

79th GENERAL ASSEMBLY

REGULAR SESSION

JUNE 10, 1976

1. PRESIDENT:

2. The hour of ten having arrived, the Senate will come
3. to order. Will our guests in the gallery please stand as
4. we have prayer by Dr. David S. Gotaas, Winnetka Bible
5. Church, Winnetka, Illinois.

6. DR. GOTAAS:

7. Let us pray. Gracious Heavenly Father, we praise Thee
8. this day for the health that we have to enjoy this day and all
9. the benefits that come to us by Thy hand of mercy. We ask
10. of Thy direction upon the members of this Chamber as they meet
11. together today for their discussions and consultations and
12. deliberations that they might seek Thy mind and that they might
13. understand Thy will and pursue it. Help them, our Father, to
14. be able to say, as Nehemiah did when confronted with the
15. reality of individuals who could not stand against the temptations
16. that confronted them, and he was able to say, "so did not I,
17. because of the fear of God." Help us all to remember that unless
18. Thou dost build the house, they labor in vain who build it and
19. help us also our Father, to respond as Solomon of Old
20. when he was granted the privilege of asking whatever he would
21. from Thy hand and he said, "give me wisdom to know how to come
22. in and go out from before the people." We praise Thee, our
23. Father, because we can bring these requests before Thee and we
24. ask Thy blessing upon all of the Senators who meet together
25. this day and upon their actions, through Jesus Christ, our
26. Lord. we pray. Amen..

27. PRESIDENT:

28. Reading of the Journal.

29. SECRETARY:

30. June the 2nd, 19...Wednesday June the 2nd, 1976, Thursday,
31. June the 3rd, 1976.

32. PRESIDENT:

33. Senator Knüppel.

1. SENATOR KNUPPEL:

2. Mr. President, I move that the Journals just read by
3. the Secretary be approved unless some Senator has additions
4. or corrections to offer.

5. PRESIDENT:

6. You heard the motion. All in favor say Aye. Opposed
7. Nay. The Ayes have it. The motion carries. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Mr. Chairman, I move that the reading and approval
10. of the Journals of Friday, June 4th, 1976, Monday, June 7th, 1976,
11. Tuesday, June 8th, 1976, and Wednesday, June 9th, 1976, be
12. postponed pending the arrival of the printed Journals.

13. PRESIDENT:

14. You heard the motion. All in favor say Aye. Opposed
15. Nay. The Ayes have it. The motion carries. Committee
16. reports.

17. SECRETARY:

18. Senator Donnewald, Chairman of Assignment of Bills, assigns
19. the following bills to committee: Appropriations; House Bill
20. 3377. Executive; House Bill 3913. Judiciary; House Bills
21. 3856, 3886, 3887, 3888, 3889, 3914, and 3916. Local Government;
22. House Bill 3586.

23. Senator Daley, Chairman of Judiciary Committee, reported that
24. the Committee by a record vote sponsors a bill with the
25. following title for introduction in the Senate:

26. (Secretary reads title of bill)

27. Senator...Senator Daley, Chairman of Committee on Judiciary
28. reported that the Committee by a record vote sponsored a bill with
29. the following title for introduction in the Senate:

30. (Secretary reads title of bill)

31. PRESIDENT:

32. Messages from the House.

33. SECRETARY:

1. A Message from the House by Mr. O'Brien, Clerk.
2. Mr. President - I am directed to inform the Senate
3. that the House of Representatives passed bills with the following
4. titles in the passage of which I am instructed to ask the
5. concurrence of the Senate, to-wit:
6. House Bills 129, 3138, 3192, 3208, 3403, 3518, 3565,
7. 3602, 3603.
8. PRESIDENT:
9. Rules Committee.
10. SECRETARY:
11. A Message from the House, by Mr. O'Brien, Clerk.
12. Mr. President - I am directed to inform the Senate
13. that the House of Representatives has concurred with the
14. Senate in the passage of a bill with the following title:
15. Senate Bill 1622 along with four House amendments.
16. PRESIDENT:
17. Secretary's Desk.
18. SECRETARY:
19. A Message from the House, by Mr O'Brien, Clerk.
20. Mr. President - I am directed to inform the Senate
21. that the House of Representatives has concurred with the
22. Senate in the passage of a bill with the following title:
23. Senate Bill 1607 with four House amendments.
24. PRESIDENT:
25. Secretary's Desk. Introduction of Bills.
26. SECRETARY:
27. Senate Bill 1997, introduced by the Committee on Judiciary.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. Senate Bill 1998, introduced by the Committee on Judiciary.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDENT:

1. Senate Bills on 2nd reading. Come on out of your offices
2. now and come on over here. Senate Bill 1601, Senator Netsch.
3. Senate Bill 1625, Senator Carroll. Senate Bill 1719, Senator
4. Vadalabene. Senate Bill 1742, Senator Rock. Senate Bill 1751,
5. Senator Knuppel. Pardon me, Senator. We'll go back to 1742,
6. Senator Rock.

7. SECRETARY:

8. Senate Bill 1742.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. The Committee on Appropriations
11. offers one amendment.

12. PRESIDENT:

13. Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President, Ladies and Gentlemen of the
16. Senate. Senate Bill 1742 is the bill which makes the reappropriations
17. for the Capital Development Board. The subcommittee of the
18. Appropriations Committee met again, yesterday, and we do have a
19. couple of amendments. Amendment No. 1 as offered in Committee,
20. in the bill, as introduced, there was a total of six hundred and
21. forty-seven million dollars in reappropriations. The bill,
22. as introduced, also called for some mandatory lapses. By virtue
23. of Amendment No. 1, we struck the so-called language for mandatory
24. lapses in the sum and substance of the bill, as introduced, was
25. five hundred and fifty-two million dollars. By virtue of our striking
26. the mandatory lapses and putting Amendment No. 1 on, the total
27. amount for reappropriation for Capital projects is six hundred
28. and thirty-three million dollars. Now, there is going to be another
29. amendment offered, going through the bills certain cuts were,
30. in fact, made. We have conferred at length with the Capital
31. Development Board and with the various agencies involved and we did,
32. in fact, make some cuts. Amendment No. 1 is the Committee
33. Amendment which was offered last week and for our purposes this

1. morning, I would move the adoption of Amendment No. 1 with
2. the understanding that Amendment No. 2 is coming and certain
3. reappropriation matters are being put back into the bill.
4. So, I would move the adoption of Amendment No. 1.

5. PRESIDENT:

6. Any further discussion? Senator Rock moves the adoption
7. of Amendment No. 1 to Senate Bill 1742. All in favor will say
8. Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.

9. SECRETARY:

10. Amendment No. 2, offered by Senator Rock.

11. PRESIDENT:

12. Senator Rock.

13. SENATOR ROCK:

14. Amendment No. 2, Mr. President and Ladies and Gentlemen
15. of the Senate, takes into account about five or six separate
16. items. There is a technical change with respect to the
17. numbering of the sections. There is a reappropriation to the
18. Department of Mines and Minerals for land reclamation. There is
19. a technical amendment with respect to the community colleges
20. where the mandatory lapses were, in fact, cut out twice by
21. Amendment No. 1. There was a land acquisition cut. I don't
22. see Senator Roe on the Floor, but with respect to his district,
23. there was a land acquisition cut of some three hundred thousand
24. dollars and finally, there was a reinsertion of two projects from
25. the Department of Conservation in St. Clair and Madison County
26. at the request of Senator Vadalabene. With those five changes,
27. I would move the adoption of Amendment No. 2.

28. PRESIDENT:

29. Any further discussion on Amendment No. 2? Senator Rock
30. moves the adoption of Amendment No. 2 to Senate Bill 1742.
31. All in favor will say Aye. Opposed Nay. The Ayes have it.
32. Amendment No. 2 is adopted. Any further amendments? Any
33. amendments from the Floor? Senator Buzbee, for what purpose do you

arise?

SENATOR BUZBEE:

Mr. President, not having had time to look over these amendments in any detail at all, and having been up in a meeting... some of the Democratic members of the Appropriations Committee, I wonder after looking them over and discussion with Senator Rock, if he would agree tomorrow, if necessary, to move it back for further amendments?

PRESIDENT:

He indicates that he will. Any amendments from the Floor? 3rd reading, with that understanding, Senator Buzbee. Senate Bill 1751, Senator Knuppel. Read the bill.

SECRETARY:

Senate Bill 1751.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor? 3rd reading. Senator Netsch, we passed 1601. Did you desire to move that bill? Senate Bill 1784, Senator Glass. Senate Bill 1786, Senator Wooten. Read the bill.

SECRETARY:

Senate Bill 1786.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments. One Floor amendment offered by Senator Wooten.

PRESIDENT:

Senator Wooten.

SENATOR WOOTEN:

Yes, Mr. President. This amendment meets the objection of the Secretary of State and the Vehicle Recycling Board. The idea behind the bill is simply that whenever the funds in the Vehicle Recycling Fund exceed one million dollars, that they may be transferred into the General Revenue Fund. This amendment makes

1. it clear that it's in excess over one million dollars, and this
2. brings the bill in conformity so that it's approved by the
3. Governor and the Secretary of the State and I would move the
4. adoption of the amendment.

5. PRESIDENT:

6. Any further discussion? Senator Rock.

7. SENATOR ROCK:

8. I...I have no objection to the amendment. My question is
9. will the Senator tomorrow call it back for purpose...I...I do
10. have an amendment, I wish to offer. I can offer it now or I can
11. offer it tomorrow.

12. PRESIDENT:

13. Senator Wooten.

14. SENATOR WOOTEN:

15. Either way is fine with me. I'll be glad to call it back
16. or we can consider it now. Whichever you prefer, Senator.

17. PRESIDENT:

18. Senator Rock, your choice.

19. SENATOR ROCK:

20. Well, I'm just kind of taking a preliminary head count,
21. if we might be better off tomorrow.

22. PRESIDENT:

23. 3rd reading with the understanding it can be brought back
24. tomorrow. Oh, Senator to...Wooten move the adoption of Amendment
25. No. 1 to Senate Bill 1786. All in favor say Aye. Opposed Nay.
26. The Ayes have it. Amendment No. 1 is adopted. 3rd reading.
27. Senator Netsch is recognized.

28. SENATOR NETSCH:

29. Thank you, Mr. President. I would like to move to re-refer
30. Senate Bill 1601 to the Committee on Appropriations. It is
31. the separate Pollution Control Board bill. It...should it
32. come out in the...omnibus bill later, but I think it
33. would make more sense to send that bill back to committee
34. until the omnibus bill is worked on. I, then...I, therefore,

1. move that Senate Bill 1601 be re-referred to the Committee
2. on Appropriations.

3. PRESIDENT:

4. You...you heard the motion. All in favor say Aye. Opposed
5. Nay. The Ayes have it. The bill is re-referred to the
6. Committee on Appropriations. Senate Bill 1867, Senator Bruce.
7. Senate Bill 1878, Senator Demuzio. I'd just like to point out
8. that Senator Netsch has started something, I hope that you
9. will all adopt. Senate Bill 1930, Senator Glass. Read the bill.

