

79TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 27, 1976

1 PRESIDENT:

2 The hour of twelve having arrived, the Senate will
3 come to order. Will our guests in the gallery please
4 stand as we have prayer by Father Kevin B. Sullivan, Cathe-
5 dral of Immaculate Conception, Springfield, Illinois.

6 FATHER KEVIN B. SULLIVAN:

7 (Prayer by Father Sullivan)

8 PRESIDENT:

9 Reading of the Journal. Senator Johns.

10 SENATOR JOHNS:

11 Mr. President, I move that reading and approval of the
12 Journals of Friday, May the 14th, 1976, Tuesday, May the 18th,
13 1976, Wednesday, May the 19th, 1976, Thursday, May the 20th,
14 1976, Monday, May the 24th, 1976, Tuesday, May the 25th, 1976
15 and Wednesday, May the 26th, 1976 be postponed pending arrival
16 of the printed Journals.

17 PRESIDENT:

18 You heard the motion. All in favor will say Aye. Opposed
19 Nay. The Ayes have it. The motion carries. Committee
20 Reports.

21 SECRETARY:

22 Senator Hynes, Chairman of the Appropriations Committee
23 reports out the following bills. Senate Bill 1947, 1956 and
24 House Bills 3303, 3355, 3364 with the recommendation Do Pass.
25 House Bills 3353, 3360, 3363, 3370 and 3371 with the recom-
26 mendation Do Pass as Amended.

27 Senator Johns, Chairman of the Executive Committee re-
28 ports out the following bills. Senate Bill 1707, 1711, 1726,
29 1879 and 1881 and House Bills 3484, 3562 and 3563 with the
30 recommendation Do Pass. Senate Bill 1676 with the recommenda-
31 tion Do Pass as Amended.

32 Senator Savickas, Chairman of Labor and Commerce, reported
33 that the committee by record votes sponsored a bill with the

1 following title for introduction in the Senate.

2 PRESIDENT:

3 Introduction of bills.

4 SECRETARY:

5 Senate Bill 1967.

6 (Secretary reads title of bill)

7 PRESIDENT:

8 Assignment of bills.

9 SECRETARY:

10 Senator Dougherty, Chairman of Local Government, reports
11 out Senate Bill 1750 and 1784 with the recommendation Do Pass
12 as Amended.

13 PRESIDENT:

14 A Message from the House.

15 SECRETARY:

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

17 Mr. President - I am directed to inform the Senate
18 that the House of Representatives has passed bills with the
19 following titles in the passage of which I am instructed to
20 ask the concurrence of the Senate, to-wit: House Bills 3245,
21 3246, 3505, 3559, 3560, 3605, 3606, 3659, 3859, 3892 and 3893.

22 PRESIDENT:

23 Rules Committee. Resolutions.

24 SECRETARY:

25 Senate Joint Resolution 76, introduced...

26 PRESIDENT:

27 Just a moment, just a moment. May I have the attention
28 of the membership. This is the Adjournment Resolution, there's
29 some information that you will be asking about later. Con-
30 tinue, Mr. Secretary.

31 SECRETARY:

32 Senate Joint Resolution 76, introduced by Senator Rock.

33 (Secretary reads SJR 76)

PRESIDENT:

Senator Rock moves the adoption of the resolution.

1 All in favor will say Aye. Opposed Nay. The resolution
2 is adopted. Now, that's Tuesday at 1:00 o'clock, so every-
3 body...Tuesday, June 1 at 1:00 p.m. Senator Donnewald.

4 SENATOR DONNEWALD:

5 Yes, Mr. President, on a point of personal privilege,
6 which I...

7 PRESIDENT:

8 State your point.

9 SENATOR DONNEWALD:

10 ...very rarely take advantage of...

11 PRESIDENT:

12 ...state your point...

13 SENATOR DONNEWALD:

14 ...I'd like to introduce three Sisters from the...Franciscan
15 Sisters from Our Lady of Perpetual Help, Saint Albert and Great,
16 in Fairview Heights which in the western part of my district.
17 Sisters, would you please rise. They are in the (Machine cut-off)

18 PRESIDENT:

19 Senate Bills on 2nd reading. Senate Bill 1516, Senator
20 Brady. Senate Bill 1601, Senator Netsch. Senate Bill 1610,
21 Senator Lane. Read the bill.

22 SECRETARY:

23 Senate Bill 1610.

24 (Secretary reads title of bill)

25 2nd reading of the bill. The Committee on Appropriations
26 offers two amendments.

27 PRESIDENT:

28 Senator Rock.

29 SENATOR ROCK:

30 Thank you, Mr. President. Committee Amendment No. 1
31 offered and adopted in the committee is the Partee Amendment
32 which restricts the expenditure to fifty percent of the appro-
33 priation through the first six month of the fiscal year.
34 I would move its adoption.

1 PRESIDENT:

2 Any discussion? Senator Rock moves the adoption of
3 Amendment No. 1 to Senate Bill 1610. All in favor will
4 say Aye. Opposed Nay. Amendment No. 1 is adopted. Any
5 further amendments? Senator Rock.

6 SENATOR ROCK:

7 Committee Amendment No. 2 effectively reduced in cer-
8 tain line items for a total of a hundred and fifty-eight
9 thousand dollar reduction, and I would...as... a reduction
10 of personal services of a hundred and twenty-one thousand
11 and then concomitant line item reductions through the rest
12 of the standard item accounts. I would move the adoption
13 of Amendment No. 2.

14 PRESIDENT:

15 Any discussion on the amendment? Senator Rock moves
16 the adoption of Amendment No. 2 to Senate Bill 1610. All
17 in favor will say Aye. Opposed Nay. Amendment No. 2 is
18 adopted. Any further amendments?

19 SECRETARY:

20 Amendment No. 3 offered by Senator Buzbee.

21 PRESIDENT:

22 Senator Buzbee.

23 SENATOR BUZBEE:

24 Yes, Mr. President, Amendment No. 3 restores some eighty-
25 one thousand dollars that we just took off in Amendment No.
26 2. The explanation for this is, that our staff and the De-
27 partment of Insurance staff were in disagreement as to whether
28 some positions in their budget had been double budgeted.
29 After long and intensive discussion and so forth it was finally
30 determined that, in fact, the Department agreed that, in fact,
31 some of those positions had been double budgeted, but, in fact,
32 some of the others that we thought were double budgeted were,
33 in fact, not double budgeted. So, what we're doing is, we're

1 restoring about eighty-one thousand dollars for the positions
2 that were not double budgeted, and I would move the adoption
3 of Amendment No. 3.

4 PRESIDENT:

5 Any discussion? Senator Rock. Senator Buzbee moves
6 the adoption of Amendment No. 3 to Senate Bill 1610. All
7 in favor say Aye. Opposed Nay. The Ayes have it. Amend-
8 ment No. 3 is adopted. Any amendments from the Floor? Any
9 further amendments? Senator Buzbee.

10 SENATOR BUZBEE:

11 Yes, I think Senator Harris has an amendment he wants
12 to offer, Mr. President, before...

13 PRESIDENT:

14 We're just trying to determine. There's an amendment
15 here...may I see it, please...with...without a name. Is it
16 ...your amendment relates to page 1, line 13 and page 1,
17 line 15, Senator Harris? And, yes...fine....fine. This is
18 your amendment, then? Fine. This is Amendment No. 4. Senator
19 Harris.

20 SENATOR HARRIS:

21 Thank you, Mr. President. This amendment is an increase
22 amendment, and I am somewhat reluctant in the light of our
23 severe circumstance, to be in favor of any increases, but I
24 do want to call real serious attention of the membership to
25 this proposal. The Department of Insurance is that agency
26 of State Government that really stands between the entire con-
27 suming part of our twelve million people in Illinois and the
28 increasing demand requirement to be insured. The departments
29 activities and obligations have been increasing and the need
30 for it to be equipped with truly professional people to en-
31 gage in the examination of the companies licensed here in
32 Illinois just cannot be over emphasized, and through several
33 years of very narrow response to their staff needs on the

1 professional level, they've reached an extremely severe situa-
2 tion with respect to the ability of them to really do their
3 job. Now, I've discussed this situation with the director
4 and with the assistant director, two really professional
5 people, and this amendment would provide for an increase in
6 the appropriation by an amount of a hundred fifty-four thou-
7 sand seven hundred thirty-three dollars. It would provide in
8 the course of fiscal '77, not on a full twelve month basis,
9 but as they could recruit these people for some fifty-seven
10 thousand dollars in the course of the full twelve month period.
11 Five additional actuarial examiners and three insurance com-
12 pany examiners for an amount of thirty thousand six hundred
13 dollars and two insurance performance examiners in the amount
14 of twenty-two thousand eight hundred, and then the provision
15 for the stenographic backup that these professionals would
16 need an additional twenty-seven thousand dollars for a total
17 of a hundred fifty-four thousand seven hundred thirty-three
18 dollars. Now, I just urge you to anticipate the fact that
19 the critical situation that the department now finds itself
20 in of really not adequately having on board the kind of pro-
21 fessional capability to do its job to protect the insurance
22 consuming public in Illinois, and there are, I do not suggest
23 at all that there are any companies that are in difficulty,
24 but there are many that are marginal, and if the department
25 is really going to be equipped with the people and the personnel
26 to red flag those problems they've just got to have the authori-
27 zation to recruit adequately these professionals. And I would
28 move, I would be happy to respond to any questions, and I would
29 move the adoption of Amendment No. 4.

30 PRESIDENT:

31 Senator Hynes.

32 SENATOR HYNES:

33 Mr. President, members of the Senate, I rise in opposition

1. to this amendment. The...particularly in view of the amend-
2. ment that Senator Buzbee has just offered and which was adopt-
3. ed by this Body, which restored roughly about fifty percent
4. of the amount that had been cut in the Appropriations Com-
5. mittee. We recognized during the committee hearing that there
6. was a possible error in our computations and...and we looked into
7. that matter and, in fact, determined that we were in error,
8. and we've restored that money which leaves the reduction at
9. this point at about eighty thousand dollars. The...in the
10. budget itself we have made allowance to permit the depart-
11. ment to fill seven vacant positions which have been vacant
12. for some period of time in the current year's budget and we
13. are, also, allowing some of the additional new positions that
14. were requested, so that a total of twelve, counting vacancies
15. and new positions, twelve new employees will be permitted,
16. and we feel that under the...the current situation that this
17. is a desirable limitation on the growth of the...of the De-
18. partment of Insurance. I think that it will allow the depart-
19. ment to meet its responsibilities and I believe that the bud-
20. get in its present condition should be supported by this Assem-
21. bly. I might also add that the department did not request these
22. additional positions. This goes far beyond the posture the
23. budget was in when it was approved by the Bureau of the Budget
24. and printed in the budget document and introduced into the
25. General Assembly. So, I do not think we ought to be in the posi-
26. tion of adding this amount of money in the current fiscal year
27. and I, therefore, would oppose the amendment.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Further discussion? Senator Savickas.

30. SENATOR SAVICKAS:

31. Yes, Mr. President and members of the Senate, I was very
32. impressed with Senator Harris' presentation championing to move
33. the cause for the insurance industry or the insurance department,

1. and I could see...the department, I said. I could see the
2. need for help, but I just read in this last week's newspaper
3. where we have one of the insurance department employees
4. sitting at a desk for a whole year collecting twenty thousand
5. dollars, no telephone, no work, no business. It's obvious
6. that the department is not in such a critical need for help
7. as the good Senator expresses, and if they were, this one man
8. would be put to work to do something for twenty thousand
9. dollars a year if it was just to relieve another investigator
10. to go out in the field and relieve somebody or assign to duties.
11. I would oppose any...adoption of any increase in this budget
12. until we find out why this department could afford to pay
13. twenty some odd thousand dollars for a man to sit in an empty
14. office, an empty desk and without even a telephone to contact
15. anybody, and yet they say they need money. It...it just isn't
16. ...I just can't conceive of the need for this money in this
17. department.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Harris, do you wish to
20. close the debate on Amendment No. 4?

