Sommer.

18 SENATOR SOMMER:

19 Well, apparently, there are firms that go around with computerized
20 lists comparing applicants...applicants for unemployment with lists
21 that they have gotten from low paying employers. And they just file
22 against these people automatically. And you never say anybody so sur-
23 prised as when he finds out he doesn't get his unemployment check based
24 upon an unverified allegation that he wasn't available for work.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Senator Wooten.

27 SENATOR WOOTEN:

28 All right. So, I think we're seeing now what your bill is
29 attempting to address. That when the first employer gets word through
30 this service that somebody is applying for unemployment, that first
31 employer says that bum has been out of work and not working for six
32 months. Whereas in reality he has been employed at another place.
33 Now, how exactly through the mechanics of this bill are you going to

1. stop the action of the first employer and this service that he
2. uses?

3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Sommer.

5. SENATOR SOMMER:
6. Well, Senator Wooten, then the burden of proof would be on that
7. first employer to show that this person was really laying off for
8. six months and wasn't working. And he has to check it, he has to
9. pick up the phone or something and check it. And that's all we're
10. asking. This way these people can get their checks if this allegation
11. is proven incorrect.

12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Wooten.

14. SENATOR WOOTEN:
15. Okay. I think, now, I see once again what was explained before
16. and I hope that's clear all the way around. That you really are...
17. Senator Egan says you are placing an obligation on the employer that
18. was not there before. But it does not seem to be anything unusual
19. or extreme, but just a prudent practice that ought to be followed.
20. Thank you.

21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Latherow.

23. SENATOR LATHEROW:
24. Mr. President, I just had a question of you. I wondered if a
25. nights rest would help our understanding a little better.

26. PRESIDING OFFICER: (SENATOR ROCK)
27. No question about it.

28. SENATOR LATHEROW:
29. Thank you.

30. PRESIDING OFFICER: (SENATOR ROCK)
31. Any further discussion? Senator Berning.

32. SENATOR BERNING:
33. Senator Sommer, I'm trying to grasp this, and on line thirty-three

5-20-10
86:20
2nd reading

1. which is part of "item two" equal to at least eight times his then
2. current weekly benefits. Well, his current weekly benefits would
3. in most cases not be less than fifty dollars, which would mean then
4. that he would have had to have been earning four hundred dollars
5. a week to qualify. Is that what this says?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Sommer.

8. SENATOR SOMMER:

9. No, Senator Berning, that's already part of the Act. I didn't
10. change that portion at all.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Berning.

13. SENATOR BERNING:

14. That's in the new portion, here.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Sommer.

17. SENATOR SOMMER:

18. That new portion simply tracks language from the old portion.
19. Reading that Act is like reading Chinese. It's very difficult to
20. draft it, but that...that hasn't changed. That's in the Act now.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? The question is shall Senate Bill 248
23. pass. Those in favor will vote Aye. Those opposed will vote Nay.
24. The voting is open. Have all voted who wish? Take the record. On
25. that question the Ayes are 43, the Nays are 1. None Voting Present.
26. Senate Bill 248 having received a constitutional majority is declared
27. passed. The next order of business is 286, sponsored by Senator
28. Rock. Might we have leave? There's been a request to return to
29. the order of Senate bills on 2nd reading. So that we can move these
30. bills along. Is there leave? Leave is granted. Senate bills on
31. 2nd reading. Senate...on the order of Senate bills on 2nd reading.
32. Senate bills on 2nd reading. Senate Bill 5, Senate Bill 9. Senate
33. Bill 125, Mr. Secretary. Senator Hynes.

1. SECRETARY:

2. Senate Bill 125.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Appropriations offers five
5. amendments.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Hynes.

8. SENATOR HYNES:

9. Mr. President, I think we ought to take these amendments one at
10. a time, since they are in some cases complicated and others both
11. complicated and controversial. The first amendment provides that
12. the Capital Development Board will adhere exactly to the priority
13. list for construction projects submitted by the Office of Education.
14. Previously substantial compliance was required. I would move the
15. adoption of Amendment No. 1.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Hynes moves the adoption of Amendment No. 1 to Senate
18. Bill 125. All those in favor say...any discussion? All those in
19. favor signify by saying Aye. All those opposed. The Ayes have it.
20. Amendment No. 1 is adopted. Amendment No. 2, Senator Hynes.

21. SENATOR HYNES:

22. Amendment No. 2 removes the provision empowered the Capital
23. Development Board to hold local public hearings where there is
24. opposition. The justification for this is that a referendum is
25. required prior to the approval of a project by the Board, and this
26. is a sufficient basis for public input. I move the adoption of
27. Amendment No. 2.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any discussion? Senator Hynes moves the adoption of Amendment
30. No. 2 to Senate Bill 125. All those in favor signify by saying Aye.
31. All those opposed. The Ayes have it. Amendment No. 2 is adopted.
32. Amendment No. 3, Senator Hynes.

33. SENATOR HYNES:

1. Amendment No. 3 broadens the definition of school construction
2. projects to include Special Education facilities. It also eliminates
3. the existing alternate method of reimbursing the Special Education
4. program and with the intent of consolidating all Special Education
5. construction as supported by the State in one program. I move the
6. adoption of Amendment No. 3.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any discussion? Senator Shapiro.

9. SENATOR SHAPIRO:

10. Mr. President and Ladies and Gentlemen of the Senate. I'm
11. rising in opposition to this amendment. It changes the provision
12. for inclusion of Special Education projects. The amendment has one
13. undesirable feature in that it eliminates a present ongoing program
14. for Special Education districts of a thousand dollars per worker to
15. be used for construction of Special Ed. facilities. And what it means,
16. it's totally unfair to those Special Ed. districts who will never
17. qualify for Capital Development bonding or help from the State under
18. this program, and that's the reason for opposing the amendment, and
19. I would urge this side and all those members who do have a special
20. spot in their hearts for Special Ed. facilities, to also oppose it.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Fawell.