10. SECRETARY:

11. Senate Bill 1930.

12. (Secretary reads title of bill)

13. 2nd reading of the bill. The Committee on Local Government
14. offers one amendment.

15. PRESIDENT:

16. Senator Glass.

17. SENATOR GLASS:

18. I would move for the adoption of the Committee amendment
19. which places the bill essentially in...in the form of the
20. counties working cash fund provisions as distinct from school
21. district working cash fund. This is a bill that grants
22. working cash funds to the park districts and I would move
23. for adoption of Committee Amendment No. 1.

24. PRESIDENT:

25. Any discussion? Senator Glass moves the adoption of
26. Amendment No. 1 to Senate Bill 1930. All in favor will say
27. Aye. Opposed Nay. The Ayes have it. The amendment is adopted.
28. Any further amendments?

29. SECRETARY:

30. Amendment No. 2, a Floor amendment, offered by Senator
31. Glass.

32. PRESIDENT:

33. Senator Glass.

1. SENATOR GLASS:

2. Thank you, Mr. President, Ladies and Gentlemen. In
3. committee, at the request of several of the committee members,
4. I agreed to amend the bill to provide a backdoor referendum
5. when taxes levied to create the working cash fund for park
6. districts, that is what this amendment does and I move for
7. its adoption.

8. PRESIDENT:

9. Senator Berning.

10. SENATOR BERNING:

11. Just one question. Thank you, I have a copy.

12. PRESIDENT:

13. He indicates he'll yield.

14. SENATOR BERNING:

15. Without taking the time to run through this, Senator
16. Glass, what percentage of voters or electors are necessary
17. for the backdoor referendum to be required?

18. PRESIDENT:

19. Senator Glass.

20. SENATOR GLASS:

21. Senator Berning, ...the percentage is...is five percent
22. of the electors voting for the office of Park Commissioner
23. in the last general Park District election.

24. PRESIDENT:

25. Any further discussion? Senator Glass moves the adoption
26. of Amendment No. 2 to Senate Bill 1930. All in favor will say
27. Aye. Opposed Nay. The Ayes have it. The amendment is adopted.
28. Any amendments from the Floor? 3rd reading. Senate Bill 1936,
29. Senator Rock. Senator Rock.

30. SENATOR ROCK:

31. 1936 is the new Capital Project request. I wonder, before
32. we get to that order of business, I see Senator Wooten approaching
33. the Chair. I wonder if we could go back to 1786. The amendment

1. which I had intended to offer, I understand will be handled by
2. Senator Hynes. Senator Wooten has agreed that we can
3. handle it right now. It's a proposed Amendment No. 2.
4. to 1786. Before we get to the Capital Projects, I wonder
5. if we could offer that one.

6. PRESIDENT:

7. Is there leave? Leave is granted. The bill under
8. consideration now is Senate Bill 1786, which has been
9. returned to the order of...which has been returned to
10. the order of 2nd reading. ...bill is now on 2nd reading,
11. Senate Bill 1786, Senator Hynes.

12. SENATOR HYNES:

13. This is Amendment No. 2, I believe, and this amendment
14. would provide that any amount transferred from the Vehicle
15. Recycling Fund in excess of one million dollars would be transferred
16. to the Common School Fund rather than to the General Revenue
17. Fund. And I would move the adoption of Amendment No. 2,
18. I believe it is.

19. PRESIDENT:

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Well, Mr. President and colleagues, I would certainly
23. object to this amendment, not because I have any lessened
24. desire to see money go into the Common School Fund, but
25. because I think it is generally a bad practice to earmark
26. funds. We appropriate amounts for education from the General
27. Revenue Fund and I think it is generally a bad practice to
28. earmark funds for any purpose. I need scarcely point out
29. to the members of this body that we're going to be in a rather
30. tight financial situation this summer. This bill is one of
31. several designed to give maximum flexibility to State government.
32. We're going to have pressure from a lot of different points
33. in government and I think that it's only prudent to put our

1. money, our excess funds, into General Revenue and then
2. take them from there as they are needed. So, I would oppose
3. this amendment.

4. PRESIDENT:

5. Any further discussion? Senator Glass.

6. SENATOR GLASS:

7. I'd like to ask the sponsor a question if I may,
8. Mr. President.

9. PRESIDENT:

10. He indicates he'll yield.

11. SENATOR GLASS:

12. Senator Hynes, is this a committee amendment?

13. PRESIDENT:

14. Senator Hynes.

15. SENATOR HYNES:

16. No, it is not.

17. PRESIDENT:

18. Senator Glass.

19. SENATOR GLASS:

20. I'm just wondering what...what amount of dollars
21. are you talking about here. I tend to...four...four to five
22. million? Is there any other precedent for...for this in
23. our State government that you know of, I mean, have we ever
24. done this before?

25. PRESIDENT:

26. Senator Hynes.

27. SENATOR HYNES:

28. There...there are some funds earmarked to the Common
29. School Fund. I could not give you precise list of what they
30. are, though..

31. PRESIDENT:

32. Senator Glass. \

33. SENATOR GLASS:

1. Well,...well, I would just concur that it is a, and I hope
2. the membership is aware, it is a fairly significant precedent, if...
3. if we're going to set it. I...I don't know whether we ought to
4. or not, but I...I think Senator Wooten makes a good point, that
5. ...that there are funds that the...that are needed statewide
6. and for many other purposes and I...I question, seriously, whether
7. we ought to be earmarking funds of this nature. Certainly,
8. the schools are as needy, if not needier than any other
9. causes in the State, but I just hope the membership is aware
10. of the significance of this amendment.

11. PRESIDENT:

12. Senator Harris.

13. SENATOR HARRIS:

14. Well, Mr. President, nobody can deny the significance
15. and the tender loving care that we all have for the general
16. purpose of education. But, this is a somewhat illusive
17. kind of availability that will result and it seems to me that
18. we've got to be much more firm in our understanding of what
19. will be deposited into the Common School Fund and I just think
20. that this is...is...I...I don't want to level the charge
21. of window dressing kind of activity, but, I don't think it's
22. a sound concept at all, and would hope that the members on this
23. side would join me in resisting this amendment. I just don't
24. think it is...is a wise thing to do. This is a program created
25. by statute and there is a significant amount of money building
26. up in this Vehicle Recycling Fund and it makes good sense that
27. when it's above a million to transfer it into General Revenue and
28. we ought to do that in...in that fund. We make allocations
29. out of General Revenue to all of the essential and important
30. purposes of State government. I just think this amendment,
31. while noble in its purpose, is truly not in the best interest
32. of sound, fiscal management of the State's financial needs.
33. I would oppose the amendment.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, Ladies and Gentlemen of the
5. Senate. I rise in support of Amendment No. 2 and would
6. hasten to add that I don't wish to characterize it either,
7. but it is certainly not window dressing. We are talking about
8. an amount approximating six million dollars this year and I
9. think with the fiscal crunch we are all...we are addressing,
10. that to admit that this fund can be used for that purpose,
11. we have all campaigned long and hard in our districts and
12. everybody says to me and to everybody else, what happened
13. to the lottery money? And the lottery money, everybody knows
14. what happened to it. It's in the General Revenue Fund.
15. It seems to me that we can, in fact, take this six million dollars
16. and say this is for the Common School Fund. And I would support
17. and urge everyone to support Amendment No. 2.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Senator Wooten.

20. SENATOR WOOTEN:

21. Thank you, Mr. President. I'm sorry to speak a second
22. time on this, but I merely want to refer to a point. Senator Rock
23. has made, that I've heard the same objections from people
24. and I've told them right up front that it's a bad practice to
25. earmark funds, the question is, how we distribute General
26. Revenue Funds? That will continue to be the question and I
27. will not support any move to earmark funds, lottery or any other
28. kind. We have to face our responsibilities in allocating monies
29. from the General Revenue Fund. I think we ought to continue
30. to bite that bullet and defeat this amendment. Keep all the monies
31. in the General Revenue Fund and make our decisions from that source.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? The question is, shall Amendment
34. No. 2 to Senate Bill 1786 be adopted? Those in favor indicate by

1. saying Aye. Those opposed Nay. There is a request for a
2. roll call. Roll call will be had. On that question, those in
3. favor of Amendment No. 2 shall vote Aye. Those opposed shall
4. vote No. The voting is open. Have all those voted who wish?
5. Have all those voted who wish? Take the record. On that
6. question, the Ayes are 27, the Nays are 25. Amendment No. 2
7. having received a majority of those voting is adopted. There
8. is a request for a verification. A verification will be had.
9. Will the members please be in their seats. The Secretary
10. ...I presume the request is for the affirmative vote, Senator?
11. Senator Rock.

12. SENATOR ROCK:

13. I would like to have the negatives. Can we have those
14. first?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. We'll...we'll take them both. Secretary will read those
17. voting in the affirmative.

18. SECRETARY:

19. The following voted in the affirmative: Brady, Buzbee,
20. Carroll, Chew, D'Arco, Daley, Demuzio, Donnewald, Dougherty,
21. Egan, Fawell, Kenneth Hall, Hynes, Johns, Joyce, Knuppel,
22. Kosinski, Lane, Lemke, McCarthy, Newhouse, Nudelman, Rock,
23. Savickas, Smith, Vadalabene, Mr. President.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Do you still request the negative vote, Senator Rock?
26. It's pretty hard to see Senator D'Arco behind Senator Lemke.
27. The roll call has been verified, the amendment is adopted.
28. Are there further amendments? 3rd reading. Senator Wooten,
29. I think we do, now, return to Senate Bill 1625. You are, in fact,
30. the chief sponsor of that bill? The Calendar is in error.
31. Read the bill.

32. SECRETARY:

33. Senate Bill 1625.

34. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Appropriations
2. offers three amendments.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Wooten.

5. SENATOR WOOTEN:

6. I think it's more appropriate for someone on the
7. Appropriations Committee to offer these amendments. I'll
8. resist most of them.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Hynes. Senator Buzbee, Amendment No. 1.

11. SENATOR BUZBEE:

12. Mr. President, Amendment No. 1 is the Partee amendment, the
13. fifty percent amendment on Personal Services, Travel, and
14. Telecommunications that no more than fifty percent shall
15. be...shall be spendable in the first half of FY '77 and point
16. number two is of this amendment, is that it deletes the one
17. hundred percent transfer ability of funds. We've restricted
18. them to the regular two percent as we...as we always have and
19. I would move the adoption of Amendment...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there...

22. SENATOR BUZBEE:

23. ...No. 1.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. ...further discussion? Question is, shall Amendment No.
26. 1 to Senate Bill 1625 be adopted? Those in favor indicate by
27. saying Aye. Those opposed Nay. The Ayes have it. The amendment
28. is adopted. Amendment No. 2.