21. SENATOR HARRIS:

22. Thank you, Mr. President. I just close by saying that
23. I sincerely believe this important safeguard agency between
24. the needs of our twelve million people and the requirement that
25. it have the professional people fully authorized by us to do
26. the job that it really should be doing. The department is still
27. under the headcount authorized in both fiscal '74 and fiscal
28. '75 even with the bill in the form it is prior to the offering
29. of this amendment. It very well may be that part of the problem
30. of the Department of Insurance lies within unrealistic salary
31. levels for some of these professional people in that their
32. recruiting effectiveness may be somewhat diminished, but I am
33. absolutely sincere in the conviction that the prospect for difficulty

1. is just beyond the horizon, and the claims experience that
2. many companies have been going through in the last two years
3. portends precarious circumstances for the companies and to
4. the extent that they are not alertly watched and carefully
5. evaluated on an up to the minute basis as much as possible
6. by the department adequately authorized to meet its obliga-
7. tions. The responsibility for a failure to meet that will
8. be ours. I would urge the adoption of Amendment No. 4.

9. PRESIDENT:

10. Question is, shall Amendment No. 4 to Senate Bill 1610
11. be adopted? All in favor will say Aye. Opposed Nay. A
12. roll call is requested. The question is on the adoption
13. of Amendment No. 4 to Senate Bill 1610. All in favor will
14. vote Aye. Opposed Nay. The voting is open. Have all voted
15. who wish? Take the record. On this question the Ayes are
16. 21, the Nays are 26 with 3 Voting Present. Amendment No. 4
17. fails. Any further amendments? 3rd reading. Senate Bill
18. 1678, Senator Hynes. Read the bill. Oh, pardon me. Senator
19. Hynes.

20. SENATOR HYNES:

21. No. Mr. President, that is now under the principal
22. sponsorship of Senator Carroll. I am a cosponsor, but by
23. motion a couple of weeks ago he was substituted, so I don't
24. know what his pleasure is with...

25. PRESIDENT:

26. Senator Carroll, what is your pleasure? Read the bill.

27. SECRETARY:

28. Senate Bill 1678.

29. (Secretary reads title of bill)

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

31. PRESIDENT:

32. Any amendments from the Floor? 3rd reading. Senate
33. Bill 1867, Senator Bruce. Senate Bill 1878, Senator Demuzio.

1. Senator Demuzio. Senate Bill 1878. Senate Bill 1950. Senator
2. Bruce, would you handle that, please? Senate Bill 1950. Oh,
3. I'm sorry. We're...we're promised to hold it a week. I...I'm
4. sorry. Senate Bills on 3rd reading. Senate Bill 1511, Senator
5. Knuppel. Senate Bill 1514, Senator Buzbee. Senator Buzbee
6. is recognized.

7. SENATOR BUZBEE:

8. Mr. President, I'd like to move this bill back to 2nd for
9. the purpose of an amendment.

10. PRESIDENT:

11. Is leave granted? Leave is granted. Senate Bill 1514
12. is now on the order of 2nd reading. Senator Buzbee is recog-
13. nized.

14. SENATOR BUZBEE:

15. Mr. President, I believe the Secretary has on his desk
16. an amendment that I'm going to offer. Okay.

17. PRESIDENT:

18. Just a moment. Would you post the number of the amend-
19. ment, please? It's Amendment No. 2. Senator Buzbee.

20. SENATOR BUZBEE:

21. Mr. President, in committee we deleted some money from
22. this supplemental appropriation to the Department of Corrections,
23. and what we deleted...well, first of all the supplemental
24. appropriation covers two or three different things. One is, it
25. covers bills that are legitimately owed from FY '75 to vendors
26. and it also covered the transfer of State funds to other agencies
27. of the State for the payment of such things as telephone bills
28. to the Department of General Services and so forth. So, what
29. we deleted in committee was that portion that simply stays
30. within the State Treasury, but goes from one department to another.
31. We, also, deleted some...about one hundred and fifty-two thou-
32. sand dollars that goes to outside vendors, and what I'm doing
33. now with this amendment is restoring that one hundred and fifty-two

1. thousand dollars that goes to outside vendors. Now, these
2. vendors are...there are four of them. I don't know all four
3. of them but two of them...one of them is...McDonnel Douglas
4. and the other is the IBM Corporation, bills that are legiti-
5. mately owed from FY '75. Now, these bills are...were not
6. paid by the E...EDP revolving funds and so we want to re-
7. store that one hundred and fifty-two thousand dollars for
8. those vendors. Then, we do one other thing with this amend-
9. ment. Keep in mind that this is a supplemental for bills
10. owed in FY '75, but now we're adding another thirty-seven
11. dollars also for a deficiency in FY '76 for the payment of
12. sheriff's fees for conveying prisoners, and yesterday in
13. meeting with the director I asked him if...wasn't there some-
14. way they could accurately project how much sheriff fees they
15. were going to have to pay during a fiscal year, and he said
16. "not really", because although this money is legitimately
17. owed to various county sheriffs they...the sheriffs have to
18. put in the claim for it. Sometimes they fail to put in their
19. claim and if they do fail to put in the claim, of course,
20. they're not paid. But, then it also depends on where they're
21. conveying prisoners from and if they're having to...say, trans-
22. port from Cook County to Menard. That's a lot of...lot of
23. mileage and it cost more money to do that, so the thirty-seven
24. thousand will be added for deficiency for sheriffs fees for
25. FY '76. And I would move the adoption of this Amendment No.
26. 2.

27. PRESIDENT:

28. Any further discussion? Senator Buzbee moves the adoption
29. of Amendment No. 2 to Senate Bill 1514. All in favor
30. say Aye. Opposed Nay. Amendment No. 2 is adopted. Are there
31. further amendments? Any amendments from the Floor? 3rd reading.
32. Oh, pardon me. It is back to 3rd reading. Senate Bill 1594,
33. Senator Egan. Read the bill.

1. SECRETARY:

2. Senate Bill 1594.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Egan.

7. SENATOR EGAN:

8. Thank you, Mr. President, members of the Senate.
9. This bill does that exact thing that we did in changing
10. the rules for the balance of this Session. It requires
11. that a financial impact statement accompany all changes
12. to the Pension Code prior to the standing committee's
13. hearings of those bills. At the request of the sponsor
14. there's a seven day limitation that is required of the
15. commission. We have discussed this with the actuaries.
16. They are able to do that in...in every case if they...if
17. they can't, then the impact note would so state. The only
18. ...the critical condition of our pension systems throughout
19. the State requires that we attend to the fact that we can
20. no longer increase the benefits that everyone wishes un-
21. less we do something relative to the funding of the systems,
22. and we, Senator Shapiro and myself, have carefully worked
23. this out and it's got the approval of all of the leadership
24. that I've discussed it with, Senator Harris, Senator Partee,
25. Senator Rock, we've all worked over the bill and feel that it is
26. vitally necessary to reverse the trend in which we are head-
27. ing in the pension systems, and I would seek your favorable
28. consideration.

29. PRESIDENT:

30. Any further discussion? The question is, shall Senate
31. Bill 1594 pass? Those in favor will vote Aye. Opposed will
32. vote Nay. The voting is open. Have all voted who wish?
33. Take the record. On this question the Ayes are 51, the Nays

1. are none, with none Voting Present. Senate Bill 1594 having
2. received the constitutional majority is declared passed.
3. Senate Bill 1514, Senator Buzbee.

4. SECRETARY:

5. Senate Bill 1514.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Yes, Mr. President, after the explanation of the amend-
12. ment just a few minutes ago I don't think anymore discussion
13. is necessary other than to say that we have...cut a total of
14. three hundred nineteen thousand four hundred and fifty-five
15. dollars from this bill from the way it was originally intro-
16. duced to the way it stands right now. And I would ask for
17. a favorable roll call.

18. PRESIDENT:

19. Senator Newhouse.

20. SENATOR NEWHOUSE:

21. Mr. President, I don't know whether I'm having switch
22. trouble or not, but I tried to vote on that last bill which
23. was a pensions bill. I'd just like to reflect that as a
24. member of the Pensions Committee I would have voted in the...in the
25. affirmative on that...bill.

26. PRESIDENT:

27. Let the record so show. Any further discussion on Senate
28. Bill 1514? The question is, shall Senate Bill 1514 pass? All
29. in favor will vote Aye. Opposed Nay. The voting is open.
30. Have all voted who wish? Take the record. On that question
31. the Ayes are 51, the Nays are none, with 2 Voting Present.
32. Senate Bill 1514 having received a constitutional majority is
33. declared passed. Senate Bill 1600, Senator Netsch. Read the bill.

1. SECRETARY:
2. Senate Bill 1600.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDENT:
6. Senator Netsch.
7. SENATOR NETSCH:
8. Thank you, Mr. President. This is the annual appropria-
9. tion fiscal year 1977 for the Department of Revenue. There
10. has been cut out of it by virtue of two amendments, six hun-
11. dred and seventy-one thousand two hundred dollars from the
12. original request as introduced, and that leaves a total in
13. operations of forty-six million two hundred and eight thou-
14. sand dollars, which is a...some increase over last year, but
15. not a great deal. The bill, also, of course, includes seventy
16. million dollars for the senior citizen grants, forty-eight
17. million dollars in lottery prizes and a 156.6 million dollars
18. in...in tax refunds. The total is in excess of three hun-
19. dred million dollars, most of which, of course, is in the...
20. the various grants and refunds. If there are any questions
21. I will answer them, if not, I would request a favorable roll
22. call.
23. PRESIDENT:
24. Any further discussion? Senator Berning.
25. SENATOR BERNING:
26. Just one question of the sponsor, please.
27. PRESIDENT:
28. She indicates she'll yield.
29. SENATOR BERNING:
30. Does this include the usual compensation increase for the
31. employees?
32. PRESIDENT:
33. Senator Netsch.

1. SENATOR NETSCH:

2. By...what do you mean by the usual? Do you mean the
3. step increases?

4. PRESIDENT:

5. Senator Berning.

6. SENATOR BERNING:

7. Yes.

8. SENATOR NETSCH:

9. Yes.

10. PRESIDENT:

11. Let the record show that the yes'es came from ques-
12. tioner and the questioner. Any further discussion? Senator
13. Mitchler.

14. SENATOR MITCHLER:

15. I'd like to ask the sponsor a question. Senator Netsch,
16. you referred to within the budget is an appropriation for
17. the circuit breaker. Is that it? And what was that figure?
18. I just wanted to know the figures.

19. PRESIDENT:

20. Senator Netsch.

21. SENATOR NETSCH:

22. The appropriation is for both forms of senior citizen
23. tax relief, circuit breaker and what is usually called now
24. the additional or supplemental grant. The total appropria-
25. tion is seventy million dollars.

26. PRESIDENT:

27. Senator Mitchler.

28. SENATOR MITCHLER:

29. Well, I note seventy million dollars, and this is a pro-
30. gram that has been in effect for several years, three
31. years I believe total, that would have an appropriation of
32. seventy million dollars program in effect for three years.
33. Not quarreling with the program, but pointing out that a lot

1. of times they say where does our lottery money go, and that's
2. just about what lottery would...brings in for a year to the State,
3. so the lottery really could be used directly to repay the
4. senior citizen circuit breaker that we have out. I just make
5. a note of that, because people ask me where does the lottery
6. money go and this is an example of a new program, not quarreling
7. with the program, but a new type of program that's obligating
8. our General Revenue funds. Thank you.