23. SENATOR FAWELL:

24. I would like to add to those comments and point out, also, that
25. this entire program which we are talking about, the School Bond
26. Construction Program, is a temporary mode of aiding local school
27. construction. And, thus, it is going to phase out, and what we are
28. doing here is permanently eliminating the existing one thousand
29. dollar per professional worker, which does go to aid your local
30. school districts insofar as construction of Special Educational
31. capital facilities are concerned. It will be gone forever. So, in
32. addition to what Senator Shapiro has pointed out, we are in effect
33. trading for a temporary program. We're giving up a permanent right

1. of all of your local school districts, and, Gentlemen, I think this
2. applies only to downstate. When your local school districts realize
3. what we have permanently taken from them, and as Senator Shapiro
4. points out, most of your local school districts aren't going to be
5. able to even qualify for aid from the Capital Development Board.
6. We're taking from them too a very basic financial tool, which they
7. now have to do what little they can do to build Special Education
8. facilities for handicapped children. I think it's a greivous mis-
9. take in taking from your local district this right that they now
10. have. They don't understand that this is happening, and when they
11. do find out, anyone of us who has unwittingly voted for this is
12. really going to feel badly about it, I think.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Buzbee.

15. SENATOR BUZBEE:

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

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Hynes indicates he will yield.

19. SENATOR BUZBEE:

20. In the synopsis book the synopsis of this particular bill says
21. that we increased the School Bond Construction Act from three hundred
22. million up to five hundred and thirty five million. Is that a part
23. of the Governor's proposed accelerated bonding program under the
24. new GO Bond authorization?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Hynes.

27. SENATOR HYNES:

28. Yes, it is.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Second question. Also, in the synopsis it says that we're
33. going to increase the per child reimbursement formula for hospital, or

1. home instruction of physically and handicapped children to twelve
2. fifty, now, one thousand, and this amendment, as I understand it,
3. eliminates the one thousand altogether. Is that right?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Hynes. Senator Hynes.

6. SENATOR HYNES:

7. That...that is not involved in this amendment and I don't think
8. we're talking about the same thing. We're talking about the one
9. thousand dollar reimbursement for Special Education building purposes.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Right. In the synopsis, again, it says that there is presently
14. one thousand dollars reimbursement and the...in the synopsis, again,
15. it is going to increase to twelve hundred and fifty. Now, am I under-
16. standing correctly that you're going to eliminate the one thousand
17. completely with this amendment?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Hynes.

20. SENATOR HYNES:

21. Yeah, no, Senator, that is not involved in this amendment and
22. the reference here is simply the legislation that we have passed
23. previously to...in particular to House Bill 1469, which increased
24. the Special Education reimbursement for operational purposes. This
25. has nothing to do with that. This is a separate program dealing with
26. building purposes, building reimbursements.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Buzbee.

29. SENATOR HYNES:

30. We're not touching the item you mentioned.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. You'll recall when we were discussing Senate Bill 1493 in
2. the Education Committee and Bureau of the Budget had a man in to
3. testify against it and had a big portion of his opposition to our
4. 29.9 million dollar program there was based upon the fact that
5. there is not that additional money you're talking about, because
6. ten million dollars additional is being asked for under the Special
7. Education Building Grant Program. Now, is that what you're addressing
8. you're...your amendment is addressing itself to at this time?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Hynes.

11. SENATOR HYNES:

12. That is correct. It's a Special Education Building Grant Program.
13. The ten million dollars he referred to is a deficiency appropriation
14. for the current year. This bill has nothing to do with that. The
15. program will go on, and any projects that qualify prior to July 1
16. of this year will continue to be funded.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Buzbee, I might remind you, Senator, your time has ex-
19. pired.

20. SENATOR BUZBEE:

21. I appreciate that, Mr. President. I'm trying to find out what
22. this amendment actually does, and I heard all the rhetoric over
23. here about what all the bad things we were going to do to the
24. handicapped child. I'm trying to figure out what it is we're doing
25. to the handicapped child.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Hynes.

28. SENATOR HYNES:

29. Well, this is an effort to consolidate State support for Special
30. Education building programs into one program. Namely, through the
31. Capital Development Board and the School Construction Program. The
32. opposition to the amendment contends that there ought to be both
33. existing simultaneously.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? Senator Hynes moves the adoption of
3. Amendment No. 3 to Senate Bill 125. All those in favor signify by
4. saying Aye. All those opposed. The Ayes have it. You wish a roll
5. call. A roll call has been requested. Senator Hynes has moved the
6. adoption of Amendment No. 3. Those in favor of the adoption of the
7. amendment will signify by saying...voting Aye. Those opposed will
8. vote Nay. The voting is open. Have all voted who wish? Take the
9. record. On that question the Ayes are 34, the Nays are 17. None
10. Voting Present. Amendment No. 3 is adopted. Amendment No. 4,
11. Senator Hynes.

12. SENATOR HYNES:

13. Amendment No. 4 provides that the twenty-five percent bonus will
14. be added to a school district's raw score, or rather than to the base
15. minimum twenty percent score. In addition, it provides that there
16. will be...it eliminates the cut-off date on the twenty-five percent
17. bonus. This was a bonus inserted to...as an incentive to school
18. districts to apply under the program. I move the adoption of Amend-
19. ment No. 4.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any discussion? Senator Shapiro.