29. SENATOR BUZBEE:

30. Yes, Mr. President. Amendment No. 2 reduces the funding for
31. new aid extended vacant positions by providing fifty percent
32. phasing. This applies to the following areas: General Office,
33. we've cut sixteen thousand five hundred, a million one hundred sixty-

1. five thousand two hundred from Adult Institutions, hundred
2. fifty-one thousand eight hundred dollars from Juvenile
3. Institutions for a total of a million three hundred thirty-three
4. thousand five hundred dollars. Of this total Personal Services
5. reduction is a million one hundred ninety-five thousand nine
6. hundred, Retirement and Social Security is one hundred
7. thirty-seven thousand six hundred. This does not effect Federal
8. employees already on board and the intent is definitely not
9. to eliminate positions, but rather to provide phasing according
10. to information contained in the committee forms. So, we're
11. simply saying that we're going to phase in some of these new
12. employees and I would move the adoption of Amendment No. 2.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Wooten.

15. SENATOR WOOTEN:

16. It's difficult to...to know how to address this particular
17. amendment. I might point out that the basic information
18. on which much of the judgements in this amendment were based
19. were a figure of vacant positions of seventy-seven or something
20. like that in February 15th which is a figure frozen in time,
21. has no relevance. There are twenty-nine vacant positions right
22. now. The idea of phasing in is not altogether a bad one, but I'm
23. afraid this cuts a little bit deeper than is practical. I may
24. point out that we already have some three hundred more adult
25. prisoners now, than were anticipated at this time. The number
26. seems to be accelerating. I would suggest that we can take
27. some phasing in but this simply goes too far. I would resist
28. the amendment, although, I would certainly accept a lesser
29. figure because the idea is not altogether bad.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Question is shall Amendment...
32. do you wish to close the debate, Senator Buzbee? Senator Buzbee.

33. SENATOR BUZBEE:

1. Well, I think Senator Wooten's point has a lot of
2. validity, but, I would point out that we have to make assumptions
3. based upon facts and figures of a given point in time
4. and we did make those assumptions based on the February 15th
5. employment standard. Again, I think, if we, in fact, have...
6. I would persist in...in moving the adoption of this amendment,
7. but if we've gone too far when it gets into the House, if we
8. can see that if, in fact, this is the case today, then we can
9. reduce that figure by some amount. So, I would move the adoption
10. of this amendment, Mr. President.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Question is shall Amendment No. 2 to Senate Bill 1625
13. be adopted? Those in favor indicate by saying Aye. Those
14. opposed. The Ayes have it. Amendment No. 2 is adopted.
15. Amendment No. 3. Senator...Regner.

16. SENATOR REGNER:

17. Yes, Mr. President and members of the Senate. This
18. amendment has a total reduction of two million three hundred
19. twenty-seven thousand one hundred dollars and it's due to the
20. collective bargaining agreement that the Department of Corrections
21. reached along with the...the representing labor union that they
22. were negotiating with. They did this under the Governor's
23. Executive Order No. 6 for collective bargaining and as we argued
24. the other day, on this philosophy of this, it was on the
25. Department of Children and Family Services and I think that the
26. General Assembly certainly should have the input which we did not
27. have any input in those negotiations. I know there will be
28. something said that, what do we do, lay people off, or cut
29. salaries or what? But, the contract is up for renegotiation coming
30. this fall and I think they can go back and do that and I would
31. move the adoption of Amendment No. 3 to Senate Bill 1625.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Well, Mr. President, I would rise in resistance to this
3. amendment. As we...the principal was established the other
4. day by this Body I think it's to our intent toward the idea
5. of collective bargaining for public employees as...as provided
6. for under Executive Order. When we dealt with the Department
7. of Children and Family Services on the same question, it was a much
8. lesser amount, some three hundred thousand dollars in the
9. Department of Children and Family Services the other day and my
10. argument against that amendment at that time was not successful.
11. We lost it overwhelmingly. But, I would point out...I would
12. point out, Mr. President, that if you could get the attention
13. of the Body, we're talking about a lot of big bucks, now,
14. Mr. President. I wonder if we could have a little bit more
15. attention from...because this is big dollars we're talking
16. about here.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator, for you, we'll do it.

19. SENATOR BUZBEE:

20. Thank you, I appreciate that.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Will the members please be in their seats and be at attention
23. for Senator Buzbee.

24. SENATOR BUZBEE:

25. I appreciate that kind of cooperation, Mr. President. Thank
26. you. We're talking about two million three hundred twenty-seven
27. thousand one hundred dollars here. We're talking about the
28. Department of Corrections. We're talking about putting
29. people's lives on the line every day, when they are in there
30. dealing with the toughened, hardened cons that populate our prison
31. system. Now, it so happens that philosophically, I am in partially...
32. in agreement with Senator Regner and partially in disagreement.
33. I happen to believe in the concept of public employee collective

1. bargaining. But, I happen to disagree with the way it was
2. brought about by the Executive...the Executive Branch of this
3. government. When the Governor went ahead and signed his collective
4. bargaining agreement, I think that he probably did have
5. legal basis for doing so. But, the fact remains that he
6. signed a collective bargaining agreement which called for a
7. pay increase in the middle of the fiscal year. I think that is
8. unfortunate, because he, by his actions, have completely ignored
9. the fact that the Legislature is the only Body in State
10. government that can appropriate money. The Governor cannot
11. appropriate money but only the Legislature can. And so what
12. he did in taking this action of assigning pay increases effective
13. 1, December, 1975 was to say, "Departments, you eat those pay
14. increases from within your internal budget." And as a matter-of-fact,
15. several times when I asked Director Sieloff about the various
16. sergeant and lieutenant vacancies that he had in his department
17. and I said, "Director, I know what your problem is,"...yes,
18. I see the green light has just gone on, Mr. President, thank you...
19. "I know what your problem is, you've not been able to fill those
20. positions due to the fact that you had to eat those pay raises
21. internally within your own budget." The Director, of course,
22. never responded to that and I don't blame him for not responding
23. because he was between a rock and a hard spot there. But, what
24. we're talking about, now, is two million three hundred twenty-
25. seven thousand dollar cut. We're going to have guards walking
26. sell blocks, where, we'll have one guard in a cell block.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator...

29. SENATOR BUZBEE:

30. ...yes, Mr. President.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. We're about...your time...not our time...your time has
33. expired.

1. SENATOR BUZBEE:

2. I will conclude my remarks, Mr. President. Thank you.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Please.

5. SENATOR BUZBEE:

6. We're going to put guards in the position of having
7. to patrol cellblocks by themselves because we're taking such
8. healthy cuts in the budget here that the...he's going to have to
9. either close down prisons with an increasing...increasing
10. prison population, or he's going to have to layoff and fire
11. employees or not hire employees that he needs. Now, we're
12. right to that point. And I would plead with you to not be
13. vindictive against the Governor, but to be supportive
14. of those people who are, in fact, working in the prisons,
15. and are patrolling them every day and please reject this amendment.
16. Thank you, Mr. President.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Wooten.

19. SENATOR WOOTEN:

20. Mr. President, I'm well aware that when we begin to talk in
21. terms of philosophy and ideals that everyone's eyes tend to
22. glaze over. So let's skip all that and just get down to the hard
23. realities that...how did I get the yellow so quickly, Mr. President?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. We're going to put you on green.

26. SENATOR WOOTEN:

27. Thank you, Sir. Let's get to the hard practical realities.
28. I thought you would be interested, if we're going to talk in
29. terms of economics, what it would cost to call out the National
30. Guard for one day. I think that's a germane subject. A hundred
31. and forty two thousand five hundred dollars. I got the figure
32. just this morning. Because you are forcing the Director of
33. Corrections to make a choice. Lay off guards or to go back

1. on the contract. Now, we may all have very rigid principals
2. to which we want to adhere, but, I've always thought that
3. politics dealt in practicalities. If you cut the Department
4. of Corrections this amount, you're inviting serious trouble.
5. No one will be interested in whether the Governor made a
6. ...an incorrect decision in collective bargaining and all the rest.
7. It will simply come back to our mandate to the Director of
8. Corrections, cut your budget, this at a time when our prison
9. population is growing more rapidly than our projections. I tell
10. you it is absolutely unthinkable to make a cut of this size.
11. I might also point out there is an error in the calculation
12. of a half million dollars, just to begin with. The Department
13. simply cannot sustain it. You are forcing the Director to make
14. one of two choices, either one of which is going to produce trouble
15. in our prisons. And I tell you this is...something we simply
16. cannot do. This amendment must be defeated.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Savickas.

19. SENATOR SAVICKAS:

20. Yes, Mr. President, members of the Senate, I think
21. one of the things we are overlooking with all this crying about
22. one guard in the cellhouse, is the irresponsibility and I
23. underline that, the irresponsibility of both the Director
24. of the Department and the union negotiators for negotiating
25. contracts when they knew there was no money to pay them.
26. How could a director or a responsible union negotiator
27. negotiate these contracts, say, well, we have no authority
28. to negotiate but we're going to sign a contract to give everybody
29. a pay raise and be damned what the Legislature and what the
30. public thinks. The Legislature isn't going to close the prisons.
31. It's not the Legislature that entered into a contract, an unreasonable,
32. unrealistic contract and the contract, which I might add, is
33. renegotiable. If...if these two parties are interested in

1. responsibility, not only to the people of the State of
2. Illinois, but to the Legislature, the people who pay the taxes
3. and pay these salaries, they will negotiate. They will open
4. up the bargaining tables and say, this is the money we have,
5. we can't give pay raises when there is no money. We can't...
6. can't exceed our statutory ability and negotiate contracts
7. with something we don't have. Your wife can't go out and
8. hire a gardener if she has no money, or if she has help around
9. the house, she can't give them a pay raise if there's no
10. money in the kitty. And this is a...exactly what these people
11. are doing. Negotiating contracts without any financial background
12. and then coming to the Legislature and say, you are irresponsible
13. because you will not fund these contracts that we negotiated.
14. It is your fault that we are going to close prisons, close
15. children's care centers, this is totally ridiculous. It...the
16. only way to settle this is to go back to the table, renegotiate
17. these contracts under realistic agreements, under realistic amounts
18. of money that the State has available and not use scare tactics
19. and that's all they are is scare tactics, for this Legislature
20. to start funding union agreements that are illegal, that have
21. been arrived at, been negotiated illegally, and I would support
22. this amendment.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. Mr. President and members of the Senate. I certainly
27. appreciate your remarks, Senator Savickas, I believe that your
28. statement as related to this bill says just about everything and
29. certainly reflects my thinking. Unless we stop this ability
30. of these department heads and bureaucrats from negotiating
31. contracts and giving increase in wages which is literally spending
32. taxpayers' money, unless we stop it, nip it in the bud right
33. now during this Session, it's going to spread like wildfire.

1. And you're going to come back here and it's going to be the
2. bureaucrats of the State of Illinois that have infiltrated
3. these departments and agencies, that are going to be responsible
4. for the necessitating of increase in taxes. Now, if we want
5. to give pay raises to employees of the State of Illinois,
6. let the General Assembly, who are elected by the people
7. do it, not these unofficial bureaucrats. And Senator Savickas,
8. you made a beautiful speech and I commend you for it.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? For the second time
11. around, Senator Buzbee.