9. PRESIDENT:

10. Any further discussion? Question is, shall Senate Bill
11. 6...oh, it's Senator Nimrod. I'm sorry.

12. SENATOR NIMROD:

13. Now, Mr. President, a question of the sponsor. Yes,
14. Senator Netsch, it came to my attention and I don't have all
15. the facts on it yet, but I'm just recently came...are...are you
16. aware whether or not the printing for the lottery tickets is
17. done by competitive bid or not on the...

18. PRESIDENT:

19. Senator Netsch.

20. SENATOR NETSCH:

21. I don't think I...to be...to answer directly, I don't think
22. I do know that one way or the other. I'm trying to recall,
23. it seems to me that question came up in the course...Senator
24. Hynes, could I have your attention just a second? Do you
25. recall whether the question came up during the course of the
26. Revenue hearings, whether or not the lottery ticket printing
27. contract is subject to competitive bidding? I...my recollection
28. is it...it came up and the answer was yes, but that is my
29. recollection at the moment, Senator Nimrod, and I don't want
30. to represent that that is necessarily an accurate answer. I will
31. be happy to get that answer for you.

32. PRESIDENT:

33. Senator Regner.

1. SENATOR REGNER:

2. Yes, Mr. President and members of the Senate, I know
3. the answer because I asked the question. The answer is no,
4. it is not. It's given to a company in Georgia who I think
5. prints the lottery tickets for most of the state lotteries.
6. Scientific Development or something like that, the name is.

7. PRESIDENT:

8. I think they were further pointed out as a most security
9. conscious group in the country and that...that was the reason
10. given. Any further discussion? The question is, shall Senate
11. Bill 1600 pass? Those in favor will vote Aye. Opposed will
12. vote Nay. The voting is open. Have all voted who wish?
13. Take the record. On this question the Ayes are 45, the Nays
14. are 3, with 2 Voting Present. Senate Bill 1600 having received
15. the constitutional majority is declared passed. Senate Bill
16. 1603, Senator Bruce. Senate Bill 1604, Senator Knuppel.
17. Senate Bill 1608, Senator Knuppel. Senate Bill 1614, Senator
18. Morris. Senate Bill 1627, Senator Nudelman. Read the bill.

19. SECRETARY:

20. Senate Bill 1627.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Nudelman.

25. SENATOR NUDELMAN:

26. Thank you, Mr. President, Ladies and Gentlemen. This
27. is the bill for the appropriation for the Department of Registra-
28. tion and Education. It has been extensively discussed and amended
29. from both sides of the aisle and I solicit your favorable vote.

30. PRESIDENT:

31. Any further discussion? The question is, shall Senate
32. Bill 1627 pass? Those in favor vote Aye. Opposed Nay.
33. The voting is open. Have all voted who wish? Take the record.

AB 1646
5/15/76

1. On this question the Ayes are 50, the Nays are 1, with none
2. Voting Present. Senate Bill 1627 having received the con-
3. stitutional majority is declared passed. Senate Bill 1646,
4. Senator Buzbee. Senator Buzbee is recognized.

5. SENATOR BUZBEE:

6. Mr. President, I would like to call this bill back to
7. the order of 2nd reading for the purpose of an amendment
8. which Senator Davidson is going to offer. I would ask leave
9. to...

10. PRESIDENT:

11. Is leave granted? Senate Bill 1646 is now on the order
12. of 2nd reading. Senator Buzbee.

13. SENATOR BUZBEE:

14. Well, Senator Davidson...

15. PRESIDENT:

16. Senator Davidson. Senator Davidson. Amendment No. 5.

17. SENATOR DAVIDSON:

18. Yes. Mr. President and members of the Senate, this
19. amendment would raise the appropriation four hundred and six
20. thousand dollars for the SIU budget, and it's for a specific
21. reason and need. In April, the 27th of this year, 1976 the
22. SIU Medical School was notified by the insurance carrier that
23. their malpractice insurance premium, which was thirty-four
24. thousand dollars last fiscal year and was put in this year's
25. budget for that amount, cause they'd had no notice prior to
26. the budgeting process to have any indication of raising the
27. amount of money. The premium requested or demanded from them
28. to have medical malpractice so they can cover the teaching
29. positions as well as the residents is four hundred and forty
30. thousand dollars. This request is for four hundred and six
31. thousand dollars to bring up the budgeted item from thirty-
32. four thousand dollars for medical malpractice to the four
33. hundred and forty thousand dollars demanded by the insurance

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1. company for the premium. I urge all of you to...to con-
2. sider and vote in favor of this. I know we're in tough
3. constraint, but all of you are saying you need more medical
4. doctors. Every student in SIU Med School is from Illinois
5. and without medical malpractice insurance to cover the
6. teaching position and their residents they're going to be
7. unable to practice in the hospitals where the contracts
8. are, cause most of the hospitals will allow no practice un-
9. less the physician is covered by malpractice policy of
10. their own. I'll be glad to try to answer any questions.

11. PRESIDENT:

12. Any further discussion? Senator Hynes.

13. SENATOR HYNES:

14. One question of the sponsor. Is the situation the
15. same at the University of Illinois as far as malpractice
16. insurance is concerned?

17. PRESIDENT:

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. I frankly do not know the answer to that question,
21. Senator Hynes, cause of what Senator...what University
22. of Illinois' malpractice problem is, I do not know.

23. PRESIDENT:

24. Senator Harber Hall.

25. SENATOR HARBER HALL:

26. Well, a question of the sponsor.

27. PRESIDENT:

28. He indicates he will yield.

29. SENATOR HARBER HALL:

30. Doctor, do you imagine that the teachers at Southern
31. practice medicine or do they teach? I don't understand why
32. there'd be a charge for that.

33. PRESIDENT:

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- 1. Senator Davidson.
- 2. SENATOR DAVIDSON:
- 3. It's not that part of which they practice. They do
- 4. practice some part-time, which is covered by their own
- 5. private policy. This is the policy that covers the physician
- 6. who is the teaching professor to cover them with the resi-
- 7. dent and the student as they practice in the hospital in
- 8. their teaching capacity. It has nothing to do with their
- 9. private practice, part of their practice.
- 10. PRESIDENT:
- 11. Any further discussion? Senator Harber Hall.
- 12. SENATOR HARBER HALL:
- 13. I wonder why we can't cover this. It doesn't seem to
- 14. be a whole lot of risk here. Why can't the State itself insure
- 15. these teachers?
- 16. PRESIDENT:
- 17. Senator Davidson.
- 18. SENATOR DAVIDSON:
- 19. Frankly, it's an answer I can't give you, because if
- 20. you self-insure, as long as the State's going to give a bonafide
- 21. medical malpractice insurance policy or a coverage, maybe you
- 22. could. The only thing I don't know is, whether there's any...pro-
- 23. visions under the statute where we are self-insuring any teacher.
- 24. PRESIDENT:
- 25. Senator Bell.
- 26. SENATOR BELL:
- 27. Thank you, Mr. President. It might be an observation
- 28. that we turn down this amendment and I think, in fact, we
- 29. will be self-insuring.
- 30. PRESIDENT:
- 31. Oh. Any further discussion? Question...would you post
- 32. the number of the amendment. This is Amendment No. 5. The
- 33. question is on the adoption of Amendment No. 5 to Senate Bill

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1. 1646. All in favor say Aye. Opposed Nay. The Ayes have
2. it. Amendment No. 5...Amendment No. 5 is adopted. Any
3. further amendments? 3rd reading. Senate Bill 1737, Senator
4. Davidson. Read the bill.

5. SECRETARY:

6. Senate Bill 1737.

7. (Secretary reads title of bill)

8. PRESIDENT:

9. Senator Davidson.

10. SENATOR DAVIDSON:

11. I...I'm sorry Senator Nimrod had made a request for me
12. to bring this bill back to 2nd for him to attempt an amend-
13. ment or offer an amendment, and I would request leave to
14. bring 1737 back to 2nd reading for...

15. PRESIDENT:

16. Is...is leave granted? Senate Bill 1737 is now on the order
17. of 2nd reading and Senator Nimrod is recognized.

18. SENATOR NIMROD:

19. Mr. President, having voted on the...

20. PRESIDENT:

21. Just a moment. Let's see if we have the amendment first.
22. We don't seem to have a copy of your amendment, Senator.

23. SENATOR NIMROD:

24. It's not my amendment. I'm going to make a motion to
25. reconsider the vote by which Amendment No. 1 was adopted.

26. PRESIDENT:

27. I see, very well. Senator Nimrod.

28. SENATOR NIMROD:

29. Having voted on the prevailing side I move to reconsider
30. the vote by which Amendment No. 1 was adopted.

31. PRESIDENT:

32. Any further discussion? Senator Rock.

33. SENATOR ROCK:

1. My understanding was that an amendment was going to be
2. offered, not that one was going to be Tabled.

3. PRESIDENT:

4. Well, that is what was said, but in any event it has
5. now been clarified that he is not offering an amendment.
6. He has...he has stated that having voted on the prevailing
7. side of the adoption of Amendment No. 1 he now seeks to
8. reconsider the vote by which it was adopted.

9. SENATOR ROCK:

10. Well, all right, then I...

11. PRESIDENT:

12. I think perhaps the Body should have some explanation
13. of what the first amendment did and your reasons therefore.
14. Senator Nimrod.

15. SENATOR NIMROD:

16. Yes, Mr. President. The reasons for this...this bill
17. had appeared in Revenue and we had discussed this bill and
18. its affect its provisions. And let me just acquaint...reacquaint
19. you with what was being done here. This bill authorizes,
20. of course, four hundred thousand dollars in...four hundred
21. million dollars in 1973 for the construction of schools on
22. the school grant program. Two hundred million for downstate,
23. one hundred million for Chicago and one hundred million for
24. debt service. Now, Amendment No. 1 was not presented in
25. committee and it was presented here on the Floor to us as a
26. technical amendment, and after I had a chance to review this,
27. the technical features of it are whether or not...really, I
28. don't believe it's a technical amendment, I think it's a
29. policy decision that we should be able to arrive at. What
30. this amendment does, in fact, is that it changes the date.
31. It removes a date on debt service. The debt service of a
32. hundred million dollars was to take care of schools between
33. the years of January 1, 1969 through October of 1973, and
34. then this would allow the debt service to be provided for those

1. groups that had not had a chance to apply for construction
2. grants under this proposal, that it would cover those five
3. years for those schools who had already gone ahead and made
4. grants...made construction loans prior to that time. What
5. we are doing now, in fact, by this amendment is removing this
6. date, this limitation of the date 1973, and we are allowing
7. any school district that wants to build a particular build-
8. ing without going through and meeting the standards of the
9. Capital Development Board, that we are, in fact, going to pay
10. their debt service for them. It does one other thing. The
11. debt service on all these contracts is made on a one year
12. basis. If we don't set any deadline then we are allowing
13. this debt service to be paid to go on indefinitely, and I
14. believe what we were intending to do, the hundred million
15. dollars was intended to take care of the...the debts that
16. we're going to be involved with of three hundred million dollars,
17. and of course and we increased that with...with a bill this
18. time by five...by fifty million, so this three hundred and
19. fifty million dollars, what we want to do is have the debt
20. service to take care of providing that debt on an annual basis.
21. So, if we don't put a date on this then we're going to allow
22. these people who do not meet the standards of the Capital
23. Development Board, who do not go out and get local matching
24. money without any referendums or whether a base to do it,
25. then that will continue and they will be competing with the
26. ...the schools that have already been built under the con-
27. struction loan of the Capital Development Board. Well, I think
28. this is a policy decision and not a technical decision. Yes,
29. it was removed a couple of years ago by...inadvertently. But,
30. certainly when it's brought back to our attention I think that
31. it's something we should be deciding as a policy. And I think
32. that the important thing is here, that the debt service which
33. we allow for should be for those particular schools and for

1. those purposes of construction which we provided a...a construction
2. loan on authorizing these bonds and where they had a local area,
3. and not for those districts who might go around the situation
4. and...and use up this hundred million dollars of debt service.
5. The thing is, we should have a limit on this and we should
6. set a policy on it, and if we remove this restriction of the
7. date then we are not setting a...we are just leaving this wide
8. open without any limitations of any kind.