22. SENATOR SHAPIRO:

23. Mr. President, just to register opposition to Amendment No. 4.
24. As Senator Hynes pointed out, it changes the twenty-five cent...
25. twenty-five percent add on to the extent that it is added to the
26. raw data instead of the present index of twenty to seventy grant
27. index. The problem with this whole concept for this new program
28. of increasing the increment, or the add on for the purposes of
29. capital construction of our school buildings, is that it penalizes
30. those schools who were high on the priority list, got their grants
31. prior to the enactment of this and those who had low priorities
32. will now move up on the list and end up getting more money. I would
33. urge this side to oppose the amendment.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? Senator Hynes moves the adoption of
3. Amendment No. 4. All those in favor signify by saying Aye. All
4. those opposed. The Ayes have it. Do you wish a roll call? The
5. Ayes have it. Amendment No. 4 is adopted. Amendment No. 5, Senator
6. Hynes.

7. SENATOR HYNES:

8. Amendment No. 5 is a technical change. It inserts language that
9. was inadvertently left out of the bill when it was drafted.
10. The language inserted is currently part of the law, and I move the
11. adoption of Amendment No. 5.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Hynes moves...any discussion? Senator Hynes moves the
14. adoption of Amendment No. 5 to Senate Bill 125. All those in favor
15. signify by saying Aye. All those opposed. The Ayes have it. Amend-
16. ment No. 5 is adopted. Are there any further amendments? There is
17. an amendment from the Floor, Senator Hynes.

18. SECRETARY:

19. Amendment No. 6 offered by Senator Shapiro.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Does Senator Hynes have a copy of this? He does, okay. Senator
22. Shapiro.

23. SENATOR SHAPIRO:

24. Mr. President and Ladies and Gentlemen of the Senate. Amendment
25. No. 6 to Senate Bill 125 is what I call my good Government amendment.
26. It helps our local school districts and our local taxpayers who support
27. those school districts. This amendment is rather comprehensive. How-
28. ever, it has been debated in committee and between the opponents and
29. proponents of this particular bill, and I will explain it briefly.
30. The amendment allows local districts to pick the architect subject
31. to CDB approval, and that the local board, if their choice is rejected, can
32. appeal the rejection. It also allows a local board to approve the
33. final drawings before construction and also to enter in and progress

1. payments and final payment with the Capital Development Board, and
2. lastly, it specifies that the State spend their share of the bond
3. proceeds with the local school district coming in at the tailend to
4. expend their share of the funds. I would urge the adoption of the
5. amendment.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Hynes.

8. SENATOR HYNES:

9. Mr. President, I would oppose the amendment. First of all, I
10. should state that I agree with about ninety percent of it, and, in
11. fact, I have a bill on 2nd reading, Senate Bill 992, into which I
12. will propose an amendment that will incorporate much of this. How-
13. ever, the last section of the amendment dealing with the disbursement
14. of funds, I do object to, and therefore I'd object to the amendment
15. in its entirety.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Mr. President, I would like to point out to the membership that
20. this is an extremely complicated bill, and the amendments that are
21. going on are being rejected now are extremely complicated amendments.
22. I would like to make the Graham objection. We are completely inundated
23. with paper. In the last two minutes I've had several amendments put
24. on my desk which I'm madly trying to decide what they do and suddenly
25. I find out they deal with Senate Bill 1024, and I have no idea what
26. this amendment does, and I was on both committees where this bill
27. went through, and still don't understand the bill, I don't understand
28. the amendments. I'm just pointing out that there is probably only
29. two people on the Floor right now that do understand it. That's
30. Senator Hynes and Senator Shapiro. Because they're the ones that
31. are offering them. And I wonder if we could hold up on the passing
32. out of these other amendments to other bills that are about fifteen
33. or twenty bills down the list, and have a little bit more thorough

1. understanding, on my part, anyhow, of what these amendments do to
2. this particular bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. The point is well taken. I suggest that before you start reading
5. feverishly at an amendment you look at the number on the top.

6. SENATOR BUZBEE:

7. I did that...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Hynes.

10. SENATOR HYNES:

11. Senator Buzbee, I suggest you watch Senator Shapiro's next amendment
12. closely because it separates Carbondale and Edwardsville.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Hynes, the question has been asked are you in favor of
15. or opposed to this amendment?

16. SENATOR HYNES:

17. Opposed.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Okay. Any further discussion? Senator Shapiro has moved the
20. adoption of Amendment No. 6. All those in favor signify by saying
21. Aye. All those opposed. The Noes have it. The amendment has failed.
22. Any further amendments? Senator Shapiro has Amendment...

23. SENATOR SHAPIRO:

24. Number 7.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. ...number 7. Amendment No. 7, Senator Shapiro.

27. SENATOR SHAPIRO:

28. Mr. President and Ladies and Gentlemen of the Senate, this amend-
29. ment returns the grant...the grant index as proposed in Senate Bill
30. 125 to its original figure of twenty and no greater than .70. It
31. makes the...this program if enacted, would put it in the same shape
32. as our present ongoing program. I see no reason why we should re-
33. ward school districts when a low priority prior to this year and all

1. of a sudden you grant them a high priority with a greater amount of
2. State dollars. I would urge adoption of the amendment.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Hynes.

5. SENATOR HYNES:

6. Again, I would oppose this amendment. It is related to one
7. of the amendments we adopted earlier. This amendment also was offered
8. in the Appropriations Committee and was rejected there.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any discussion? Senator Buzbee.

11. SENATOR BUZBEE:

12. Mr. President, I voice my same objection, again. I would point
13. out that Senator Shapiro made a beautiful...a beautiful presentation
14. there. However, I doubt seriously that there is anybody on this
15. Floor other than Senator Shapiro...Senator Fawell understands it and
16. Senator Hynes...