12. SENATOR BUZBEE:

13. Mr. President, I just want to make one final point.
14. I don't know what the difference is in our voting a supplemental
15. appropriation just last Tuesday, for the Department of
16. Transportation because of the union agreement between
17. the Teamsters Union and the Department of Transportation, when
18. they didn't have enough money to pay to finish the fiscal
19. year and we voted the money for that so they could finish their
20. fiscal year, but now, we can't vote the money to keep guards
21. on duty on the job who happen to belong to the AFSCME Union.
22. Now, that logic fails to...I don't understand it, how we can vote
23. for one union agreement because they are the Teamsters and they
24. are DOT and we cannot vote for the other union agreement because
25. they are the Department of Corrections and AFSCME. And I guess
26. maybe what we ought to end up doing is to put those cons out there
27. on the road...patching the roads and we get rid of both unions.
28. Is that the way to do it? I don't know. Okay. Thank you,
29. Mr. President.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further debate? Senator Regner, do you wish to close
32. the debate?

33. SENATOR REGNER:

1. Just a couple...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Regner.

4. SENATOR REGNER:

5. Yes, Mr. President and members of the Senate. This amendment
6. does allow the two and a half percent pay increase that we
7. allowed in...in the other appropriation bills that we passed
8. and just to answer a question, a statement was made that the
9. General Assembly refused to approve a collective bargaining plan,
10. and then the Governor did and that's an absolutely true
11. statement. That's exactly what he did. And then I know what
12. he'll do just like he did in previous years after he's forcing
13. more spending down our throats to his action, he'll turn around
14. and say, the big spending Legislature. And I think we have to take
15. this action. Philosophically, the General Assembly must
16. have the input into any negotiations or deals like this and I
17. move the adoption of Amendment No. 2.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Wooten, for what purpose do you arise?

20. SENATOR WOOTEN:

21. Just on a point of personal privilege. He made a statement
22. in error. It's four hundred and fifty thousand dollars short
23. of permitting a two and a half percent increase. I just want
24. to clarify that.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. The question...the question is shall Amendment No. 3
27. to Senate Bill 1625 be adopted? Those in favor vote Aye.
28. Those opposed Nay. The voting is open. ...those voted who wish?
29. Take the record. On that question, the Ayes are 34, the Nays
30. are 12, 1 Voting Present. Amendment No. 3 to Senate Bill 1625
31. is adopted. Are there further amendments? Senator Buzbee.
32. Is this Amendment No. 4? Senator Buzbee.

33. SECRETARY:

34. 4 offered by Senator Buzbee.

1. SENATOR BUZBEE:

2. Yes, Mr. President. Amendment No. 4 is using the Department's
3. figures and we break down into standard line item accounts
4. for electronic data processing for the Correction's Training
5. Academy and for the working capital fund in the State Treasury.
6. We don't reduce by one dollar in any of these three areas,
7. we simply break them down into standard line item account by
8. using the Department's own figures. And I would move the
9. adoption of Amendment No. 4.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Wooten.

12. SENATOR WOOTEN:

13. Well, I think I will oppose this amendment simply because
14. we have taken the Department on Amendment 2 down a little
15. bit tighter than it can afford to be. We pretty much crippled
16. them with Amendment 3 and we guarantee that they are rigidly tied
17. in this one. I'd...I'm just hoping that the House will see fit
18. to correct our mistakes in this. I oppose this amendment.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Regner.

21. SENATOR REGNER:

22. Yes, Mr. President and members of the Senate. I support
23. this amendment. This is the same thing we've been doing in other
24. appropriation bills where they had lump sum appropriations in various
25. areas. It's been the feeling of the Appropriations Committee
26. to provide accountability and form and structure of line iteming
27. these large lump sum amounts and I support the amendment.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Question is, shall Amendment
30. No. 4 to Senate Bill 1625 be adopted? Those in favor indicate
31. by saying Aye. Those opposed. The Ayes have it. The amendment
32. is adopted. Are there further amendments? 3rd reading.
33. Senate Bill 1936, Senator Rock. Read the bill.

1. SECRETARY:

2. Senate Bill 1936.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Appropriations
5. offers one amendment.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Rock.

8. SENATOR ROCK:

9. Thank you, Mr. President and Ladies and Gentlemen of the
10. Senate. Before we start on this major piece of legislation,
11. I would like to recognize the fact that the Chairman
12. designate of the Capital Development Board is with us this
13. morning and I would like to introduce and have the Senate
14. recognize, Mr. Bob Gladly.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Please stand and be recognized.

17. SENATOR ROCK:

18. I just wanted...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. You may proceed.

21. SENATOR ROCK:

22. I just wanted to do that before I introduced Amendment
23. No. 1. The request was for ninety-four million dollars, we have cut,
24. by virtue of Amendment No. 1 some twenty-six million dollars out
25. of this new request and I thought it was only appropriate
26. that we tell the Chairman right out front, and I would move
27. the adoption of Amendment No. 1.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Senator Buzbee.

30. SENATOR BUZBEE:

31. Well, only to say, Mr. President, that again, with the
32. same agreement from Senator Rock that he will be willing to bring
33. the bill back tomorrow and...

34. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. He indicates he will.

2. SENATOR BUZBEE:

3. Thank you.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. Well, I just want to ask some questions. I see Chain of

8. Lakes State Park here, six hundred and seventy thousand dollars.

9. Now, where's that located?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Rock.

12. SENATOR ROCK:

13. Section...Chain of Lake State Park is up in Lake County,

14. partially, I think Senator Morris'...he's on the Chain of Lake

15. Study Commission, having taken my spot on that commission.

16. I have cut Section 5 had for request from the Department of

17. Conservation, some 8.4 million dollars. 3.3 million dollars

18. was for new land acquisition and the rest was in various

19. projects across the State. We have, by virtue of action of the

20. subcommittee and the Committee on Appropriations, totally cut

21. the entire section. The Department...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Knuppel.

24. SENATOR ROCK:

25. Wait a minute...

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Oh.

28. SENATOR ROCK:

29. The Department of Conservaton has in Senate Bill 1742

30. some thirty plus million dollars in reappropriations. That is,

31. projects that we have said to the Department, go ahead and do

32. them, they just haven't done them yet.. And it just seems to me

33. that to sit with two bills, one of which gives thirty-plus million

1. dollars for reappropriations for old projects, and then
2. to have them come in and say, we need another nine million
3. dollars for new projects. My position is, finish what you've
4. already supposed to have started and then come and ask for
5. new money.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Knuppel.

8. SENATOR KNUPPEL:
9. Well, I don't have a copy of this amendment on my desk,
10. apparently.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Well, it's a committee amendment...

13. SENATOR KNUPPEL:
14. Well,...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. ...Senator.

17. SENATOR KNUPPEL:
18. ...yes. I'd like to see it before we vote on it, if I
19. could. I...I'd like to know what...what's being taken out here.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Senator Rock.

22. SENATOR KNUPPEL:
23. Well, that didn't put it on my desk,...

24. SENATOR ROCK:
25. I will, in fact, provide the gentleman with a copy
26. of the bill as amended, which is with Amendment No. 1 which I am
27. now offering. And if you would just...if you want to wait a minute
28. and go on to some other business, I'd like to get back to this
29. and move it today. But I will provide the gentleman with a copy.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Committee amendments are only printed when they are adopted,
32. Senator. Further discussion? Take it out of the record.
33. Senate Bills on 3rd reading. Senator Partee.

B 1719
Imp. Pending
9-13-76

1. SENATOR PARTEE:

2. Just before you get to that order of business, I'd
3. just like to point out a very pleasant day that we are experiencing
4. today, which happens to be, if I could get the sponsor's
5. attention, it happens to be the birthday of Senator Berning.
6. Happy Birthday.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. I vote No. ...leave to return to the order of Senate
9. Bills on 2nd reading. Senator Vadalabene was in a committee
10. meeting and he requests that 1719 be called. Do we have leave?
11. Leave is granted. Senator Vadalabene. Read the bill.

12. SECRETARY:

13. Senate Bill 1719.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. The Committee on Finance and Credit
16. Regulations offers two amendments.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Vadalabene.

19. SENATOR VADALABENE:

20. Yes, thank you, Mr. President and members of the Senate.
21. Senate Bill 1719 adopts the so-called, flexible rate ceiling
22. for home mortgages. It removes the provisions dealing with
23. exemption of mortgage loans from usury ceiling and inserts a
24. flexible...usury ceiling based on a similar Pennsylvania plan
25. and I would move for the adoption of Senate Amendment No. 1
26. to Senate Bill 1719.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? Question is, shall Amendment
29. No. 1 to Senate Bill 1719 be adopted? Those in favor
30. indicate by saying Aye. Those opposed Nay. The Ayes have it.
31. The amendment is adopted. Amendment No. 2.

32. SENATOR VADALABENE:

33. Yes, thank you...

1719
...
9-13-76

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Vadalabene.

3. SENATOR VADALABENE:

4. Thank you Mr. President and members of the Senate.

5. Amendment No. 2 to Senate Bill 1719 is a technical amendment
6. which clarifies and conforms with another section of the
7. Interest Act to the provisions of Senate Bill 1719, as amended
8. by the first amendment, and I would move for its adoption.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Question is, shall Amendment
11. No. 2 to Senate Bill 1719 be adopted? Those in favor indicate
12. by saying Aye. Those opposed Nay. The Ayes have it. Amendment
13. No. 2 is adopted. Are there further amendments? 3rd reading.
14. House Bills on 2nd reading. House Bill 3062, Senator Fawell.
15. House Bill 3148, Senator Brady. Read the bill.

16. SECRETARY:

17. House Bill 3148.

18. (Secretary reads title of bill)

19. 2nd reading of the bill. No committee amendments.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Are there amendments from the Floor? 3rd reading. House
22. Bill 3378, Senator Carroll. House Bill 3806, Senator Rock.
23. Read the bill. I'm sorry. ...I...Senator Knuppel, you had
24. 3389 which is in the proper order. Do you wish to call 3389?
25. Read the bill.

26. SECRETARY:

27. House Bill 3389.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. The Committee on Appropriations offers
30. five amendments.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Knuppel.