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Well, frankly, my question still prevails. Amendment
13. No. 1, as I understand it, which was offered and adopted in
14. committee reduced the dollar amount. There was a request
15. for an increase of a one hundred million dollar in...in
16. authority and it was reduced by virtue of Amendment No. 1
17. in the committee by fifty million dollars. I...I don't know
18. if we're talking about the same thing. I'm...I'm...I'm, frankly,
19. a little lost at this point.

20. PRESIDENT:

21. Senator...Senator Nimrod.

22. SENATOR NIMROD:

23. Yeah. I'm referring that it might have the wrong number.
24. I'm referring to the amendment that was adopted on the Floor,
25. and I thought that was Amendment 1 that Senator Davidson offered
26. on the Floor.

27. PRESIDENT:

28. It was...Senator Davidson has given me a hand sign that
29. the amendment he offered on the Floor is Amendment No. 2.

30. SENATOR NIMROD:

31. Well, then, my remarks pertain to Amendment No. 2, and
32. I would like the record to so reflect.

33. PRESIDENT:

1. The record will so reflect. Senator Davidson.

2. SENATOR DAVIDSON:

3. Well, Mr. President and members of the Senate, I'd
4. like to respond in opposition to reconsidering the vote
5. on Amendment No. 2 for the change of this. Now, this was
6. a technical amendment. It was not a policy amendment. This
7. bill was amended in 1974 removing the 1973 date. The bill
8. was handled by Senator Fawell. It passed this...the bill
9. was introduced originally to change that date. There was a
10. couple of other amendments attached to it. It passed the
11. Senate in 1974, 44 to nothing, in which Senator Nimrod did
12. vote on the prevailing side, and this amendment that was put
13. on here on the Floor was to get this Chapter, 122, in the
14. same language as Chapter 127 has in the Capital Development
15. Board, which does not have a limit on the debt service already.
16. We amended the amount of money down that the IOE requested
17. from a hundred million to fifty million for the fact that
18. there's forty-five million dollars still left in this debt
19. service that Capital Development Board can transfer for con-
20. struction purposes, and I would resist the vote to reconsider
21. the vote for which this amendment was adopted, because this
22. bill now is in form, puts Chapters 122 and 127 in the same
23. language and they are no longer in conflict if this bill passes
24. and becomes law.

25. PRESIDENT:

26. Any further discussion? Senator Fawell.

27. SENATOR FAWELL:

28. I'm...I'm a bit confused on this. Senator Davidson, I
29. know initially the intent was in the passage of these bills
30. that we would allow the debt service grant for those districts
31. that had floated bonds prior to the effective date of the
32. CDP bond bills for school construction on the basis that these
33. districts would never...who had done a lot of constructing

1. would not be qualified, of course, to be able to get grants
2. from the three hundred million portion of the total four
3. hundred million appropriation, and I...I don't recall that
4. we took that...that date off, but, well, Senator Shapiro
5. says we did too and...and I gather that is correct. So, that
6. it is wide open now that...on any bond issue that a district
7. may have going which otherwise would have qualified to re-
8. ceive funds, matching funds, from CDB bond proceeds. They
9. still...they still could obtain reimbursement, partial re-
10. imbursement on their principle interest on bonds which they
11. floated without any aid. Is that right?

12. PRESIDENT:

13. Wait just a moment. Senator, just a moment. I'm...the
14. reason I keep giving the names is so that the record will
15. be clear who's responding. Senator Davidson.

16. SENATOR DAVIDSON:

17. That...that's correct, Senator Fawell. It was removed
18. and, but you cannot have both, and apparently the genesis
19. of this bill in '74 was so that...many districts was having difficulty
20. of getting projects approved and rather than lose the cost
21. of inflation for getting a project done, the lid was taken
22. off so they could qualify for the bond service. Now, any
23. district that does this would only do it as a last resort,
24. because this is...is only a partial funding. It would not
25. be a grant as it would be under the construction which is to
26. their advantage to be under, and what really brought this bill
27. about was that House Bill 3050 which passed here last year
28. which amended this and made the error that we're now trying
29. to correct, was that when they drafted the amendment for 3050
30. they used the 1973 Act that had 1973 in it, the cut-off date, and
31. instead of the bill that statute that passed in 1974 that
32. took the lid off. You, therefore, have two statutes in con-
33. flict with each other dealing with the same subject. This

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1. is an opportunity to correct it and that's why the presen-
2. tation of the amendment was made on 2nd reading, and I
3. would resist...I would recommend that the Senate keep it
4. the way it is and pass this bill out here as amended.

5. PRESIDENT:

6. Any further discussion? The motion is by Senator Nimrod
7. to reconsider the vote by which Amendment No. 2 was adopted.
8. All in favor of that motion will vote Aye. Opposed will vote
9. Nay. The voting is open. Have all voted who wish? Take
10. the record. On that question the Ayes are 7, the Nays are
11. none, with none Voting Present. Pardon me, the Ayes are 7,
12. the Nays are 30, with none Voting Present. The motion fails.
13. 3rd reading. Senator Davidson.

14. SENATOR DAVIDSON:

15. Since there's no change in relation to the bill it will
16. not be on 3rd reading which we now consider for passage.

17. PRESIDENT:

18. We'll be right back to it. We'll take...so there will
19. be no question about it. 1646, Senate Bill 1646, Senator
20. Buzbee.

21. SECRETARY:

22. Senate Bill 1646.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. I would ask for a favorable roll call.

29. PRESIDENT:

30. The question is, shall Senate Bill 1646 pass? Those in
31. favor will vote Aye. Opposed Nay. The voting is open. Have
32. all voted who wish? Take the record. On that question the
33. Ayes are 46, the Nays are 1, with 4 Voting Present. Senate

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1. Bill 1646 having received the constitutional majority is
2. declared passed. Senate Bill 1737, Senator Davidson. Read
3. the bill.

4. SECRETARY:

5. Senate Bill 1737.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Davidson.

10. SENATOR DAVIDSON:

11. Mr. President, I think this was thoroughly aired awhile
12. ago. I ask a favorable vote.

13. PRESIDENT:

14. Any further discussion? Senator Hynes.

15. SENATOR HYNES:

16. Mr. President and members in the Senate, would the
17. sponsor yield to a question?

18. PRESIDENT:

19. He indicates he will. Senator Hynes.

20. SENATOR HYNES:

21. Is...is this a...this bill and the subsequent appropriation
22. that would be made pursuant to it part of the Governor's budget
23. or the...as...as introduced.

24. PRESIDENT:

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. I cannot answer that question being part of the Governor's
28. budget, Senator Hynes. This was a Office of Education's bill
29. and this is only an authorization, and any appropriation of
30. money thereto would have to be taken up by this legislative
31. Body at a date when they ask for the additional monies to be
32. appropriated. This is only an authorization to the amount
33. of construction of request they have available of which I think

1. you got the same information I did. They had a hundred and
2. nineteen school districts that have ninety-five million
3. dollars of...of requests for critical or over extended schools
4. that need to make in...in available now and have already used
5. up all of the money that's authorized. This is a authoriza-
6. tion only and further...we would have a further shot on any...
7. appropriation bill at a later date. Whether it's in the Gover-
8. nor's budget or not I don't know, cause IOE did not give me
9. that information. It is their presentation.

10. PRESIDENT:

11. Senator Hynes.

12. SENATOR HYNES:

13. Mr. President, members of the Senate. I stand in
14. opposition to this bill because at the present moment we
15. have a four hundred million dollar school construction pro-
16. gram in this State. I think that given the very serious
17. fiscal constraints under which we are operating and our in-
18. ability to adequately fund the School Aid Formula and other
19. matters, that there should not be an expansion in this pro-
20. gram at this time. I think that the original concept was a
21. good one, but I think before we...without what I would con-
22. sider careful deliberation, add more to the program. We ought
23. to have a better handle on exactly where we're going, and
24. for that reason I would oppose this legislation.

25. PRESIDENT:

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. I'd like to ask the sponsor a question. What is the
29. total amount of increase now authorized by Senate Bill 1737.
30. with the amendments?

31. PRESIDENT:

32. Senator Davidson..

33. SENATOR DAVIDSON:

1. Fifty million dollars.

2. PRESIDENT:

3. Senator Mitchler.

4. SENATOR MITCHLER:

5. That's half of what originally was requested?

6. PRESIDENT:

7. Senator Davidson.

8. SENATOR DAVIDSON:

9. That's correct and the reason for that is, that with

10. the change that...that Capitol Development of which we have

11. on this amendment, the Capitol Development Board could trans-

12. fer by statutory authority debt service money in the con-

13. struction bond money ...that debt service money isn't used.

14. And there is forty-five million unobligated money in that

15. balance of the fund which would free up the approximate

16. amount of money which they had requested in the beginning.

17. PRESIDENT:

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. And for my information then, how is this bonded indebted-

21. ness paid off? From what fund?

22. PRESIDENT:

23. Senator Davidson.

24. SENATOR DAVIDSON:

25. It's paid off the same as any other bonded indebtedness

26. that the State of Illinois, out of the General Revenue Fund I

27. would say...say, Senator Mitchler. This is part of the bond

28. fund which was authorized in 1973 as well as the other bonds

29. which the State of Illinois is obligated to pay.

30. PRESIDENT:

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Being authorized in 1973 can you tell me how much we

1. have increased from 1973 when it was originally instituted
2. until the present time when we have currently four hundred
3. million dollars authorized.

4. PRESIDENT:

5. Senator Davidson.

6. SENATOR DAVIDSON:

7. I'm not sure I understand the question you're trying
8. to ask. Would you repeat it, please?

9. PRESIDENT:

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. How much was authorized in bonded indebtedness under the
13. Schools Construction Bond Act in 1973 when it was first instituted?

14. PRESIDENT:

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Four hundred million dollars. Two hundred million dollars
18. for downstate and one hundred million for the City of Chicago
19. and one hundred million dollars for debt service retirement
20. for those school districts which had started a bonding program
21. from 1969 to 1973.

22. PRESIDENT:

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. I point out that a new program came in 1973. You're
26. asking...they came in asking for a hundred million dollar
27. increase. We reduced it down to fifty million dollars which
28. I give credit for, but maybe fifteen million dollars bonded
29. indebtedness obligation when the State's broke, maybe we're
30. going in the wrong direction. That's what happened to New
31. York City, and I point out that you got a seventy-five
32. million dollar ceiling on the Civic Center legislation and
33. you'll be in here next year bringing it up, because already

1. you obligated seventy-eight million dollars and over that
2. on that. I'm not trying to defeat that bill, but I'm just
3. pointing out that this bonded indebtedness is something
4. that took Mayor Beam and his whole gang in New York City
5. down the drain, and I think Senator Hynes is pointing out
6. some very interesting objections to passage of this. No
7. matter how much it's needed, have you got the money, and
8. the answer to that is "no" unless you're willing to vote
9. for an increase in the Income Tax or the State Sales Tax.