17. PRESIDING OFFICER: (SENATOR ROCK)

18. All those who understand it, put their hands up. Okay.

19. SENATOR BUZBEE:

20. Well, my point is that with the increases to point seven and
21. down to twenty percent and so forth...you know, boy this is a real
22. back buster.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Shapiro has moved the adoption of Amendment No. 7. All
25. those in favor signify by saying Aye. All those opposed. The Noes
26. have it. The amendment has failed. Any further amendments. 3rd
27. reading. Senator Buzbee, if you make another crack, they're talking
28. about bringing it back for more amendments. So stick around, Ken.

29. All right. Senate Bill 128, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 128.

32. (Secretary reads title of bill)

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

1. amendment.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Chew.

4. SENATOR CHEW:

5. Mr. President, I rise in support of the committee amendment.
6. What the amendment does, it reduces this substantially and I'm in
7. full support of the reduction, and I hear that if the bill goes
8. through in its original form that it would create an abundance of
9. jobs. We reduced this with a committee amendment by a couple of
10. hundred million dollars and not that we want to take the jobs, quota
11. jobs, which we do not have yet, but I suggest that if his Excellency
12. would release his resistance to the cross-town expressway that would
13. take care of those jobs that this two hundred million is depriving
14. him of now, and I support the amendment.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Chew...any discussion? Senator Chew has moved the adoption
17. of Amendment No. 1 to Senate Bill 128. All those in favor signify
18. by saying Aye. All those opposed. The Ayes have it. Amendment No.
19. 1 is adopted. Any further amendments? Any amendments from the Floor?
20. 3rd reading. 129. May we have leave to have Senator Hynes handle
21. 129? Leave. 129, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 129.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. The Committee on Appropriations offers two
26. amendments.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Hynes.

29. SENATOR HYNES:

30. Amendment No. 1 changes the phrase - mass transportation facilities
31. to rail transportation facilities and equipment. The intention of
32. the amendment is to narrow the function and purpose of the expenditures.
33. I would move the adoption of Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. I see the sponsor is back on the Floor. Senator Hynes has moved
3. the adoption of the Committee Amendment No. 1 to Senate Bill 129.
4. All those in favor signify by saying Aye. All those opposed. The
5. Ayes have it. Amendment No. 1 is adopted. Amendment No. 2.

6. SENATOR HYNES:

7. Amendment No. 2 provides that employees will continue to have the
8. same collective bargaining protection if the Department of Transporta-
9. tion becomes involved with the operation of a railroad pursuant to
10. this bill, and I'd move the adoption of Amendment No. 2.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Hynes moves the adoption of Amendment No. 2 to Senate
13. Bill 129. All those in favor signify by saying Aye. All those
14. opposed. The Ayes have it. The amendment is adopted. Any further
15. amendments? Any amendments from the Floor? 3rd reading. 135,
16. Senator Daley.

17. SECRETARY:

18. Senate Bill 135.

19. (Secretary reads title of bill)

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

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any amendments from the Floor? 3rd reading. 285, Senator
23. McCarthy. Oh, I'm sorry. 337, Senator Dougherty. 348, Senator
24. Course. 397, Senator Buzbee. 429, Senator Fawell. 472, Senator
25. Bruce. 477, Senator Egan. 505, Senator Bruce. 510, Senator Hall.
26. 517, Senator Carroll. 517, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 517.

29. (Secretary reads title of bill)

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

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any amendments from the Floor? 3rd reading. Oh, I'm sorry.
33. I was informed there was not an...there is an amendment on the

1 Secretary's Table.. Okay. Beg your pardon. We're still on the
2 order of...

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Amendment No. 1, Floor Amendment No. 1 offered by Senator Carroll.
5 Senator Carroll.

6 SENATOR CARROLL:

7 Thank you, Mr. President, this is an amendment to provide, as
8 we have done in the past, for the operation of parental school in
9 Chicago at Northeastern Illinois University. I've touched base with
10 the Republican side on this too, and I know of no opposition. I'd
11 move for the adoption of the amendment.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator...any discussion? Senator Carroll has moved the adoption
14 of Amendment No. 1 to Senate Bill 517. All those in favor signify
15 by saying Aye. All those opposed. The Ayes have it. The amendment
16 is adopted. Any further amendments. 3rd reading. 633, Senator
17 Hynes. 633, do you wish to move that? No, okay. 634, I take it,
18 will be held. 699. 845. Senator Berning, do you wish that called?
19 Yes, okay. 845.

20 SECRETARY:

21 Senate Bill 845.

22 (Secretary reads title of bill)

23 2nd reading of the bill. No committee amendments. One Floor amend-
24 ment offered by Senator Berning.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Senator Berning.

27 SENATOR BERNING:

28 A point of clarification, Mr. President. When this bill was
29 called the other day and then action suspended, there was an amendment
30 on the Secretary's...offer on the Secretary's Desk, which was not
31 adopted. Must we withdraw that?

32 PRESIDING OFFICER: (SENATOR ROCK)

1. No, it was not offered. No...

2. SENATOR BERNING:

3. It was not adopted.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. No.

6. SENATOR BERNING:

7. So I will...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. We are dealing now with Amendment No. 1, which is on the Secretary's
10. Desk, offered by yourself.

11. SENATOR BERNING:

12. This is the amendment that was submitted today and becomes
13. Amendment No. 1. Very well.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. That is correct.

16. SENATOR BERNING:

17. This is an agreed amendment, I therefore, move for the adoption
18. of Amendment No. 1.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any discussion? Senator Berning moves the adoption of Amend-
21. ment No. 1 to Senate Bill 845. All those in favor signify by saying
22. Aye. All those opposed. The Ayes have it, the amendment is adopted.

23. Any further amendments? 3rd reading. 855, 992, Senator Hynes.

24. Senator Hynes. 992, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 992.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. No Committee Amendments.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any amendments from the Floor? Senator Hynes.