33. SENATOR KNUPPEL:

1. I...I think there's been an understanding reached
2. on this. There's a problem...with respect to Amendment No. 1...
3. Committee Amendment No. 1 which is the Partee amendment and
4. the reason is partly due to the fact that for county fairs
5. and some other things that have to be done, you can't divide
6. it into fifty-fifty. So we have another amendment to offer which will
7. be Amendment No. 6 which...which does most of this, but not
8. all of it so I'd like to Table...
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. What...
11. SENATOR KNUPPTEL:
12. Amendment...
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. You...
15. SENATOR KNUPPTEL:
16. ...No. 1 and move the adoption of Amendment No. 2, 3, 4, and
17. 5.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Well, we take them one at a time, Senator. Your motion
20. now is to Table Amendment No. 1. All those in favor of...just
21. a moment. Senator Partee.
22. SENATOR PARTEE:
23. I'm sorry. I may have missed it. What is the reason for
24. Tabling Amendment No. 1?
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Knuppel.
27. SENATOR KNUPPTEL:
28. Some of the...some of the expenditures the Department of
29. Agriculture don't run on a monthly basis. It's kind
30. of like we get our paycheck now but now we're going to have to
31. take it in months hereafter. They don't just run that way.
32. For instance, county fairs, they have to expend this money
33. in the first half of the year for the premium and so forth and

1. we have another amendment which provides that not more
2. than fifty percent of the appropriation for personal services,
3. printing, et cetera, but, leaves it open as the premium funds
4. and so forth.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rock.

7. SENATOR ROCK:

8. I just want to point out that I don't have a copy of this
9. amendment, but I'm willing to listen to it.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Motion is...Senator Knuppel. The motion is to...Senator Knuppel.

12. SENATOR KNUPPEL:

13. The motion is to Table it. Now, if he wants to read it
14. when it isn't going to have any effect after this, I don't
15. really understand it when we're going to offer another one.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Rock.

18. SENATOR ROCK:

19. Well, I would not suggest that a motion to Table has no
20. effect.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. The motion is to Table Amendment No. 1 to House Bill 3389.

23. All those in favor indicate by saying Aye. Those opposed Nay.

24. The Ayes have it. Amendment No. 1 is Tabled. Amendment No. 2.

25. Senator Knuppel moves the adoption of Amendment No. 2 to

26. House Bill 3389. All those in favor indicate by saying Aye.

27. Those opposed Nay. The Ayes have it. The amendment is adopted.

28. Amendment No. 3. Senator Knuppel moves the adoption of Amendment

29. No. 3 to House Bill 3389. Those in favor indicate by saying Aye.

30. Those opposed Nay. The Ayes have it. The amendment is adopted.

31. Amendment No. 4. Senator Knuppel.

32. SENATOR KNUPPEL:

33. I move the adoption of Amendment No. 4.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Knuppel moves for the adoption of Amendment No. 4
3. to House Bill 3389. All those in favor indicate by saying Aye.
4. Those opposed Nay. The Ayes have it. Amendment No. 4
5. is adopted. Amendment No. 5. Senator Knuppel.
6. SENATOR KNUPPEL:
7. Move the adoption of Amendment No. 5.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Motion is to adopt Amendment No. 5 to House Bill 3389.
10. All those in favor indicate by saying Aye. Those opposed Nay.
11. The Ayes have it. Amendment No. 5 is adopted. Senator
12. Knuppel as to Amendment No. 6.
13. SENATOR KNUPPEL:
14. It's on the Secretary's Desk and Amendment No. 6 does approx-
15. imately what Amendment No. 1 did. It provides that fifty
16. percent of the appropriation for personal services, printing,
17. et cetera, will not...not more than fifty percent of it will be
18. expended before the first day of January, but further provides
19. that the limitations on those accounts shall not apply to
20. personal services and travel payable from the Agricultural
21. Premium Fund.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Is there further discussion? Question is shall Amendment
24. No. 6...Senator Rock.
25. SENATOR ROCK:
26. Well, I don't have a copy of this either. But, I wonder
27. if we could put the number on the board.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Secretary will please put the number on the board. Amendment
30. No. 6. Is there further discussion? The question is, shall
31. Amendment No. 6 be adopted to House Bill 3389? All those
32. in favor indicate by saying Aye. Those opposed Nay. The Ayes have
33. it. Amendment No. 6 is adopted. Are there further amendments

1. from the Floor?

2. SECRETARY:

3. Amendment No....

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Knuppel.

6. SECRETARY:

7. ...7, offered by Senator Knuppel.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Knuppel.

10. SENAOR KNUPPEL:

11. Now, we have another amendment and it has been
12. distributed, it's Amendment No. 7 and this amendment increases
13. the line item authorization to spend Federal funds on market
14. research by some ten thousand dollars. These additional
15. Federal funds were just released by United States Department
16. of Agriculture and they were not originally proposed. This
17. does not increase the appropriation so far as State funds
18. are concerned.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Question is, shall Amendment
21. No. 7 be adopted? Those in favor indicate...Senator Weaver.

22. SENATOR WEAVER:

23. I don't know, Mr. President, whether Senator Knuppel
24. has given a...oh, excuse me, I'm confused on this amendment.
25. Go ahead. It's okay.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Question...Senator Rock.

28. SENATOR ROCK:

29. Well, I think Senator Weaver is correct. Amendment No. 7
30. is an agreed amendment, but I don't think that that's the one
31. Senator Knuppel explained. Amendment No. 7 is a restoration of
32. thirty-five thousand dollars in the Agriculture Export
33. Promotion Line and a restoration of twenty-three thousand five

1. hundred in a personal service line item. Mr. Secretary,
2. does Amendment No. 7 read, "amend House Bill 3389 on page
3. five, line twenty-four, by deleting 230,500 and inserting in lieu
4. thereof, 265,500?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. He indicates that is correct.
7. SENATOR ROCK:
8. I am in support of the amendment.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Is there...Senator Weaver.
11. SENATOR WEAVER:
12. Oh, Mr. President and members of the Senate, I think
13. BED is...
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Just...just a minute. Senator Knuppel, for what purpose
16. do you arise? Senator Knuppel.
17. SENATOR KNUPPEL:
18. I numbered these as I handed them in. Now, I don't
19. know who's renumbering them, but, I definitely had the one
20. that I just talked about numbered No. 7 and that's the way
21. it was distributed on the members' desks and I have a No. 8
22. that reads the way they say it did and either I'm offering
23. amendment or they are and I don't know which way it is.
24. Now, I've got No. 7 up there and somebody misnumbered it, I can't
25. help it.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. We haven't number...there...they...No. 6 was brought to the
28. Secretary's Desk then No. 8 and we inquired...the Secretary
29. inquired whereas to the disposition of No. 7. And we don't
30. have it. Senator Weaver.
31. SENATOR WEAVER:
32. Thank you, Mr. President. Well, this amendment, regardless
33. of what number it is,...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Well, it will...this is Amendment No. 7 to keep
3. our records straight.
4. SENATOR WEAVER:
5. All right. As alluded to by Senator Rock, it adds
6. about thirty-five thousand dollars to the Overseas Office
7. which was cut by the House. Now, BED is picking up about
8. two-thirds of the cost and I think...
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. ...just a moment. Now,...
11. SENATOR WEAVER:
12. I think there's no need...
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. All right take it out of the record. Take it out of
15. the record. ...be held on 2nd reading. Where are we?
16. House Bill 3806, Senator Rock. ...bill. Read the bill.
17. SECRETARY:
18. House Bill 3806.
19. (Secretary reads title of bill)
20. 2nd reading of the bill. No committee amendments.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. Are there amendments from the Floor? 3rd reading. House
23. Bill 3807, Senator Rock. Read the bill.
24. SECRETARY:
25. House Bill 3807.
26. (Secretary reads title of bill)
27. 2nd reading of the bill. No committee amendments.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Are there amendments from the Floor? 3rd reading. House
30. Bill 3814,...House Bill 3834, Senator Netsch. Senate Bills on
31. 3rd reading. Senate Bill 1516, Senator Carroll. Senate Bill
32. 1603, Senator Bruce. Senate Bill 1608, Senator Knuppel. 1608?
33. Senate Bill 1691, Senator Glass. Senate Bill 6...1750. Senator
34. Knuppel. Senate Bill 1795, Senator Kosinski. Read the bill.

1. SECRETARY:
2. Senate Bill 1795.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Kosinski.
7. SENATOR KOSINSKI:
8. Mr. President and members of the Senate. Senate Bill
9. 1795 is the appropriation for the entire Judicial system in
10. the State of Illinois. Illinois probably has the finest court
11. system in the world. Governments come from all parts of the
12. world to check and study our great system. The Legislature
13. must take some credit because of its support for many years
14. for this great system. And now, I ask again for your support
15. for this great court and it's appropriation of forty-four
16. million twenty-nine thousand five hundred and thirty-one dollars,
17. which is a cut and reduced from...with reducement of a hundred
18. and ninety-two thousand five hundred and eighty-three dollars.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator, there is a request for a roll call.
21. SENATOR KOSINSKI:
22. So now, Mr. President, I move for a very, very favorable
23. roll call.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Is there further discussion? Senator Knuppel.
26. SENATOR KNUPPEL:
27. I have a question. Senator...
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. He indicates that he will respond.
30. SENATOR KNUPPEL:
31. Mr....Senator Kosinski, have you made any comparison
32. between what costs of justice are now and what they were before
33. we adopted the new judicial article?

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1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Kosinski.
3. SENATOR KOSINKSI:
4. No, I haven't.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Is there further discussion? Senator Knuppel.
7. SENATOR KNUPPEL:
8. I'm going to vote for this because we do have to have
9. judges but I'll tell you one thing, I don't agree with anything
10. the Senator had to say about what a beautiful court system
11. we have and I don't want to be construed in voting for this
12. as...as acknowledging anything like that.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Senator Kosinski, do you wish a...to have a...
15. SENATOR KOSINSKI:
16. Want a reply to my good friend, Senator Knuppel. He is a fine
17. attorney and I'm sure he doesn't hold any grudge against anyone,
18. I'm sure.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Question is, shall Senate Bill 1795 pass? Those in favor
21. vote Aye. Those opposed vote Nay. The voting is open. Have
22. all those voted who wish? Take the record. On that question
23. the Ayes are 49, the Nays are 4, none Voting Present. Senate
24. Bill 1795 having received a constitutional majority is declared
25. passed. Senate Bill 1801, Senator Bruce. Senate Bill 1802.
26. Senate Bill 1877, Senator Partee.
27. SENATOR PARTEE:
28. This is the affirmative action...
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. We...just a moment. Read the bill.
31. SECRETARY:
32. Senate Bill 1877.
33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Partee.

4. SENATOR PARTEE:

5. This is the affirmative action program bill. If there
6. are any questions, I'd be happy to answer them, if not,
7. I'd take a favorable roll call.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Question is, shall Senate
10. Bill 1877 pass.⁷ Those in favor vote Aye. Those opposed
11. Nay. The voting is open. Is there further...have all those voted
12. who wish? Take the record. On that question the Ayes are
13. 43, the Nays are none, 10 Voting Present. Senate Bill 1877
14. having received a constitutional majority, is declared passed.
15. Senate Bill 1941, Senator Howard Mohr. Read the bill.