10. PRESIDENT:

11. Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President, Ladies and Gentlemen of
14. the Senate, and I have a suggestion. I do not, for one,
15. I can appreciate Senator Hynes concern. This morning,
16. as most of the membership will recall, we had the Capital
17. Development Board bills in the Senate Appropriations Com-
18. mittee, and I might point out that the reappropriations for
19. this purpose for the school bonding purpose are some two
20. hundred million dollars and the Board is talking in the
21. neighborhood of somewhere about a ninety million dollar lapse.
22. Now, it seems to me the more rational course of action would
23. be to re-refer Senate Bill 1737 back to the Appropriations
24. Committee so it can be considered with those five or six other
25. Capital bills that are currently there. We are going to have
26. to, it seems to me, before the end of the Session realign
27. the bonding authority in various item categories for the Capit l
28. Bond Board. They are overextended in some and under extended
29. in others and I think the Assembly is going to have to address
30. itself to that, but to let a bill like this with this kind of
31. ramification get out kind of unfettered I think is a mistake.
32. We could...and so, Mr. President, for that reason I would move
33. that Senate Bill 1737 be re-referred to the Committee on Appropriations

1. for action by the subcommittee next week.

2. PRESIDENT:

3. Senator Davidson, do you want to respond?

4. SENATOR DAVIDSON:

5. Yes, I'd like to respond rather than re-refer it to
6. committee. Why don't I take it out of the record and hold
7. it here and let it be...the idea be considered in subcommittee
8. when we're debating the whole issue and the bill is here and
9. if we come to a just decision what we want to do with it, we
10. can continue with it. If it meets a fate that I don't want
11. to see it meet than we will have met it, but why re-refer it
12. while I got it here. Why don't I just take it out of the
13. record and leave it on 3rd and not call it till the subcom-
14. mittee meets and we come to a decision.

15. PRESIDENT:

16. Now, there are three other indications that they want
17. to speak on this matters, Senator Rock, Senator...four, Senator
18. Rock, Senator Bruce, Senator Hynes and Senator Regner. This
19. is not a debate of a motion, but now I'm going to...we're
20. going...Senator Rock. He's said now he wants to take it out
21. of the record. Senator Rock.

22. SENATOR ROCK:

23. Well, my only suggestion with that I think Senate...both
24. Senators Hynes and Bruce are going to talk about that. I would
25. prefer to have it before the subcommittee which was appointed
26. this morning so that it can, in fact, be considered as part of
27. the total package. In addition to that I'm under some time
28. constraint with Representative DiPrima standing here. There's
29. a group in the gallery behind me from St. John Bosco School
30. in the great thirty-sixth ward in the eighteenth legislative
31. district accompanied by Sister Mary Regis and Sister Mary Megan
32. from St. John Bosco School. I wonder if the membership would
33. recognize their presence here.

1. PRESIDENT:
2. Will they please rise and be recognized by the Senate.
3. SENATOR ROCK:
4. Now, back to the point. I...I am going to pursue my
5. motion to re-refer. I think that is the only logical course
6. of action.
7. PRESIDENT:
8. Senator...Senator Bruce.
9. SENATOR BRUCE:
10. Well, if the motion to re...re-refer...
11. PRESIDENT:
12. Just a moment, Senator Davidson has said he can solve
13. the problem. Let's hear from him first. Senator Davidson.
14. SENATOR DAVIDSON:
15. Mr. President, as discretion is the better part of valor
16. and I'll yield to sending the bill back to subcommittee as
17. requested and whatever appropriate motion is necessary let
18. me make it, if it has to be. We'll send it back to subcommittee
19. to be considered and report it back.
20. PRESIDENT:
21. Is there leave to re-refer the Bill 1737 back to the...
22. Senator Davidson is making the motion to re-refer 1737, Senate
23. Bill, to Appropriations. Is there leave? Leave is granted.
24. Senate Bill 1789, Senator Dougherty. Senator Dougherty is
25. recognized on Senate Bill 1789.
26. SENATOR DOUGHERTY:
27. I would like to call this bill back to the order of 2nd
28. reading for the purpose of an amendment to be offered by
29. Senator Moore, Don Moore.
30. PRESIDENT:
31. Is leave granted? Senate Bill 1789 is now on the order
32. of 2nd reading and the Chair recognizes Senator Don Moore
33. for Amendment No. 3.

1. SENATOR MOORE:

2. Thank you, Mr. President and members of the Senate.
3. Amendment No. 3 to Senate Bill 1789 adds this language.
4. It deals with the section allowing the condemnation of
5. property by the Chicago Regional Port District. The language
6. is exceedingly broad and after discussing the matter with
7. Senator Dougherty it is apparent that it is only his intention
8. to have this condemnation within the corporate limits of the
9. City of Chicago, so what Amendment No. 3 does, Mr. President
10. and members of the Senate, it allows the condemnation of the
11. property lying within a half of mile of the Calumet River
12. or Lake Calumet, which is wholly within the corporate limits
13. of the City of Chicago. This will remove some objections
14. that we in the suburban area have. I know of no objection
15. to it. I believe the amendment is agreeable with Senator
16. Dougherty, and if there is no discussion I would move for
17. the adoption of Amendment No. 3 to Senate Bill 1789.

18. PRESIDENT:

19. Any further discussion? Senator Netsch.

20. SENATOR NETSCH:

21. Senator Moore, we do not have copies of this amendment,
22. and since it's a fairly intricate and important bill I think
23. we should have copies of it so that we can look at it very
24. carefully. Apparently, they were not distributed.

25. PRESIDENT:

26. Senator Don Moore.

27. SENATOR MOORE:

28. It's a very short amendment, Mr. President. If the
29. Secretary would read the amendment. It's only a couple of
30. lines long, I'm sure you could follow it, Senator Netsch.

31. PRESIDENT:

32. The Secretary will read the amendment.

33. SECRETARY:

1. (Secretary reads Amendment No. 3)

2. PRESIDENT:

3. Any further discussion? Senator Bruce.

4. SENATOR BRUCE:

5. Well, I would just say that Senator Netsch's point is
6. well taken. I...I can't flip my bill open and read it and
7. I think that if a Senator requests that the motion...that
8. an amendment be distributed, that we have a chance to read
9. it. I don't know how it fits in the entire paragraph or
10. how it fits into the concept of the bill. I think it's just
11. as we get into late hours here that it's important that we
12. have a chance to review amendments and how they fit into
13. the entire bill, not just one paragraph.

14. PRESIDENT:

15. Senator Dougherty.

16. SENATOR DOUGHERTY:

17. Well, frankly, I think this is a delaying tactic. This
18. bill is vitally necessary to the City of Chicago. Senator
19. Netsch's opposition to the bill is well known. I think she's
20. lacking the knowledge of it never having been there. I ask
21. the adoption of this amendment: There's no need to print it.
22. It's comparably simple.

23. PRESIDENT:

24. Senator Ozinga.

25. SENATOR OZINGA:

26. Thank you, Mr. President. This amendment we've gone
27. over pretty thoroughly and just by reading the statement it
28. needs no further explanation, which now reads after amended
29. and also any and all real property lying within a half of
30. mile of the Calumet River or Lake Calumet and the whole of
31. any parcel of real estate, real property adjacent to such
32. river or lake which is wholly within the corporate limits of
33. the City of Chicago even though part of such parcel may be

1. more than a half a mile from such river or lake. Now, we
2. in the country towns were a little bit skeptical and a little
3. bit worried about giving the Port authorities the right to
4. condemn land which is out along the...the Sag...Canal. There-
5. fore, we insisted upon this amendment. This was our objection
6. yesterday and I think we in the country towns now can go along
7. with the bill.

8. PRESIDENT:

9. The question is on the adoption of Amendment No. 3 to
10. Senate Bill 1789. All in favor will say Aye. Opposed Nay.
11. The amendment is adopted. Any further amendments? Senator
12. Dougherty.

13. SENATOR DOUGHERTY:

14. Now, Mr. Senator...Mr. President, after this...

15. PRESIDENT:

16. Just a moment, Senator, let me get...let me get it back
17. to 3rd.

18. SENATOR DOUGHERTY:

19. That's right.

20. PRESIDENT:

21. If there are no further amendments the bill now goes
22. back to 3rd reading. Fine.

23. SENATOR DOUGHERTY:

24. Now, after intervening business I would like to have this bill
25. called, because of the time involved. This bill has...

26. PRESIDENT:

27. I understand that, Senator.

28. SENATOR DOUGHERTY:

29. ...to go over to the House.

30. PRESIDENT:

31. Very good, Senator. Senate Bill 1801, Senator Bruce.
32. Senate Bill 1802, Senator Bruce. Senate Bill 1868, Senator
33. Rock. Read the bill.

1. SECRETARY:

2. Senate Bill 1868.

3. (Secretary reads title of bill)

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President, Ladies and Gentlemen of
8. the Senate. Senate Bill 18...

9. PRESIDENT:

10. Just...just a moment. Let's read...let's read it again.
11. 3rd reading of the bill, please.

12. SECRETARY:

13. Senate Bill 1868.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Rock.

18. SENATOR ROCK:

19. Thank you, Mr. President, Ladies and Gentlemen of
20. the Senate. Senate Bill 1868 is the FY '77 appropriation
21. for the ordinary and contingent expenses of the General
22. Assembly, both the House and the Senate, a total amount of
23. eight million one hundred thousand dollars, and I would seek
24. a favorable roll call.

25. PRESIDENT:

26. Any further discussion? The question is, shall Senate
27. Bill 1868 pass? Those in favor vote Aye. Opposed Nay. The
28. voting is open. Have all voted who wish? Take the record.
29. On this question the Ayes are 47, the Nays are 2, with 1
30. Voting Present. Senate Bill 1868 having received a constitutional
31. majority is declared passed. Senate Bill 1789, Senator Dougherty.
32. Read the bill.

33. SECRETARY:

1. Senate Bill 1789.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Dougherty.

6. SENATOR DOUGHERTY:

7. Thank you, Mr. President. Members of the Senate, I've
8. spoken long and loud on my sponsorship of this bill. This
9. bill is vitally necessary to the economy of the State of
10. Illinois. It will not be fully implemented until we get
11. this bill out of the House, and I've been reasonably assured
12. that we...the bill will be accepted by the House. The time
13. is of the element and it will be...take a couple of years
14. before we can fully implement it. If there are any changes
15. necessary it can be done in the future. However, this is
16. necessary and as I have said before I understand that the
17. Federal Government is interested in this bill to reason,
18. of the trade balance, for reason of the trade balance. I
19. would like to point out to you this benefits all of the State
20. of Illinois, sales tax, income tax, you name it. It affects
21. many jobs in the State of Illinois, particularly, the thirtieth
22. district, which I represent and I've tried to do to the best
23. of my ability down through the years. I have no personal
24. pride in this I believe in the necessity for this bill and
25. I ask the fellow Senators to join with me in voting for this
26. bill.