31. SENATOR HYNES:

32. There will be an amendment. Several other members, including
33. Senator Shapiro, this is the amend...bill I mentioned. I will bring

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- 1. the bill back for that amendment when it's ready.
- 2. PRESIDING OFFICER: (SENATOR ROCK)
- 3. Fine. Senator agrees to move it back. Any further amendments
- 4. at this time? 3rd reading. 1008, Senator Fawell. 1008, Mr. Secre-
- 5. tary.
- 6. SECRETARY:
- 7. Senate Bill 1008.
- 8. (Secretary reads title of bill)
- 9. 2nd reading of the bill. No committee amendments. One Floor Amend-
- 10. ment offered by Senator Fawell.
- 11. PRESIDING OFFICER: (SENATOR ROCK)
- 12. Senator Fawell.
- 13. SENATOR FAWELL:
- 14. Yes, Mr. President, this is an amendment prepared by the Depart-
- 15. ment of Public Aid, which I think obviates all the problems we had
- 16. in the Public Welfare Committee. It deals with vendor payments
- 17. in regard to sheltered care facilities for adult retardates. I
- 18. move the adoption of the same.
- 19. PRESIDING OFFICER: (SENATOR ROCK)
- 20. Senator Fawell moves the adoption of Amendment No. 1 to Senate Bill
- 21. 1003. All those in favor signify by saying Aye. All those opposed. The
- 22. Ayes have it. The amendment is adopted. Any further amendments?
- 23. 3rd reading. Senate Bill 1024, Mr. Secretary.
- 24. SECRETARY:
- 25. Senate Bill 1024.
- 26. (Secretary reads title of bill)
- 27. 2nd reading of the bill. The Committee on Judiciary offers three
- 28. amendments.
- 29. PRESIDING OFFICER: (SENATOR ROCK)
- 30. Senator Glass, can we take the amendments one at a time, I
- 31. presume? Amendment No. 1, Senator Glass.
- 32. SENATOR GLASS:
- 33. Mr. President, I would move to Table Amendment No. 1. This is

1. a Committee Amendment. And, I'm going to offer Amendment No. 4,
2. which is identical to Amendment No. 1 with this exception - Amend-
3. ment No. 4 is going to provide that with respect to the panel that
4. hears the evidence in a malpractice case, the doctor member of the
5. panel shall be a doctor licensed under any of the provisions of
6. The Medical Practice Act and practicing in any field or specialty
7. the same specialty as the defendant, so that No. 4 will be identical
8. except for this one change, so I would move to Table Committee
9. Amendment No. 1.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any discussion? Senator Glass has moved to Table Committee
12. Amendment No. 1. All those in favor signify by saying Aye. All
13. those opposed. The Ayes have it. Amendment No. 1 is Tabled.
14. Amendment No. 2, Senator Glass.

15. SENATOR GLASS:

16. Amendment No. 2 is a Committee Amendment which was proposed
17. by the trial attorneys and it provides that whenever there is a
18. unanimous determination of a Medical Review Panel, and that de-
19. termination is rejected by a party, each party that has accepted
20. the determination may request any medical society that has supplied
21. the names for the roster of practicing physicians make available
22. a list of those physicians who have indicated their willingness to
23. consult and serve in the proceedings, and I would move the adoption
24. of Committee Amendment No. 2.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any discussion? Senator Morris.

27. SENATOR MORRIS:

28. Senator Glass, the Medical Review Panel, how is that being made
29. up under this?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Glass.

32. SENATOR GLASS:

33. The...Review Panel, which is a...there will be three members of

1. a panel that would hear the case, a doctor, lawyer and judge. The
2. Medical Review Panel is the list of doctors from the given circuit
3. that will be from whom the doctor member of that panel will be selected.
4. So, what this amendment addresses is a situation where there is a
5. problem in obtaining a doctor to testify as an expert witness in the
6. case, and it provides that the medical society that has supplied the
7. names for the roster will, also, supply the names of those doctors
8. willing to serve and testify at the trial.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Morris.

11. SENATOR MORRIS:

12. Are any of your amendments going to address themselves to putting
13. a "normal" person on this board which is going to make the decision?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Glass.

16. SENATOR GLASS:

17. I...well, Senator Morris, as I indicated, the three members presently
18. I don't know if you'd call them normal or not, but they're a doctor,
19. lawyer and judge, and I would be glad to...if anybody wishes to attempt
20. to put a different makeup on the panel to call the bill back and give
21. you an opportunity to do it.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Morris.

24. SENATOR MORRIS:

25. A better term, I guess, would be a layman rather than a normal
26. person. I...I would like to reserve that right to bring it back.
27. Thank you.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Nudelman.

30. SENATOR NUDELMAN:

31. Would the sponsor yield to a question?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. He indicates he will yield. Senator Nudelman.

1. SENATOR NUDELMAN:

2. Senator Glass, what happens to the fellow who is rejecting the
3. finding of the board? Can he not have such a witness?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Glass.

6. SENATOR GLASS:

7. No, this would be in a situation, I think, Senator Nudelman, where
8. you have a plaintiff and the party who had been injured and was bringing
9. the suit, who has accepted the panel determination and the hospital,
10. or doctor, or their insurers rejecting the determination. The think-
11. ing, here, was that the plaintiff should not be handicapped by not
12. being able to get an expert witness, so that in that situation the
13. amendment would require the Medical Society to supply names of those
14. physicians willing to serve. There was concern that they might not
15. be able to find an expert witness. So, this was the trial lawyer's
16. amendment and we accepted it.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator...okay. Senator Partee.