16. SECRETARY:

17. Senate Bill 1941.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Howard Mohr.

22. SENATOR MOHR:

23. Yes, Mr. President. This bill originally appropriated
24. ninety-nine thousand seven hundred dollars to the Space
25. Needs Commission. There's two amendments we adopted yesterday.
26. One was a reduction of eighty-two hundred dollars for personal
27. services, the other was an addition of twenty-eight thousand
28. dollars for furniture and equipment for the first floor office
29. spaces which will be added very shortly. There's a two
30. million four hundred thousand dollar reappropriation for
31. property on the north and east sections of the Capitol and a
32. 16.4 million dollar new appropriation for...to purchase property.
33. Some of this is in negotiation now and would point out that is being

1. acquired by condemnation proceedings. I'll answer any
2. questions that...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? The question is, shall
5. Senate Bill 1941 pass? Those in favor vote Aye. Those
6. opposed Nay. The voting is open. Have all those voted who
7. wish? Take the record. On that question the Ayes are 39, the
8. Nays are 1, 9 Voting Present. Senate Bill 1941 having
9. received a constitutional majority is declared passed.
10. Senate Bill 1962. Read the bill.

11. SECRETARY:

12. Senate Bill 1962.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Howard Mohr.

17. SENATOR MOHR:

18. Yes,...yes, Mr....yes, Mr. President. This bill is for
19. twelve million dollars for the...from the Capitol Development
20. Fund to the Capital Development Board for planning and...and start
21. of construction of the New State Office Building. Answer any
22. questions on this bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Question is, shall Senate
25. Bill 1962 pass? Those in favor vote Aye. Those opposed Nay.
26. The voting is open. Have all those voted who wish? Take the
27. record. On that question the Ayes are 41, the Nays are 3, 8 Voting
28. Present. Senate Bill 1962 having received a constitutional
29. majority is declared passed. Senate...Senator Weaver.

30. SENATOR WEAVER:

31. Mr. President, I'd like to ask for a recess for the purpose
32. of a Republican caucus immediately in Room 400.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Partee.

2. SENATOR PARTEE:

3. In anticipation of questions that are going to be asked

4. me by members on this side, have you any approximate time

5. that you're going to be engaged?

6. SENATOR WEAVER:

7. Mr. President, I presume it will be approximately at

8. one hour.

9. SENATOR PARTEE:

10. Thank you. Well, here, why don't we do this then?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Just a moment. Senator Partee.

13. SENATOR PARTEE:

14. So that our members will know, why don't we just say come

15. back at 12:30 and then that will give our fellows a chance...and

16. ladies, a chance to have lunch or whatever. 12:30?

17. SENATOR WEAVER:

18. Very good.

19. SENATOR PARTEE:

20. All right.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Weaver. The Senate stands in recess until 12:30.

23. RECESS

24. AFTER RECESS

25. PRESIDENT:

26. The hour of 12:30...having arrived, the Senate will come back in

27. order. And the Senate will stand in recess until the call of the Chair.

28. RECESS

29. AFTER RECESS

30. PRESIDENT:

31. The Senate will come to order. Members will be in their

32. seats. Those not entitled to the Floor, please leave the Floor.

33. Committee Report.

1. SECRETARY:

2. Rules Committee met on June the 10, 1976 pursuant to
3. notice. The following members were present: Senators
4. Partee, Donnewald, Harris and Howard Mohr. By unanimous
5. vote, the following bills were reported out of Committee,
6. ordered read a first time and referred to Committee on Assignment
7. of Bills: House Bills 129, 1955, 30..3329, 3403, 3518,
8. and 3624; Senate Bills 1915, 1916, 1994, 1995, 1996. Senator
9. Rock arrived from the House Appropriations Committee meeting
10. at 9:45 a.m. By unanimous vote, the following bills were
11. reported out of Committee, ordered read a first time
12. and referred to the Committee on Assignment of Bills: House
13. Bill 3218. By a majority vote, the following bill was reported
14. out of...the following bills were reported out of Committee,
15. ordered read a first time, and referred to the Committee on
16. Assignment of Bills: House Bills 3531, and 3532.

17. PRESIDENT:

18. Senate Bills, 1st reading.

19. SECRETARY:

20. Senate Bill 1915.

21. (Secretary reads title of bill)

22. 1st reading of the bill.

23. Senate Bill 1916.

24. PRESIDENT:

25. Just a moment. Was there a motion...is Senator Harris on the
26. Floor? All right. Go right ahead.

27. SECRETARY:

28. Senate Bill 1916.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. Senate Bill 1994.

32. (Secretary reads title of bill)

33. 1st reading of the bill.

1. Senate Bill 1995.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. Senate Bill 1996.
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDENT:
8. House Bills, 1st reading.
9. SECRETARY:
10. House Bill 129.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. House Bill 3218.
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. Senate Bill 3329.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. House Bill 3403.
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. House Bill 3518.
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. House Bill 3532.
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDENT:
29. For what purpose does Senator McCarthy arise?
30. SENATOR MCCARTHY:
31. Parliamentary inquiry. After you read the report
32. of the Rules Committee, it was my recollection that on House Bill
33. 1955 it was said it was 1st reading of the bill today.

1. PRESIDENT:
2. The bill goes back to 2nd reading, Senator.
3. SENATOR McCARTHY:
4. Yeah, because it was read a first time a year ago...
5. PRESIDENT:
6. That's correct. It goes back to second.
7. SENATOR McCARTHY:
8. Thank you, very much.
9. PRESIDENT:
10. House Bills on 1st reading on page five of your
11. Calendar. House Bill 3912, Senator Newhouse. House Bills
12. on 1st reading, House Bill 3908, Senator Joyce. Read the
13. bill.
14. SECRETARY:
15. House Bill 3908.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDENT:
19. Read 3912.
20. SECRETARY:
21. House Bill 3912.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDENT:
25. Is Senator Glass on the Floor? Yes. Senate Bills on
26. 3rd reading, Senate Bill 1691. Senator Glass is recognized.
27. SENATOR GLASS:
28. Thank you, Mr. President and Ladies and Gentlemen.
29. I would ask for leave to call Senate Bill 1691 back to 2nd
30. reading for purpose of amendment.
31. PRESIDENT:
32. Is leave granted? Leave is granted. The bill is returned
33. to the order of 2nd reading. Senator Glass.

1. SENATOR GLASS:

2. Thank you, Mr. President, Ladies and Gentlemen. Senate
3. Bill 1691 extends the time for all the school bus drivers to
4. complete their initial examinations for one year. This amendment
5. grants the Superintendent of...the Educational Service Region
6. involved authority to extend a...an existing permit for up to
7. thirty days in cases of emergency and I move for its adoption.

8. PRESIDENT:

9. Any discussion? Senator Glass moves the adoption of
10. Amendment No. 1 to Senate Bill 1691. All in favor will say Aye.
11. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.

12. Any further amendments? Any amendments from the Floor?
13. 3rd reading. Senate Bills on 3rd reading. Oh, just a moment.
14. Senator Rock, maybe we could take that 1936? Senate Bills on
15. 2nd reading. Page two of your Calendar. Senate Bill 1936,
16. Senator Rock.

17. SECRETARY:

18. Senate Bill 1936.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Appropriations
21. offers one amendment.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President and Ladies and Gentlemen of the
26. Senate. Amendment No. 1 was a result of a subcommittee
27. recommendation and what it did in effect was Senate Bill 1936
28. as introduced, reflected the Governor's Budget Message of early
29. March and called for a total of seventy-four million dollars
30. in new capital. We have, in fact, by virtue of Amendment No. 1
31. reduced that by some twenty-six million dollars. Additionally,
32. there was...there is contained within the confines of Senate
33. Bill 1936, the operations budget for the Capital Development

1. Board. They have requested 7.2 million dollars. We have cut that
2. by some seven hundred thousand dollars. The subcommittee met
3. again after the full committee had accepted the recommendation
4. and we will, in fact, be offering Amendments No. 2 and 3 to restore
5. some of the twenty-six million dollar cut. We felt, however,
6. that in view of the large reappropriation contained in
7. Senate Bill 1742, which this Body amended this morning,
8. that to embark on a large new capital program was just not
9. in the best interest of the people of this State. Our bonded
10. indebtedness is growing and it seems to me that some have the
11. tendency to relate to Capital Bond money somewhat the same as
12. we relate to Federal money. It's almost like funny money. The
13. fact of the matter is that there is a debt service incurred
14. each and every year which comes out of General Revenue. For
15. FY '77 it is in the amount of one hundred and ten million dollars.
16. The projected estimate for FY '78 if we stay at the exact level
17. we're at right now, is a hundred and forty-three million dollars,
18. and if I can call to the attention of the membership when last
19. Session we were considering the Governor's request for an
20. accelerated building program, which this General Assembly wisely
21. turned down, the Comptroller of this State issued a report
22. as to the bonded indebtedness of this State in the dollar amount
23. required from General Revenue to pay the debt service. It
24. just seems to me that in this period when everybody admits
25. that the State of Illinois is financially hard-pressed, that we
26. had better reexamine and perhaps postpone some of the laudatory
27. projects that have, in fact, been requested. I would, therefore,
28. Mr. President, Ladies and Gentlemen, move the adoption of Amendment
29. No. 1.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Johns.

32. SENATOR JOHNS:

33. ° Senator Rock, to my knowledge, we must have plans on the drawing

1. boards this year for next year. Does this restrict architectural
2. design and development of future projects such as I'm talking
3. about...I...I see the economy improving and maybe we'll feel
4. the impacts of the economy a year from now...the final
5. upsurge, but will this curtail design and development that we
6. need on the drawing boards this year for actual implementation
7. next year?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rock.

10. SENATOR ROCK:

11. Well, when you...when you say curtail, I...I suppose
12. that's a fair characterization. We have, in fact, cut out
13. all money that was earmarked for planning with respect to the
14. seventy-four million dollars in new projects. Yes, Sir.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Johns.

17. SENATOR JOHNS:

18. I think you've spoken to the fears that I have because
19. it's always been a belief of mine that when the economy gets
20. here, you've got to have those plans ready to put into effect
21. because when the economy gets here, I mean when it is revived
22. and I see it reviving, and so I'm really deeply concerned
23. about these cuts at this time because I see again, "curtailment"
24. of designs on the drawing boards that we should be ready to
25. implement and get underway because, again, I feel that if we
26. don't have them, that delays us another year and with inflation
27. and the cost of materials, I see in the newspaper this morning
28. that steel is going to be in shortage, I'm deeply concerned about
29. curtailment of programs under this specific Act at this time.
30. And I probably will vote my concerns there, they're
31. philosophical, but they're basic to my beliefs.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President. I share, in fact, Senator
3. Johns and Ladies and Gentlemen of the Senate, your concern.
4. But, I would also like to point out that within the confines
5. of Senate Bill 1742 we are talking about five hundred plus
6. million dollars in reappropriations and if you will take a look
7. we have authorized the Capital Development Board to issue
8. bonds thus far in its history, to the tune of about seven hundred
9. and fifty-two million dollars. The General Assembly, between
10. FY '73 and '76 has authorized projects in the amount of eight
11. hundred and twenty-three million dollars. Now, the Capitol
12. Development Board and the planning...long-range planning of this
13. State, will, in my opinion, in no way be curtailed by virtue
14. of Amendment No. 1. What we are suggesting is that FY '77 is
15. going to be an extremely tight fiscal year, and we are suggesting
16. very strongly that we will, in fact, reappropriate five hundred
17. million dollars, much of which is planning money, for those
18. projects that have been approved in FY '74 and '75 and '76.
19. And we are suggesting to the Capital Development Board and the
20. Executive Department of this State, let's catch up on what we have
21. already approved before we embark on a major FY '77 new request.
22. I think it's emanately reasonable and I renew my motion to
23. adopt Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Wooten.