27. PRESIDENT:

28. Any further discussion? Senator Fawell.

29. SENATOR FAWELL:

30. Senator Dougherty, what is the total wealth of the Chicago
31. Port District and from whence did the wealth come?

32. PRESIDENT:

33. Senator Dougherty.

1. SENATOR DOUGHERTY:

2. Let me tell you this, Senator, they...the original
3. wealth of the Chicago Port District was covered by a twenty-
4. four million dollar bond issue. It was approved by this
5. Assembly which I handled many years ago. The...we have re-
6. duced the bond indebtedness by some eight or ten million
7. dollars. It is paid for out of revenues, from the operations
8. of the Port District itself. Now, I have no way, because
9. we all know what the property escalation has been in the last
10. few years, but I would say the property which is wholly owned
11. by the Port District, which is protected by the indentured
12. bond issue, it would be maybe two...two and a half times that.
13. I would say that in all honesty. I couldn't deny it, but
14. remember this, every inch of property within the Chicago
15. Regional Port District was given to the Port District by
16. council action of the City Council back in 1955 and it expounded
17. twenty-three hundred acres of land is what it comprised of
18. The City of Chicago gave this to the Port District by action
19. of the City Council, so I can see no reason why there should
20. be any objection of this bill, which is going to improve the
21. economy of our State.

22. PRESIDENT:

23. Senator Fawell.

24. SENATOR FAWELL:

25. All right. The...but, there's, but there are no State
26. tax funds that have been utilized here?

27. PRESIDENT:

28. Senator Dougherty.

29. SENATOR DOUGHERTY:

30. There are no tax funds involved at any time nor ever has
31. there ever been, and the Regional Port District is the only
32. port district in the State of Illinois that operates without
33. any subsidy of any kind. Waukegan...every other port district

1. gets some sort of a state subsidy in some way. We have never
2. received it and never wanted it.

3. PRESIDENT:

4. Senator Fawell.

5. SENATOR FAWELL:

6. Just...just one other point. I don't know if this is
7. a...these are contrary statements or not, but on the Amend-
8. ment on page 7 in the new wording where in effect it creates
9. a power of appointment of five board members from the City
10. of Chicago and four from the Governor. It has this wording
11. - any member of the board no longer...who no longer lives
12. within such area, which now would be the City of Chicago,
13. who give vacancy that would exist which shall be filled by
14. appointment. But, then, in the next paragraph it states
15. that it is the intention of this amendatory act of 1976
16. that hereafter five members will be appointed by the Mayor
17. and four by the Governor, but that the terms of office of
18. members serving on the effective date of this amendatory
19. act should not be disturbed. Now, it's the latter portion
20. of that sentence that I'm wondering if it isn't...it seems
21. to be very ambiguous. In...in the first paragraph you're
22. saying any member of the board who may not live within the
23. City of Chicago, that there's a vacancy and he shall be re-
24. placed immediately. Yet, the next paragraph you're saying
25. that it's the intention of this Act that the terms of office
26. of members serving on the effective date of this Amendatory
27. Act, which I assume may include somebody outside the City
28. of Chicago, should not be disturbed. The two seem to be just
29. contradictory statements.

30. PRESIDENT:

31. Senator Dougherty.

32. SENATOR DOUGHERTY:

33. Tended to serve the power, the appointments having been

1. made in the past by the Governor. That's the purpose of
2. it. That's right. Let them run their terms out.

3. PRESIDENT:

4. Any further discussion? Senator Fawell, had you finished?

5. SENATOR FAWELL:

6. I don't...I'm not trying to cause any problems here,
7. really. I'm just saying that it...it appears to me, that as a...
8. looking at it as a lawyer, I'd be absolutely nonplused as
9. to what that does mean, because in the first paragraph you're
10. saying that if you do not live in the area a vacancy exists
11. and yet in the next paragraph you're...you're saying that
12. it's the intent of the Act the terms of office of members
13. serving on the effective date of the Act should not be dis-
14. turbed, and I don't know which one would take precedent over
15. the other. Maybe whoever drew ... had input in the drawing
16. that could explain why those contradictory statements are
17. there. Maybe you can take care of it in the House.

18. PRESIDENT:

19. Senator Dougherty.

20. SENATOR DOUGHERTY:

21. I would prefer if this bill passed that it go over to the House
22. and if there's ambiguity contained therein, it can be done in
23. the House. I...if I'm fortunate passing this bill I will re-
24. fer it to the House membership.

25. PRESIDENT:

26. Senator Netsch.

27. SENATOR NETSCH:

28. Mr. President and Senator Dougherty, this is not a question
29. but a statement, and I just want to make it clear that as the
30. saying often goes, it is nothing personal in my objection to
31. the bill, but I...I still do not understand two things, one,
32. why it is so much of an emergency that this bill was voted out
33. of Rules Committee and is being passed under our restricted agenda

1. and I really don't feel that I've ever gotten a good ex-
2. planation of that and I certainly do not understand why
3. the emergency rest primarily in turning the control of
4. the Chicago Port District over to the Mayor of Chicago,
5. which is basically what the bill does. It not only greatly
6. expands the...apparently the powers of the Chicago Port
7. District, but most critically it changes the whole structure
8. and control of that port district, and no one is suggesting that...
9. that it is not essential to the health of the State of
10. Illinois, as well as the City of Chicago that there be a good
11. healthy port district facility and operation in the Chicago
12. Metropolitan area. That we all can see, and I think those
13. things which will help support that everyone would be willing
14. to do and if I recall correctly, it was just about a week
15. ago that we made available some seven million dollars of bond
16. authorization to be used by the Port District of Chicago on
17. a...a computerized container cargo facility to help that,
18. and that was fine, but the problem here is that there are some
19. very strange unique powers being given to this port district
20. and a facility which should belong to a...the people as a whole,
21. because it is critical to the economy of the State as...as a
22. whole is now being localized and centralized in terms of its
23. control, its usefulness, the ability of the City to...to main-
24. tain control over who comes into the port district, what they
25. pay and so forth, and I am sorry there...there has been no ex-
26. planation and I guess there won't be of why it is an emergency
27. that we do this, what appears to be, very drastic thing, and
28. it's on that basis that I oppose the bill.

29. PRESIDENT:

30. Senator Don Moore.

31. SENATOR MOORE:

32. Thank you, Mr. President. With the amendment that was
33. just added which protects the suburban area and the outlying

1. areas of...outside of the City of Chicago from condemnation
2. with the port district, I rise in support of this bill. This
3. bill is needed, Mr. President, to expand and develop the
4. Chicago Regional Port District. The present Regional Port
5. District has done a miserable job in developing this facility
6. that could be the greatest and most profitable inland port
7. of any city in the United States and possibly in the world.
8. We are giving control of this, Senator Netsch, to Mayor Daley,
9. and in this case he can't do any worse with this facility
10. than what's been done since we created it in the General
11. Assembly. I'm willing to give the Mayor of Chicago a chance
12. on this. They are a home rule unit of Government. There
13. is a provision in this bill that the City of Chicago can
14. give money to the new regional port district. I think we
15. have an opportunity to develop, as I said before, the greatest
16. inland port in this nation. It sure as hell hasn't been up
17. ...done up to this point, and I'm willing to go along and
18. give them a chance with this bill. I'm happy to support
19. this measure, Mr. President.

20. PRESIDENT:

21. Senator Glass.

22. SENATOR GLASS:

23. I have one question of Senator Dougherty if I may,
24. Mr. President.

25. PRESIDENT:

26. Senator Glass.

27. SENATOR GLASS:

28. Senator Dougherty, you mentioned a twenty-four bond...
29. dollar bond issue that originally was used to fund the...the port
30. district. Are there full-faith in credit bonds or does the
31. full-faith in credit of property that was in the district
32. stand behind those bonds and...and what is the situation if
33. the revenues aren't sufficient?

1. PRESIDENT:

2. Senator Dougherty.

3. SENATOR DOUGHERTY:

4. I will answer that question certainly, the revenues
5. have been proven sufficient under the leases as drawn by the
6. Port District, and the...they operate on these facilities
7. themselves. The facilities are operated by private lessors, oh...
8. and they do not operate anything. They lease the operations
9. out and in all fairness to Senator Netsch I want to say this,
10. is that the reason...I don't know the real reason why he got
11. this district...but I'd like to tell Senator Netsch the reason
12. for the..the emergencies in this area. We need to acquire.
13. this twenty-five hundred lineal foot of wharfage in there in order
14. to get going on the project, and I might also tell Senator
15. Netsch that I'm afraid she's not informed of this, that every
16. port district in the world is operated by the cities. The
17. New York Port Authority, the New Orleans Port Authority, the
18. Rotterdam Port Authority, the Amsterdam, they are all named
19. for the cities. This was drawn in an attempt to share it a little
20. bit, but we've reached the point where we can't do this, and
21. I'm confident that the people of the City of Chicago want this,
22. they need it, it will redound to the benefit of all.

23. PRESIDENT:

24. Any further discussion? Senator Glass.

25. SENATOR GLASS:

26. Well, I...with all due respect I don't think, Senator
27. Dougherty, that you answered, at least I didn't get it, the
28. question on the bonds. Use the full-faith in credit of the
29. property now in the district behind those bonds?

30. PRESIDENT:

31. Senator Dougherty. But I'd want to make sure it's on
32. the record, you see. Senator Dougherty, would you answer
33. it for the record.

1 SENATOR DOUGHERTY:

2 The full-faith of the credit of the...of the properties
3 are responsible for the bonding.

4 PRESIDENT:

5 Any further discussion? Senator Glass.

6 SENATOR GLASS:

7 Well, finally, I...I think that was the point I wanted
8 to bring out, and there is some property not in the district
9 that therefore...

10 PRESIDENT:

11 Just a moment. Senator Dougherty.

12 SENATOR DOUGHERTY:

13 The properties owned by the...the Port District are all
14 in the...Lake Calumet area. They are south of 87th street,
15 if you will. Only...that's only there by reason the boundaries
16 of the State of Indiana do intervene somewhere within the
17 City of Chicago. That's why we confine it there. There nothing
18 all...(unintelligible) Chicago Navy Pier operation is owned
19 solely by the City of Chicago and there is no interrelationship
20 only in cargo movements.

21 PRESIDENT:

22 Senator Glass.

23 SENATOR GLASS:

24 All right, in...in conclusion I would just point out,
25 as I did yesterday, that if this is an emergency the same
26 object could be realized through passage of a bill that gave
27 the specific powers to condemn the land needed as I believe
28 Senator Merritt sponsored a bill that provided.

29 PRESIDENT:

30 Senator Schaffer.

31 SENATOR SCHAFFER:

32 Mr. President, if the Speaker would...or the sponsor would
33 yield for a question.

1. PRESIDENT:
2. He indicates he will.
3. SENATOR SCHAFFER:
4. I notice with interest that the territory in DuPage County
5. had been removed from the district. That hasn't been discussed
6. much here. What was the reason for the moving...removing DuPage?
7. PRESIDENT:
8. Senator Dougherty.
9. SENATOR DOUGHERTY:
10. I tell you, I don't know why the properties in DuPage County
11. was put in there in the first place. I was not around, but
12. it was put in there...it's only Sections 37 of...of town...
13. Section 14 of Township 37 of DuPage County. It is about five
14. acres of land. And there was a Senator down here a number of
15. years ago Senator Lottie Holman O'Neill was always jealous of DuPage
16. County and she wanted a part of the operation. Now, that's
17. the only way I can explain it.
18. PRESIDENT:
19. Senator Schaffer.
20. SENATOR SCHAFFER:
21. Well, then, Mr. President, as I understand it DuPage County
22. is being removed from the Port Authority because it really
23. doesn't need to be there and I think that's a fine concept and
24. I hope my friends from the City of Chicago would be willing to
25. extend that concept to the Regional Transit Authority.
26. PRESIDENT:
27. Any further discussion? The question is, shall Senate Bill
28. 1789 pass? Those in favor will vote Aye. Opposed Nay. The
29. voting is open. Have all voted who wish? Take the record. On
30. that question the Ayes are 38, the Nays are 11, with 4 Voting
31. Present. Senate Bill 1789 having received the constitutional
32. majority is declared passed. Senator Dougherty moves to recon-
33. sider the vote by...oh, Senator Dougherty.