19. SENATOR PARTEE:

20. Now, I have no argument with the thought sought to be expressed
21. by this amendment. I have a tremendous argument with the language
22. in which it is in couched. It is terrible language, it is not sub-
23. ject to understanding by anybody except the person who offers the
24. amendment and seeks to have it adopted. This language is subject
25. to at least three interpretations. I would only suggest that this
26. language, the thought is fine, the way you have expressed it is fine,
27. but, this language is very, very garbled, and I would hope that we
28. could change this language to make it a little more understandable
29. to the average person who reads it. Now, I don't want to stop the
30. music, here, I am for the bill, I am for the concept involved. Al-
31. though, I've been characterized as being against it. But the language,
32. here, I'd like to hold this amendment, because I'd like to see if we
33. can't clean it up and put it in a far more acceptable fashion. This

1. language it's...it's just bad that's all.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Glass.

4. SENATOR GLASS:

5. Senator Partee, even though, as I indicated, the trial lawyers
6. submitted this amendment to me and was put on as suggested, I do
7. agree with you and I'd be happy to hold this amendment and allow it
8. to be...the language to be revised. I have no objection to that and
9. if we may call the bill back at the appropriate time and put this
10. amendment on in its revised form. So, I will...

11. PRESIDING OFFICER: (SENATOR ROCK)

12. I wonder for the purposes of our record keeping, here, I wonder
13. if it might not be better practice to move to Table this amendment
14. with the understanding that one will be offered in its stead.

15. SENATOR GLASS:

16. I would agree with that and would so move.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Wooten.

19. SENATOR WOOTEN:

20. While we're on that subject, this says - amend Senate Bill 1024
21. as amended by adding the section 58.8 the following: - Where exactly
22. in the printed bill would that go?

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Well, this is Amendment No. 2. Now, Amendment No. 1, you understand,
25. against which all of these were couched has itself been Tabled. So,
26. I...I would kind of assume we're working from the backward...from the
27. back forward. Unfortunately. Senator Wooten.

28. SENATOR WOOTEN:

29. That may be, because I got a copy of the bill from the bill room
30. and I am having a devil of a time trying to fit two in anywhere.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Glass.

33. SENATOR GLASS:

1. On the understanding previously expressed, I would move to Table
2. Amendment No. 2.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. I think, Senator Wooten, just for clarification that is the
5. problem. Amendment No. 1 purported to strike everything after the
6. enacting clause and put all this stuff in. He Tabled that and now
7. we're going to start with four, which will do the same thing and
8. restructure the whole thing. Senator Glass has moved to Table Amend-
9. ment No. 2 with the understanding that there will be one offered in its
10. stead. All those in favor signify by saying Aye. All those opposed.
11. The Ayes have it. Amendment No. 2 is Tabled. Amendment No. 3.
12. Senator Glass.

13. SENATOR GLASS:

14. Amendment No. 3 places the maximum of five hundred thousand dollars
15. on the recovery to which a plaintiff is entitled, and I would move
16. for adoption of this Committee Amendment.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Carroll.

19. SENATOR CARROLL:

20. Will the sponsor yield to a few questions?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. He indicates he will yield. Senator Carroll.

23. SENATOR CARROLL:

24. Senator Glass, how many cases, if you know, have there been where
25. the recovery has been in excess of the five hundred thousand dollar
26. figure?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Glass.

29. SENATOR GLASS:

30. Senator Carroll, I can give you citations of several cases. You
31. know we were both at a dinner meeting recently where this matter was
32. discussed. In particular, and I'll be happy to furnish them to you.
33. I indicated I'd give you a copy of a recent Wall Street Journal

1. article that went into some depth on this subject, particularly, in
2. other states. But, there have been a significant number.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Carroll.

5. SENATOR CARROLL:

6. I don't know if that number is three or four or five in the last
7. couple of years in Illinois. It depends on what you consider signifi-
8. cant. Secondly, what is the cost of the excess coverage insurance
9. to the doctors for from five hundred thousand up to a million or a
10. million and a half, or two or two and a half. What would they charge
11. for the excess coverage for that amount of insurance, if you know?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Glass.

14. SENATOR GLASS:

15. Senator Carroll, I will, also, try to have that information for
16. you. If it is your wish to have that information before the Body
17. in advance of moving this bill to 3rd reading I will be glad to hold
18. it. But, I...I do not...I have a memo on the subject, which is late,
19. the information as late as we can provide, it. I don't have it in front
20. of me now.

21. PRESIDING OFFICER: (SENATOR ROCK) .)

22. Senator Carroll.

23. SENATOR CARROLL:

24. I appreciate the responsiveness of the sponsor and let me just
25. make a statement on the subject then. I think that especially the
26. insurance companies have been neglect in their duty to us as legisla-
27. tors when we have asked for this information and as chairing that
28. special committee that was created by Senator Partee's resolution,
29. we have requested that information from the coverers, or insurers
30. and have not as yet received that kind of information. What bothers
31. me about it is this, from what we hear it is not a great deal of
32. money for that excess coverage. From what we hear there have not been
33. that many cases that have exceeded the five hundred thousand dollar

1. limit. But, most importantly from what we hear from the cases that
2. have been cited, the reason for the additional money was like the
3. girl sixteen years old who has a life expectancy of some fifty or
4. sixty years, now, who has forty five thousand dollars a year in
5. medical expenses, we will, in effect, be practicing insurance
6. euthanasia when the parents' money or the child's money runs out and
7. they will have no choice but to pull the plug, because the family
8. cannot afford that forty five thousand dollars a year where there
9. had been a finding of malpractice against the doctors involved. I
10. think we should look more realistically at this and say we're not looking
11. for anybody to get wealthy on this type of a situation, but that if
12. it's possible that we make sure that insurance through access coverage
13. be allowed, maybe through some type of trust fund, where the monies
14. are available for the medical care and treatment of that particular
15. injured party. I think this is a terrible way to go at this time
16. and I think we should be reviewing that very carefully.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Wooten.