26. SENATOR WOOTEN:

27. Yes, Mr. President. I'd like to direct a question to the
28. sponsor.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Indicates he'll yield.

31. SENATOR WOOTEN:

32. Senator Rock, I must of necessity make refererence to
33. Senate Bill 1742 since you've tied the two together. What is the
34. amount involved in the Department of Conservation in that

1. reappropriation in 1742?

2. SENATOR ROCK:

3. Approximately thirty...I'll recheck. Approximately

4. thirty-eight million dollars.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Wooten.

7. SENATOR WOOTEN:

8. Senator, I'm given to understand, that reappropriation

9. is to pay bills for work which is mostly done, certainly

10. underway. Is that your understanding?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. That...that is partially correct. There is, in fact,

13. a large amount of that money that is not, in fact, even obligated

14. yet, but will be.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Well, that then speaks to my concern for the conservation

19. items in 1936. You've mentioned that you have made...you are going

20. to move to restore some of the items. I wonder if you would

21. give me an opportunity, since I have no idea what items you're

22. contemplating restoring, if you would give me the opportunity

23. to present an amendment to restore those conservation items

24. before you pick and choose among them.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Rock.

27. SENATOR ROCK:

28. I...I will, as I have always on this Floor, allow anybody

29. the opportunity to present an amendment. I will tell you, however,

30. that Amendment No. 2 restores 4.8 million dollars across the lines

31. in the higher education system for remodeling and rehab. It does

32. not touch Conservation. In Senate Bill 1936 by virtue of

33. Amendment No. 1, that section relating to Conservation's requests

1. in the amount of 8.8 or 9 million dollars is totally deleted.
2. Part of the rationale is, in fact, that in 1742 there is some
3. thirty-eight million dollars worth of conservation projects
4. that are still in the wings. And my suggestion has been to the
5. Board and to the Executive Department, let's finish what we
6. have already approved before you come and...and get nine million
7. dollars in new money, because, in fact, their bonding authority
8. is some four million dollars short right now with no new projects.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Wooten.
11. SENATOR WOOTEN:
12. Well, I will wait until my amendment is presented to address
13. myself to that. I simply wanted to be sure that my amendment
14. would not conflict with the amendments that you're going to present.
15. I wanted to be able to present this amendment today and I'm
16. glad to have that assurance. Thank you.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Knuppel.
19. SENATOR KNUPPEL:
20. I'd like to ask the sponsor a question with respect to the
21. proposed agricultural building to be located at the Illinois
22. State Fairgrounds. Does your Amendment...
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Rock. Oh,...
25. SENATOR KNUPPEL:
26. Does your Amendment...
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. ...excuse me.
29. SENATOR KNUPPEL:
30. ...2 and 3 include money for the construction of this
31. facility?
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Rock.

1. SENATOR ROCK:

2. It does not. Amendment No. 1 takes out that money for that
3. new proposed building. Neither 2 nor 3, which I will subsequently
4. offer, will put that back. I feel, again, Senator Knuppel,
5. and I have spoken with the people in the Agriculture Department,
6. with Senator Davidson and I have not had the opportunity to
7. speak to you and we talked about it in committee, that again,
8. we are...we are confronted in this State with a somewhat of a
9. fiscal crisis and it just seems to me that it's emanately
10. reasonable to say to that Executive Department, "hold up on
11. your new building." We just cannot, when we are cutting requested
12. pay raises for State employees and requested new positions for
13. State employees to improve the services of this State, we
14. cannot in...in...in my opinion, do that and say on the other
15. hand, but we're going to build this eight million dollar
16. building on the fairgrounds to house the Department of Agriculture.
17. I, frankly, do not see any sense in that and my amendment does
18. not restore that.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Well, is it not a fact that there's substantial money
23. in here for the...for expenditures in the Capitol Complex?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Rock.

26. SENATOR ROCK:

27. Not in this bill. Those are in the Space Needs Commission
28. bill but they're not in this bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Well, it reminds me of a story I told here last week about the
33. poor, old farmer who got hurt, you know, and they rushed him to the

1. hospital, he came down the hall and walked in a room, got up
2. on a table and about that time, one of these fussy old nurses
3. come in and she said, "not in here, not in here," she says, "this
4. is...this is for women in labor." And he says, "that's the
5. way it is, everything for women and labor and not one damn
6. thing for the poor farmer." That's the way it's been here
7. thirty years. For the largest industry, the people who...one
8. of the largest exporters in the world of agricultural products,
9. the Illinois farmer and he's working with less, we're paying
10. people, we've got secretaries sitting around, not only in Congress,
11. but some of them around here that don't miss Elizabeth Ray
12. too far. And we've got that kind of money, we've got money for the
13. Capitol Complex, it's time, folks, that we did something.
14. We...we've spent it all for where we spent it. We've got
15. the Taj Mahal for the Department of Transportation, we've
16. spent a million dollars here and I fail to see it in this Chamber.
17. If we can do this for ourselves, if we can do these things on our
18. own behalf, I think that it's time that we fixed the tractor
19. that pulls the plow that produces the revenue that pays these bills.
20. And I think it's a tragic mistake, I think it's an insult to the
21. largest industry in the State of Illinois that suffered within
22. inferior facilities for more than thirty years for his and...and
23. my party on this side of the aisle to even consider removing that
24. when it's ready to start construction in October of this year.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Weaver.

27. SENATOR WEAVER:

28. ...President, members of the Senate, I stand in support of
29. this amendment. This subcommittee of the Appropriations
30. Committee has gone over all Capital requests, reappropriations,
31. new programs, and I think when you consider these two bills
32. together, it's certainly a realistic approach to Capital
33. construction in the total State. We've listened to everyones'

1. hue and cry, we've listened to emergency situations and we've
2. considered them. That's why in the next amendment, Senator
3. Rock will have...there will be money added back in that
4. reflect the hardships that maybe would have been incurred by
5. leaving this bill with only Amendment No. 1 on it. It's
6. going to be very necessary that we start really doing some
7. chopping on this budget. To date, we've passed almost three
8. billion dollars of money bills out of the Senate, and to date,
9. we're eighty million dollars over the Governor's budget. So,
10. it's going to be necessary to do some chopping here and on
11. other bills as they present themselves before this Senate, so
12. I would hope that we would have bi-partisan support for what
13. I think is a reasonable Capital...improvement program for
14. Fiscal '77.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Demuzio.

17. SENATOR DEMUZIO:

18. Well, I've listened to...thank you, Mr. President. I've
19. listened to Senator Weaver and I don't recall too many projects
20. being cut out of the University of Illinois in terms of Senate
21. Bill 1742 and the bill...Senate Bill 1936 that's before us.
22. I don't think that anybody that sits in the Illinois Senate
23. that knows the deplorable conditions that we have in the housing
24. of the Department of Agriculture at the fairgrounds can sit
25. here in this Illinois Senate that represents farmers and...and be
26. supportive of this amendment. I want to echo the comments of
27. John Knuppel. Certainly we're a large agricultural state.
28. We ought to be the showcase for the United States in Illinois and I'm
29. going to join him in opposition to this amendment.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Savickas.

32. SENATOR SAVICKAS:

33. Yes, Mr. President and members of the Senate. After
34. listening to the two previous Senators speak about where the money

1. comes from and how it's spent, I had the Legislative Council
2. draft the table of estimated State expenditures in Cook County
3. and downstate areas-amounts in million dollars and the
4. sources of State revenue from Cook County and downstate areas
5. in the millions of dollars, and just briefly, when we talk about
6. where the money comes from, sales tax, Cook County percentage,
7. forty-eight percent, downstate percentage, forty-five. Income
8. tax, Cook County, fifty-five percent, downstate, forty-five.
9. Motor Fuel Tax, Cook County, forty-three percent, downstate,
10. fifty-seven. Cigarette Tax, seventy-two percent out of
11. Cook County, downstate, twenty-eight. Liquor Tax, Cook County,
12. sixty-six percent, downstate, thirty-four percent. Public Utilities,
13. Cook County, sixty-three percent, downstate, thirty-seven percent.
14. Inheritance Tax, Cook County, fifty-four percent, downstate,
15. forty-five. Racing Taxes, Cook County eighty percent, downstate,
16. nineteen percent. And if we talk about expenditures in Cook
17. County for the community colleges, forty-nine percent, downstate,
18. fifty-one. Corrections, Cook County, six percent, downstate,
19. ninety-four percent. Elementary and Secondary education, Cook
20. County, forty-seven percent, downstate, fifty-three percent.
21. Higher education, twenty-eight percent for Cook County, seventy-
22. two percent downstate. Mental Health, twenty-two percent,
23. Cook County, seventy-eight percent downstate. Public Aid,
24. seventy-three percent, Cook County, twenty-seven percent,
25. downstate. Public Health fifty-five percent, Cook County,
26. forty-five percent downstate. State Police Services, ten percent
27. in Cook County, eighty percent downstate. Transportation,
28. thirty-two percent in Cook County, sixty-eight percent in downstate.
29. So, when you talk about where the money comes from, and where
30. it goes, I'd like to add that into the record.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock. Just a moment. State your point, Senator Knuppel.

33. SENATOR KNUPPEL:

1. I just wonder how many of those people in Chicago
2. make their living from butchering hogs, shipping grain,
3. you know, figures don't lie, but sometime liars figure.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The Chair rules that that's not a...Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President. Amendment No. 1 was the result,
8. I think, of some long serious hours of serious consideration
9. of new Capital requests. With the backround that we are talking
10. about five hundred million dollars in reappropriations and
11. we are talking about the fact that in the Capital Bond Fund
12. some of these projects are totally unauthorized. There is not
13. the bonding authority to meet FY '77 new projects yet. I hope
14. that this Assembly will, within the next two weeks, address
15. itself to that question. But to have the members of this
16. Assembly from downstate Illinois think that this on my part
17. is an attempt to thwart the efforts of the State of Illinois
18. in the Agriculture Department specifically, is just, in fact,
19. wrong. It seems to me that given the fact that the State of
20. Illinois is, in fact, beyond its bonding authority with respect
21. to projects already authorized, to say to a new administration
22. be it Democrat or Republican, hopefully, Democrat, coming in in
23. January of 1977 that we have saddled you with a decision made
24. that we are going to appropriate 7.3 million dollars for a new
25. building whose necessity, in fact, has not been proved to anybody's
26. satisfaction, is a mistake. I will stand by Amendment No. 1 and
27. move its adoption.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Weaver. For the second time around.