1. SENATOR DOUGHERTY:

2. Move to reconsider the vote, that's right.

3. PRESIDENT:

4. Senator Rock moves to Table that motion. All in favor
5. say Aye. Opposed Nay. The Ayes have it. The motion carries.
6. Senator Dougherty.

7. SENATOR DOUGHERTY:

8. I just wanted to thank the Body. Thank you.

9. PRESIDENT:

10. Senate Bill 1935, Senator Hynes. Read the bill. Oh,
11. pardon me. Senator Hynes is recognized.

12. SENATOR HYNES:

13. Mr. President, I do not wish to call the bill for final
14. passage today, but I do have an amendment and I'd like to
15. have it brought back to 2nd reading for the purpose...

16. PRESIDENT:

17. Is leave granted to bring Senate Bill 1935 back to the
18. order of 2nd reading for the purpose of an amendment? Leave
19. is granted. The bill is on 2nd reading. Senator Hynes.

20. SENATOR HYNES:

21. Mr. President and members of the Senate, this amendment
22. would add some three million three hundred...four hundred
23. seventy thousand dollars to the appropriation for the Office
24. of Education, all of which is Federal money, three hundred
25. sixty-nine thousand in operations, in rent and other line
26. items and the balance in grants to local school programs.
27. The amendment has been examined carefully by the staffs of
28. the committee on both sides of the aisle and I know of no
29. objection to it. Would move its adoption.

30. PRESIDENT:

31. Any discussion. Senator Hynes moves the adoption of
32. Amendment No. 5 to Senate Bill 1935. All in favor say
33. Aye. Opposed Nay. Amendment No. 5 is adopted. Any further

1. amendments? 3rd reading. Senate Bill 1938, Senator Weaver.

2. Read the bill.

3. SECRETARY:

4. Senate Bill 1938.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Weaver.

9. SENATOR WEAVER:

10. Thank you, Mr. President. Senate Bill 1838 appropriates
11. seven hundred and ninety-two thousand one hundred dollars
12. from the State Pension Fund to the State University's Retirement
13. System. This is the system shared the distribution of
14. these chief funds and I'd appreciate a favorable roll call.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Question is, shall Senate
17. Bill 1938 pass? Those in favor vote Aye. Those opposed No.
18. The voting is open. Have all voted who wish? Take the record.
19. On that question the Ayes are 53, the Nays are none. Senate
20. Bill 1938 having received the constitutional majority is de-
21. clared passed. Senate Bill 1945, Senator Hickey. Senator
22. Carroll, I'm sorry. (Machine cut-off)...Bills on 3rd reading.
23. House Bill 3197, Senator Shapiro. House Bill 3202, Senator
24. Hynes. We're on House Bills 3rd, Senator. Senator Hynes or
25. as to...going to the order of the Secretary's Desk on page 5.
26. Senate Bill 1498, Senator Hynes. Introduction of Bills.

27. SECRETARY:

28. (Machine cut-off)...Bill 1968 and 1969.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Rules.

31. SECRETARY:

32. Senate...Senate Bill 1970 introduced by Senators Rock,
33. Partee, Donnewald and Bruce.

1. (Secretary reads title of bill)
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. 1st reading of the bill.
4. SECRETARY:
5. 1st reading of the bill.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Harber Hall, for what purpose do you arise.
8. SECRETARY:
9. Senate...
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Just...just a moment.
12. SECRETARY:
13. Senate Bill 1971.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Rules. Senator Hall.
16. SENATOR HALL:
17. Mr. President, I was inquiring about on the order of the
18. Secretary's Desk. Could we call Senate Bill 31?
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Rock I think he would address himself to that
21. question. Senator Rock.
22. SENATOR ROCK:
23. Yes, thank you, Mr. President, I spoke with Senator Hall
24. the other day, Wednesday as a matter-of-fact, suggested to
25. him that the House Committee Bill, which was yesterday heard
26. in the Senate Executive Committee and reported out unanimously,
27. will shortly there...therefore be upon the Calendar. There is
28. a substantial difference between the two versions of the bills,
29. and I think the membership would be better served to see the
30. bills side by side and decide which...which one they prefer.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Harber Hall.
33. SENATOR HARBER HALL:

1. Well, Mr. President, this bill has been on the Secretary's
2. Desk. It's been all over the place. It was in Rules. Yester-
3. day, I did talk with Senator Rock and he said...he indicated to
4. me that he would have called it except for...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Just ...Senator Hall, Harber Hall, we were on the order
7. of Introduction of Bills, I...frankly, I recognized you for
8. the purpose of...point of personal privilege. We were not on
9. that order of business of the Secretary's Desk. Senator Harber
10. Hall.

11. SENATOR HARBER HALL:

12. Well, Mr. President, we were on the order of Secretary's
13. Desk and I would like to have you return to the order of the
14. Secretary's Desk.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Well, just a moment. We were on the Secretary's Desk
17. immediately above of where you're looking. You're referring
18. to the Secretary's Desk as to Concurrence.

19. SENATOR HARBER HALL:

20. Parliamentary inquiry, Mr. President.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. You may inquire.

23. SENATOR HARBER HALL:

24. Do you intend to follow the Calendar and get today...get
25. to the order of Concurrence?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Possibly. (Machine cut-off)...Bills on 3rd reading.
28. Senate Bill 1614, Senator Morris. Read the bill. Senator Morris.

29. SENATOR MORRIS:

30. Mr. President, there was a technical mistake in one of the
31. amendments made last week and I've just put an amendment on the
32. Secretary's Desk. I would like leave of the Body to bring this
33. back to 2nd reading so that we might add this amendment which is

1. technical, and then with intervening business we can then move
2. on the bill later.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there leave? Leave is granted. Bill is on 2nd reading.
5. Amendment No. 4, Senator Morris.

6. SENATOR MORRIS:

7. This amendment really just changes...we had amended one
8. line and it was the wrong line, and this is purely a technical
9. amendment, and I'd move for adoption of it.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Just a moment. Senator Partee.

12. SENATOR PARTEE:

13. Now, does the amendment that you're offering replace
14. the one that had the technical error in it?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Morris.

17. SENATOR MORRIS:

18. This amendment amends the original Amendment No. 1
19. because that was the...the amendment that literally re-
20. wrote the bill as far as the budget was concerned, and we
21. had an error there. We had reduced fifty thousand dollars
22. in the section for automobiles and it should have been in
23. the section for equipment, and that's...really just changes that
24. line.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Partee.

27. SENATOR PARTEE:

28. So, then this...I'm...I'm just concerned about the form.
29. It does, then, amend the previous amendment making it a
30. accumulative thing instead of replacing the other amendment.
31. Is that right? So, you need them both to give full sense.

32. Is that correct?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Morris.

2. SENATOR MORRIS:

3. Yes, Sir.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? The motion is to adopt

6. Amendment No. 4. All those in favor indicate by saying Aye.

7. Those opposed Nay. The Ayes have it. The Amendment 4 is

8. adopted to Senate Bill 1614. Any further amendments?

9. 3rd reading. Any other bills on 3rd reading? Senate Bills.

10. Resolutions.

11. SECRETARY:

12. Resolution 77, introduced by Senator Regner.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Executive. Senate Bills on 3rd reading. Senate Bill

15. 1614, Senator Morris. Read the bill.

16. SECRETARY:

17. Senate Bill 1614.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Morris.

22. SENATOR MORRIS:

23. Thank you very much, Mr. President. Senate Bill 1614

24. as it now stands is 1.7 million dollars less than was originally

25. requested in the Department of Law Enforcement budget. That

26. was the basic action of the amendments placed on it by the

27. Appropriations Committee. And while there is one area that

28. I think we cut too severely I am prepared to live with the

29. bill as it now stands and would encourage a favorable roll

30. call.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Is there further discussion? The question is, shall

33. Senate Bill 1614 pass? Those in favor vote Aye. Those opposed

1. Nay. The voting is open. Have all those voted who wish?
2. Take the record. On that question the Ayes are 46, the Nays
3. are 1. Senate Bill 1614 having received a constitutional
4. majority is declared passed. Senator...to the Order of
5. Resolutions, Senator Regner. I...I...I would restate that,
6. the Order of Motions.

7. SECRETARY:

8. Okay.

9. SENATOR REGNER:

10. Just a few minutes ago Senate Joint Resolution 77 was
11. referred to the Executive Committee, and what it does, it
12. recreates the Legislative Information Systems Committee for
13. one more year. I talked to Senator Partee and he's in
14. agreement. It's the exact same wordage that we've had in
15. the previous years and I would now move to discharge the
16. Executive Committee from further consideration of Senate Joint
17. Resolution 77 for the immediate consideration and adoption
18. of this resolution.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. You've heard the motion. All those in favor indicate
21. by saying Aye. Those opposed Nay. The Ayes have it. The
22. Committee on Executive is discharged. Now, Senator Regner
23. moves for the immediate adoption of the resolution. All those
24. in favor indicate by saying Aye. Those opposed. The Ayes
25. have it. The resolution is adopted. Motions. What...just
26. ...just a moment, Senator. Senator Bell.

27. SENATOR BELL:

28. Thank you, Mr. President. I'd like to ask a question
29. of the Chairman of the Committee on Executive in reference to
30. Resolutions...Senate Resolution...Senate Joint Resolution No.
31. 66, which has to deal with the calling of a constitutional
32. convention of the U.S. Congress concerning the busing question.
33. Now, I'm wondering from the Chairman when that resolution will

1. be called to be heard before Executive?
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Johns.
4. SENATOR JOHNS:
5. We've not made a decision on that question yet as to
6. whether or not to hold another committee meeting, and I
7. will think about it over the week-end and let you know.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Graham.
10. SENATOR GRAHAM:
11. If we're on the Order of Motions I have one on the
12. Secretary's Desk...
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. We...we...we are on that order...
15. SENATOR GRAHAM:
16. I...I would like to only make this request and be very
17. brief. I'd like to proceed with that motion on Wednesday,
18. June 2nd. Yes.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Is there leave? Senator Roe, would you wish to make
21. the same motion? Senator Roe. Senator Roe. Senator Roe
22. makes the same request. Is there leave? Leave is granted.
23. Senator Glass.
24. SENATOR GLASS:
25. I wish to make the same request on my motion, Mr. President.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Is there leave? Leave is granted. Announcements.
28. Resolutions.
29. SECRETARY:
30. Resolution 365, introduced by Senator Fawell and all
31. members. It's congratulatory.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Fawell moves to suspend the rules for the immediate

1. consideration of the resolution. All those in favor say Aye.
2. Those opposed Nay. The Ayes have it. The rules are suspended.
3. Senator Fawell now moves for the immediate adoption of the
4. resolution. Those in favor indicate by saying Aye. Those
5. opposed Nay. The Ayes have it. The resolution is adopted.

6. SECRETARY:

7. Senate Resolution 366, introduced by Senator Fawell and
8. all members. It's congratulatory.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Fawell moves again for the suspension of the rules.
11. All those in favor indicate by saying Aye. Those opposed Nay.
12. The Ayes have it. The rules are suspended. Senator Fawell
13. now moves for the immediate consideration of the resolution.
14. All those in favor indicate by saying Aye. Those opposed Nay.
15. The Ayes have it. The resolution is adopted.