19. SENATOR WOOTEN:

20. Mr. President, purely a technical inquiry. If you would clear
21. things up for me. We have Tabled Amendment No. 1...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. And two.

24. SENATOR WOOTEN:

25. ...and 2. Now, we are about to adopt No. 3, which will only
26. fit into Amendment No. 4, is that possible?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Well, I...I don't...that's my understanding from the sponsor.
29. Now, whether or not it's possible remains to be seen, because I
30. have not seen Amendment No. 4.

31. SENATOR WOOTEN:

32. Well, I just wondered how, you know, just technically if we
33. can adopt Amendment No. 3 which doesn't fit into the bill as it's

1. printed.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. The point is well taken. My suggestion, again, would be to Table
4. this one and start over. I...I don't know how it fits. I...I, as I
5. say, I have not seen it. But, I'll leave that to the sponsor. Your
6. technical point is well taken. Senator Nudelman, were you up? Senator
7. Nudelman. Apparently not. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Well, I'm inclined to agree with Senator Carroll. This whole bill,
10. and I realize we have a short time, it's a very important piece of
11. legislation. I feel that we haven't explored this thing and it's a
12. tragedy that we haven't. I question this business of putting a cap
13. on like this. I think it would be much wiser, as has been suggested
14. by Senator Carroll, that...that, because I don't think it's the judge-
15. ments don't go over five hundred thousand has brought about a crisis.
16. If there's a crisis it must have been brought about by a lot of other
17. verdicts of from a hundred thousand to five hundred thousand, and I
18. think when we get this kind of a situation there ought to be some
19. kind of a trust provision like we have in the the Workmens Compensa-
20. tion Act, because that person that is entitled to it may only live
21. one or two years and the money goes to the estate and that's not
22. the purpose. It's to pay expenses and for pain and suffering, and
23. that we ought to set up some kind of a trust fund and then whatever
24. isn't paid out, in some way should be held in a method to insure a
25. recovery for those people who then become wards of the State some-
26. time, because they didn't have insurance.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Well, let me just point out that Amendment No. 3 as it reads, it
29. reads that the title is Amendment to Senate Bill 1024 as amended. In
30. fact, it has not been amended. But, I think technically Senator
31. Wooten's point was well taken. Senator Glass.

32. SENATOR GLASS:

33. Mr. President and members, may I make this suggestion. The hour

1. is late, and I am really not prepared to debate what are, obviously,
2. some critical issues in the bill, tonight. I would suggest, with
3. leave of this Body, that I put on Amendment No. 4 and Table 1, 2 and
4. 3 with leave to call this bill back for 2nd reading, and debate those
5. amendments at the appropriate time.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Does that...sounds perfectly agreeable to me. Senator Glass
8. moves to Table Amendment No. 3. All those in favor signify by saying
9. Aye. All those opposed. The Ayes have it. Amendment No. 3 is
10. Tabled. Amendments from the Floor. Amendment No. 4 from the Floor
11. offered by Senator Glass.

12. SENATOR GLASS:

13. Amendment No. 4 has been distributed and is in essence the bill
14. with the exception of what will be debated I suggest what we had
15. marked as Amendments 2 and 3. So, I would move the adoption of
16. Amendment No. 4.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Glass moves the adoption of Amendment No. 4 to Senate
19. Bill 1024. All those in favor signify by saying Aye. All those
20. opposed. The Ayes have it. Amendment No. 4 is adopted. Any further
21. amendments? With that expressed understanding, 3rd reading. 1035,
22. Mr. Secretary.

23. SECRETARY:

24. Senate Bill 1035.

25. (Secretary reads title of bill)

26. 2nd reading of the bill. The Committee on Elections and Reapportion-
27. ments offers one amendment.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Donnewald moves the adoption of Committee Amendment No.
30. 1. All those in favor signify by saying Aye. All those opposed.
31. The Ayes have it. Amendment No. 1 is adopted. Any further amend-
32. ments? Any amendments from the Floor? 3rd reading. The sponsor
33. wished me to indicate that that bill also is subject to the same

1. rule and that it will, in fact, be called back. Okay. There is also
2. a request for a fiscal note, which the sponsor says he will, in fact,
3. comply with. It is already filed. Okay. 1258, Senator Kosinski.
4. 1258, Mr. Secretary.

5. SECRETARY:

6. Senate Bill 1258.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. No committee amendments.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any amendments from the Floor? 3rd reading. 1286, Senator
11. Graham. Do you want that? He does not want that. Okay. 1324,
12. Senator Buzbee. Better hold that. 1378. 1380, Senator Harris.
13. You indicated 1380. 1380, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1380.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Executive offers three
18. amendments.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Harris.

21. SENATOR HARRIS:

22. Mr. President, I indicated in the committee that in addition to
23. those three amendments I would wait for a couple of weeks and gather
24. information from those members that wanted to discuss other ramifi-
25. cations to putting this bill into good shape. I've worked with
26. Senators Regner and Ozinga, who have made suggestions and I've in-
27. corporated them all in what will be Amendment No. 4, including the
28. amendments adopted in the committee. So, at this point, what I'd
29. like to do is move to Table Amendments, Committee Amendments 1, 2
30. and 3 and then adopt Amendment No. 4, which incorporates those three
31. and, also, gets the bill into shape that I think we now have a viable
32. bill. Now, in addition, in conversations today I'm going to offer
33. one additional amendment that Senator Regner has suggested, which I

1. would like to do by recalling from 3rd to get this bill upon to 3rd.
2. If that's agreeable to the Body.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. It indicates...the indication is that it is agreeable.

5. SENATOR HARRIS:

6. I move then to Table Committee Amendments 1, 2 and 3.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Harris moves to Table Committee Amendment No. 1. All
9. those in favor signify by saying Aye. Those opposed. Amendment No.
10. 1 is Tabled. Senator Harris, now, moves to Table Committee Amendment
11. No. 2. All those in favor signify by saying Aye. Those opposed.
12. The Ayes have it. Amendment No. 2 is Tabled. Committee Amendment
13. No. 3. Senator Harris moves that Committee Amendment No. 3 be Tabled.
14. All those in favor signify by saying Aye. All those opposed. The
15. Ayes have it. Amendment No. 3 is Tabled. Amendment No. 4 from the
16. Floor, Senator Harris.

17. SENATOR HARRIS:

18. I move its adoption.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Harris moves the adoption of Amendment No. 4 to Senate
21. Bill 1380. All those in favor signify by saying Aye. All those
22. opposed. The Ayes have it. The amendment is adopted. Any further
23. amendments? 3rd reading. 1396. 1399, Senator Hynes. 1455, Senator
24. Bruce. No, okay. I wonder if we might have leave of the Body, that
25. we've had a request to go to the order of House Bills on 2nd reading
26. for, what appears to be, an emergency bill. Is leave granted? Leave.
27. Page 27 on your Calendar, if you will. House Bill 2238 sponsored by
28. Senator Knuppel. 2238, Mr. Secretary. The top of page 27.
29. House Bills on 2nd reading with leave of the Senate. House Bill 2238.
30. SECRETARY:

31. House Bill 2238.

32. (Secretary reads title of bill)

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

1. amendment.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. I move the adoption of the Committee Amendment.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Knuppel moves the adoption of Amendment No. 1 to House

8. Bill 2238. All those in favor signify by saying Aye. All those

9. opposed. The Ayes have it. The amendment is adopted. For what

10. purpose does Senator Weaver arise?

11. SENATOR WEAVER:

12. Well, I asked Senator Knuppel or the State Fair Agency to check out

13. on another bill and I've never heard from them yet, Senator Knuppel.

14. So, can you check that out? In committee.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. The question was asked in committee by Senator Weaver with respect

17. to another contractor, Right. Senator Knuppel.

18. SENATOR KNUPPEL:

19. I...I think he asked about one particular purveyor of goods or

20. supplies and I thought they would have responded by now. I didn't

21. know they hadn't. If you'll give me the name, I'll get it for you

22. tomorrow.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Good. Senator Weaver.

25. SENATOR WEAVER:

26. My only point was is if it's necessary to amend this bill you'll

27. bring it back to put them into this supplemental.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Indicates he will bring it back. Any further amendments? 3rd

30. reading. Senator Partee. Any further business or announcements?

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

32. SENATOR PARTEE:

33. There were a couple of...

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Partee.

3. SENATOR PARTEE:

4. There were a couple of motions to be filed and I take it they've
5. been filed.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Secretary, will you read the motions, please? On the order of
8. Motions. Do we have leave to go to that order of business? Leave.
9. On the order of Motions, Mr. Secretary.

10. SECRETARY:

11. Having voted on the prevailing side on the vote by which Senate
12. Bill 1167 lost, I hereby move to reconsider said vote. Signed,
13. Kenneth V. Buzbee.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Buzbee, you just wish to file this for the purpose of
16. protecting the record and you wish to indicate a date certain, or
17. tomorrow or whenever?

18. SENATOR BUZBEE:

19. Tomorrow, Mr. President.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. It will be shown on the Calendar. Do you have another Motion,
22. Mr. Secretary?

23. SECRETARY:

24. Having voted on the prevailing side on the vote by which Senate
25. Bill 1295 lost, I hereby move to reconsider said vote. Signed,
26. Senator Charles Chew.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. I presume the same request, that it will be shown on the Calen-
29. dar and argued tomorrow. Senator Bruce.

30. SENATOR BRUCE:

31. Yes, Mr. President, I'm shown as principal sponsor of Senate
32. Bill 1298. At the request of Senator Clarke and members of the
33. Legislative Audit Commission, they have proposed that that bill be

1. changed to create certain travel commissions, and it's a proposal
2. that they very desperately need and they have decided that this
3. bill fits their needs, and because of the requirements they have,
4. I would make a request that I be removed as principal sponsor and
5. Senator Clarke be shown as a sponsor of that legislation.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Clarke nods his agreement. Is there leave of this Body
8. that Senator Clarke be shown as the...Senator Bruce be removed and
9. Senator Clarke be shown as chief sponsor of Senate Bill 1298?
10. Leave is granted. So ordered. Please make the appropriate no-
11. tation on the Calendar. Senator Vadalabene, for what purpose do
12. you arise?

13. SENATOR VADALABENE:

14. Yes, Mr. President, as a member of the Legislative Audit Com-
15. mission, I would now like to be shown as a cosponsor of Senate Bill
16. 1298.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Vadalabene asks leave of this Body to be shown as a
19. cosponsor to Senate Bill 1298. Is leave granted? Leave is granted.
20. So ordered. Any further announcements, any further business?
21. Senator Welsh.

22. SENATOR WELSH:

23. Mr. Speaker, I rise to remind my colleagues on this side of
24. the aisle that there will be a Democratic Caucus at 8:00 a.m. in
25. the President's Office tomorrow morning. 8:00 a.m.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any further announcements?

28. SENATOR WELSH:

29. And now, Mr. ...I move we adjourn, till 9:00 o'clock tomorrow
30. morning, Mr. Speaker.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Welsh moves that the Senate stand adjourned until 9:00
33. o'clock on Wednesday morning, May 21.