16. SECRETARY:

17. Senate Resolution 367, introduced by Senator Kosinski
18. and all members. It's congratulatory.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Kosinski moves for the suspension of the rules
21. for the immediate adoption of the resolution. All those in
22. favor say Aye. Those opposed Nay. The Ayes have it. The...
23. the rules are suspended and now the Chair recognizes
24. Senator Kosinski.

25. SENATOR KOSINSKI:

26. Nice and clear, Mr. President. Now, this is congratulatory
27. but I wanted to tell the members of the Senate, is a twenty...
28. celebrating the twenty-fifth anniversary is Congressman Dan
29. Rostenkowski. The Congressman was a member of the House
30. and a member of the Senate and that is what the information
31. I want to gather to you. Thank you very much, Mr. President.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Kosinski now moves for the immediate adoption of

1. the resolution. All those in favor indicate by saying Aye.
2. Those opposed Nay. The Ayes have it. The resolution is
3. adopted. Senator Partee, do you move to adjourn?

4. SENATOR PARTEE:

5. There is...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Just...just a moment. Senator Partee.

8. SENATOR PARTEE:

9. There is one other bill on Consideration Postponed.
10. Senator Bloom's bill. I think he wants to call it and bring
11. it back to the order of...well, it's on Consideration Post-
12. poned. He wants to bring it back to 2nd reading for purpose
13. of an amendment.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is...House Bill...

16. SENATOR PARTEE:

17. I think that's...that's House Bill...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. ...that's House Bill 38...

20. SENATOR PARTEE:

21. ...3844, I think it is.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. House Bill 3844. Is there leave? Leave is granted.
24. The bill is now on the order of 2nd reading. Are there
25. amendments? Senator Bloom. Just a moment. Senator Joyce.

26. SENATOR JOYCE:

27. Yes, Mr. President, I have an amendment. This would
28. clear up...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Just a moment. This would be Amendment No. 4. Proceed.

31. SENATOR JOYCE:

32. This amendment would clear up some of the problems that
33. we have been having and I talked to my clerk in Kankakee County

1. and what it would do would mandate that when precincts get
2. to 800 registered voters that they should be split. It
3. would have to be split. Also, it says that no...no county
4. board district can have split precincts, and this, you know,
5. by splitting the precincts I think it would eliminate the
6. problem and it would make it much easier to put these county
7. board districts in...in...in the district where, you know,
8. would eliminate the confusion. People now are not aware of
9. which county board district they're in. When they have...
10. when they vote they have to go in to...to their polling
11. place and where there are voting machines there has to be
12. two separate voting machines. One for a person in one dis-
13. trict and another for the people in the other district. It
14. makes it very confusing for the election judges and also
15. where the precincts are over 800 they have to...in fact, where
16. they're over 600 they have to hire an extra 5 tally judges,
17. so I cannot see where it would cost any more money, but it
18. would, you know, eliminate a lot of confusion.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. The Chair has been advised by the Secretary that this
21. is, in fact, Amendment No. 2 and not Amendment No. 4 as I had
22. previously announced. Senator...Senator Kenneth Hall.

23. SENATOR HALL:

24. Would the sponsor yield for a question?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. He indicates he will.

27. SENATOR HALL:

28. On this...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Of the amendment.

31. SENATOR HALL:

32. On...yes. On...I'm looking at this amendment just was
33. dropped on my desk. Now, in my district we have a Board of

1. Elections. We have a number of precincts that will be more
2. than one...eight hundred. Now, is this changing? Would that
3. affect my district?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Joyce..

6. SENATOR JOYCE:

7. Yes, I believe it would.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Kenneth Hall.

10. SENATOR HALL:

11. Well, then, I don't know, Senator, you're dropping some-
12. thing here now that you had a chance to check with your people
13. but I haven't had a chance to check with mine back home. I...
14. I'm concerned. I'd like to talk to...to my county clerk and
15. my Board of Elections, because this means that we have a num-
16. ber of precincts who are over a thousand, and this would
17. really create a problem for us down there, so I wish you would
18. hold this until we can get a chance to look at this.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Partee.

21. SENATOR PARTEE:

22. Well, I thought we were going to move this, but why don't
23. we put the amendment on and then hold the bill till next week
24. so that everybody gets a chance to see what the final impact
25. of the bill is. I've been in touch with the County, the County
26. Clerks Association, and they're very, very anxious for this
27. bill, because it does, in fact, save a lot of money by being
28. able to appoint these...appoint these vacancies rather than
29. have special elections and we're anxious to get moving with
30. it, and...no, I'm speaking on the amendment at the moment, but
31. I...I think...just a moment, please, please. I am...I'd like
32. to give you my full attention. I can't do that while I'm talking.
33. Now, I want to tell you that this may make some difference to

1. many members, of course it might, so why don't we put the
2. amendment on and hold it on the order of 2nd reading or
3. take it to 3rd and with the understanding that we could
4. bring it back to 2nd for any additional amendments, so that
5. we don't lose a legislative day and so that we can, you know,
6. do it with some dispatch.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Glass. Speaking as to the amendment, Senator,
9. is that correct?

10. SENATOR GLASS:

11. Yes, Mr. President, as to the amendment and I would like
12. to ask for clarification. It was my understanding of Senator
13. Joyce's explanation that he...he said that the amendment would
14. require that precincts be split after they reached 800. It
15. was my understanding of the law that that is already the law,
16. that they're supposed to be split. Maybe he could clarify
17. that point.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Joyce.

20. SENATOR JOYCE:

21. Yes, but the problem is the law gets very vague when
22. it's dealing with voting machines. Whether they have been
23. studying them, whether they have purchased voting machines.
24. There's a separate section in the statutes dealing with this
25. and it, you know, for instance, we have had voting machines,
26. I think, for three years now and...and there's still pre-
27. cincts over, you know, well over a thousand up to fifteen
28. hundred, and this would clarify that where...it...it would
29. do away with that vagueness.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. I'm sorry, Senator Joyce, I'm looking at the amendment

1. and I...I don't see the section and...and if you would kindly
2. point out where it specifically mandates all precincts be
3. split at 800.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Joyce.

6. SENATOR JOYCE:

7. In fact, it doesn't...there isn't any new wording to it.
8. All it does is eliminate the part on page 1 from line 18 to
9. on page 2, line 5, and then it says the next June after they
10. have reached 800 that they would...they should be split.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Well, then it doesn't specifically mandate the precincts
15. be cut at 800. It doesn't change the law.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Joyce.

18. SENATOR JOYCE:

19. No, it doesn't change the law. The law already says
20. that precincts shall be split at 800, but it gets vague and
21. when it starts dealing with the voting machines.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Philip.

24. SENATOR PHILIP:

25. Thank you, Mr. President, I'd just like to make this
26. observation, and I think the law is very clear in my judge-
27. ment. The law says when a precinct has over 600 registered
28. voters you may split that precinct. When the precinct be-
29. comes over 800 and that means 801, you shall split...split
30. that precinct. Now, what happens is, in some counties the
31. county clerk or the Election Commission do not follow the law.
32. They do not split the precincts. Now, I don't know how, even
33. if you say mandate or shall, they just don't do it, and I

1. don't know how you can force counties clerks and Election
2. Commissions into splitting precincts. Now, in regards to
3. your other problem, we had the same problem when we had
4. reapportionment in 1970. I had one precinct in my legisla-
5. tive district that had three...was put into three legisla-
6. tive districts, and so when voters would come in there they
7. would really be confused, they didn't know who their State
8. Senator was or who their State Representative was. We had
9. to have three sets of ballots, three sets of precincts
10. maps, three sets of judges and it was a complete disaster.
11. At the next...before the next election our commission came
12. in and they changed the borders of that precinct and they
13. put that precinct wholly within my legislative district.
14. Any county election commission can do that, the county clerk
15. can do that. They have the authority right now and why we're
16. fooling around with this amendment and this bill I simply do
17. not understand.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Wooten. Oh, just a moment. Do you wish to re-
20. spond, Senator Joyce?

21. SENATOR JOYCE:

22. The reason we're fooling around with it...with it is be-
23. cause they refuse to do it, and we're trying to just say "look,
24. this is what you've got to do, don't split the precincts and
25. confuse the voters." It's a very simple thing.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Philip.

28. SENATOR PHILIP:

29. Well, I just don't see how you can force the election com-
30. mission or the county clerk into splitting precincts, if
31. they don't want to do it. Now, there isn't any penalty and...
32. and I don't know how you're going to force them into doing it.
33. Now, my...my election commission always splits precincts. We

1. don't have a...we didn't split a precinct that wasn't over
2. 800, everytime we have, and we have taken care of all those
3. problems where the precincts overlap, county board districts
4. and legislative district. It's a mechanical simple thing
5. that that election commission does and will do, but if they
6. don't want to do it, there's no way of forcing them into
7. splitting precincts or changing precinct boundaries. That's
8. how simple it is. No matter what your amendment does or what
9. your bill does.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Wooten.

12. SENATOR WOOTEN:

13. The richness of the english language is perhpas giving
14. us some problems. At least I was having difficulty distin-
15. guishing what kind of splitting we're discussing. It seems
16. to me the bill...this amendment does one thing clearly. It says you
17. can't take an existing precinct, put part of it in one
18. county board district and part in another. I think that's
19. good. It also takes out the fudge language that county clerks
20. use to delay splitting precincts. If you look on page five,
21. I believe it is, provisions of this section apply to all
22. precincts including those where voting machines or electronic
23. voting systems are used, and it cuts out all of the language
24. the county clerks have used to justify dilatory tactics in
25. splitting precincts which have grown too large, so the amend-
26. ment accomplishes two good things. Things, I think, which
27. conscientious county clerks, well run political organizations
28. already do, but because of all offices are filled by human
29. beings doesn't mean that everybody does the proper thing willingly,
30. and this amendment makes it crystal clear what can and cannot
31. be done.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? The question is, shall...just

1. a moment. Senator Davidson.

2. SENATOR DAVIDSON:

3. Well, and most of the argument has been covered, but
4. there's one thing, if this amendment goes on and Senator
5. Philip spoke that there is no way to mandate, but if Senator
6. Joyce's amendment goes on as is, you're mandating that eleven
7. or twelve or thirteen counties in this State which have split
8. precincts within a county board district, that they're going
9. to reapportionment their county board. Now, if they want
10. to, if they don't want to there is nothing you can do to
11. solve it. More importantly with the census not coming up
12. till 1980 and you have any growth in your county at all
13. the 1970 census is then incorrect. You're, therefore, go-
14. ing to make this county board or the election commission
15. which has to correct this error or change these precincts
16. subject to suit, because the percentage of number of voters
17. to the one man, one vote in each district, therefore, would
18. be in jeopardy. I think rather than put this amendment on
19. I would suggest to Senator Joyce that he hold the amendment
20. until we get everything worked out, because you're really
21. saving...you're not losing a day, you're not gaining a day.
22. Let's get this thing worked out and do it correctly before
23. we put an amendment on and have to reconsider and take it
24. off and et cetera. It...this amendment as presented is going
25. to create problems for many...not going to create any problems
26. in my district, cause I don't have any split precincts in the
27. county board district, but it's going to create a problem
28. in those other twelve or thirteen counties that you've already
29. heard from.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? The question is, shall
32. Amendment No. 2 to House Bill 3844 be adopted. Those in favor
33. indicate by saying Aye. Those opposed Nay. The Ayes have it.

1. The amendment is adopted. The bill will return to the
2. postpone consideration. Senator Partee moves that the
3. Senate adjourn Tuesday at 1:00 p.m. All those in
4. favor indicate by saying Aye. Those opposed Nay. The
5. Ayes have it. The Senate is adjourned.
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