30. SENATOR WEAVER:

31. Well, thank you, Mr. President. I'd...just wanted to
32. inform Senator Demuzio that we don't get everything we want either.
33. Senator, out of our request of thirty-one million, fifteen million

1. less than we got, I should say, we're getting fifteen million
2. less than what the Board of Higher Education improved and by
3. even with the inclusion of Amendment No. 1...2, we'll still be
4. a million five hundred under what actual needs are.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Mitchler.

7. SENATOR MITCHLER:

8. Mr. President and members of the Senate. Hearing Senator
9. Rock and Senator Demuzio debate about the building at the
10. State Fairgrounds, I'm certainly sympathetic with you, Senator
11. Demuzio, that our agriculture and the fair and everything out
12. at that fairgrounds should be a showcase, not only for the State
13. of Illinois, but for the entire United States of America.
14. But, then, I'm going to go along with Senator Rock because I think
15. before we come in here on a sort of a mythical idea of a building
16. that has really not been proven itself into part of an overall
17. plan, I think that we should slow down and take a second look.
18. Because, the bonded indebtedness of the State, about three billion
19. dollars, has to be retarded to a certain degree in areas that are
20. not needed in order for us to balance and take priority so that
21. we can balance our budget. Now, I have suggested out there
22. as a member of the State Fair Advisory Board for many, many years.
23. I know the deplorable condition of the buildings and the facilities
24. out at that State Fairgrounds, but until somebody sits down
25. and comes up with a five, ten, fifteen year plan to rejuvenate
26. and bring that facility up to par, I don't think that we should
27. jump into a little bit here and a little bit there and little bit
28. there. That's what we've been doing. But they should sit down
29. and not think of what's good for right now, but a long term
30. plan and present it and sell it to this General Assembly and I
31. think we will buy it very much. And in there, if it needs a
32. new agricultural building, we can put one in there. The racetrack
33. needs upgrading, if you're going to have parimutuel betting.

1. You heard me on the Floor, for the last several years talk
2. against parimutuel betting out there. Oh, we were going to
3. put it through, you had the racing dates printed in the brochure
4. that was distributed out before the General Assembly even
5. approved and...and these racing board approved racing dates.
6. You were that much in a hurry and even if you did sit up there,
7. they had tote boards out there on the grandstand. That's
8. how they go in a hurry on this stuff. And you have to upgrade,
9. upgrade the facilities before you can do these things. You
10. lost Boy's State. You had them sleeping out there and getting
11. eaten up by mosquitos and flies, dirty and deplorable conditions.
12. They're over there now at Eastern Illinois University having
13. a wonderful time, but they lack the ability to come before
14. this Body and the Body across the hall and visit State
15. government to get the education that they should have. I'm in
16. favor of building a building out there that we can accommodate
17. these people, but let's not go at it peacemeal. Let's support
18. Senator Rock on this amendment.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further...Senator Partee.

21. SENATOR PARTEE:

22. Well, Mr. President and members of the Senate, I think
23. there are some things that have been said here that ought to be
24. corrected here today and we should not leave with the impression
25. that we have any divisions in our State. Illinois is spelled
26. I-L-L-I-N-O-I-S and it's one state, and we're all very concerned
27. about all parts of it. Now, all of the economic components of this
28. State are important. Farming is important, manufacturing is
29. important, business, commercial activities, all of the things
30. that go up to make this State are important. And really there
31. are no areas that should have any priorities over the others.
32. But, I would like for Senator Knuppel to know that a negative
33. vote here or a vote sustaining this amendment does not in any

1. way serve as an embarrassment to or any lack of recognition
2. of the value of our farm community. I want you to know that,
3. Senator, and you will recall, Senator, that it was I and others
4. who worked very hard with you to get the State Fair in the
5. posture that you said it ought to be in. We believed in the
6. State Fair and you also remember, Senator, you came in with a bill
7. ..there had been some damage, I think, from a hurricane, or a
8. wind storm on one of the State Fairgrounds...or the county fairgrounds
9. in one of our counties, and I was the first one to give your
10. vote to make sure that this State took care what was really
11. a county obligation. And we paid for it and we paid for it out
12. of General Revenue Funds and we supported you on that and other
13. matters of that nature. And it just is a little upsetting
14. to hear you say that you think we're not doing this because of
15. agriculture. Now, that just isn't the way it is. And you'll
16. also remember, Senator, that this is an attempt at fiscal
17. responsibility, a...an attempt at fiscal responsibility. The
18. Capital Development Board is already obligated for '73, '4,
19. '5 and '6 and '76 obligations in excess of their present
20. authorization. It seems almost strange, almost wrong, basically
21. and fundamentally wrong to now add an additional amount when
22. they're already overly obligated on projects which came earlier.
23. Now, maybe some of the projects that they have already committed
24. on or projects of a lessor priority from your viewpoint, but
25. the fact of the matter is, they are committed on them and once
26. we get through with those, we can, indeed, take on these new
27. ones. And I'll be one of the first ones to help you. But, please
28. do not imagine my support of this amendment as being anything
29. less than enthusiastic of and supportive for our agricultural
30. communities.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

33. SENATOR KNUPPEL:

1. Well, since my name has been mentioned directly, I...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Well, is this the point...

4. SENATOR KNUPPEL:

5. ...feel I'm rising on...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. ...just a moment, Senator.

8. SENATOR KNUPPEL:

9. ..on a point of...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. ...just.

12. SENATOR KNUPPEL:

13. ...on a...personal privilege. I think somebody has...

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. State your point.

16. SENATOR KNUPPEL:

17. ...directed...directed a remark directly toward me.

18. I just want to say this one thing, I don't consider this a division

19. or a lack of division. I just want to point out that we've

20. got a million dollars worth of surroundings here, we've got a

21. two and a half million...or two-thirds of a million dollar restaurant

22. down in the basement, and that we...that when we can take care

23. of ourselves, we've got the Taj Mahal and all the rest of it out

24. there, that we don't take care of the largest single industry,

25. the regulation of that largest single industry. And I don't

26. care where the revenue comes from, it's feeding on that largest

27. single industry in the State of Illinois and I sincerely regret

28. and I would...I would direct Senator Partee, he cited a

29. fairgrounds that was torn down or destroyed by a hurricane, I

30. would like him...for him to search my record here in six years

31. for pork barrel projects in my district. I don't have them,

32. fellows. I don't have all the creek bills and and everything

33. else. This Department of Agriculture building is for all of the

1. people in the State of Illinois. I don't come to you
2. with forty thousand dollars for this and thirty thousand
3. dollars for something else. This is for all of the people
4. of the State of Illinois, including the meat butchers,
5. the veterinarians, the horseracing industry in the State of
6. Illinois, sure the tracks are in Chicago, but where the hell
7. do the horses come from? You don't raise them up there.
8. I raise them down here. And they come up there and they give
9. you recreation and if you didn't have the horses, somebody
10. would have to raise dogs, I suppose.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Latherow.

13. SENATOR LATHEROW:

14. Well, thank you, Mr. President. I got your attention
15. once and then decided probably what I said wouldn't be
16. necessary anyway. But, I just wanted to say I believe in
17. the people in the field of Agriculture probably will support
18. what they think is needed. I would say when I first came down
19. here in the Illinois Building Authority, I voted against about
20. nine out of every ten bills indicating to my mind that I think
21. in the field that I represent, in the area that I come from,
22. that we don't wholly approve the bonding program. Now, I know
23. it would be nice for us to have every key building that we would
24. like to have. I certainly would like to see a great building
25. here to honor agriculture, I'd like to see the need of it
26. proven. Now, I'm not going to say it hasn't been and I won't say
27. I think it has been. But, I...I want to say to this Committee,
28. I think they're showing in my mind some progress when they say,
29. let's stop and take a look at this thing and see where we're
30. going. This...I...I know I can't use the illustration that I used
31. to many gentlemen and ladies here on the Floor to relate
32. the little story I have in relation to what's happening in
33. Capital Development and so on. But, I...I appreciate you're stopping

1. and taking a look. I appreciate your doing it at the universities,
2. which are probably the biggest proponents of our expenditures.
3. Someday, maybe we'll eventually get enough buildings. I don't
4. know when. I even resented the Capitol Complex attitude, but I
5. didn't say anything. I think there's time to stop. Maybe with
6. the Capitol Complex might be the place to stop also. But, I don't
7. think we ought to get fired up. Agriculture has been here all our
8. lives and it will be here after we go whether there's a building
9. there or not for a nice showplace, and a nice place for us to come
10. to once in a while and I...I think it's good government for us
11. to stop and look at ourselves once in a while and I...I just wanted
12. to say I support the Committee on what they've done.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, Mr. President. Mr. President, I find myself in the
17. position on this particular amendment, of being between the
18. proverbial rock and the hard spot because I was one of those who
19. vigorously opposed the Governor's so-called accelerated bonding
20. program last year...bonding building program because I didn't
21. think the State could avoid it...could afford it and low and behold
22. what happened some three or four months right after we had
23. in effect killed that program, we ended up hearing the Governor
24. come to the General Assembly and say, "we can't afford all these
25. things we're doing, Gentlemen, we're going to have to cut back
26. on spending." It's kind of a one hundred and eighty degree turn
27. for the Governor, as far as I could tell, and there were several of us
28. who took a lot of lumps from a lot of people because we opposed that.
29. People accused us of being against letting people work and so forth.
30. We countered that, in fact, we were for people working and that
31. we didn't want to break the State of Illinois so we threw a whole
32. lot more people out of work that's why we opposed it. Now, I think
33. this is a...the start of a responsible stance. I opposed this amendment,

1. however, in committee due to the fact that I thought it was too
2. big of a bite at one time, especially not being a member of
3. the subcommittee. The subcommittee put in an awful lot of work
4. on this particular amendment. Not being a member, I was not
5. aware of what all projects had been cut. But, as Senator
6. Partee said earlier, I think there have been a lot of harsh things
7. said here today that have absolutely nothing...that are
8. not germane to the to the...to the topic at hand. The topic
9. at hand being whether we're going to, in fact, make cuts all over
10. the State of Illinois or not. So, I just wanted to say as an
11. explanation of my vote since we don't have that anymore, thank
12. goodness, I just wanted to say that I am going to continue to
13. vote 'nd' on this particular amendment today, however, I think that
14. it does have a lot of merit and it's starting in the right
15. direction.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Rock may close the debate.

18. SENATOR ROCK:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. I am sorry that this discussion of Amendment No. 1 has
21. revolved around the 7.3 million dollar request for that building
22. out on the fairgrounds. Amendment No. 1 is a twenty-nine million
23. dollar cut, cutting across every request from every department.
24. It's not an easy cut to make. It's certainly not the most popular
25. amendment that ever hit this Floor. It's one that I feel and in the
26. judgement of the members of the subcommittee and the full committee
27. is necessary. I think Senator Latherow hit it on the head. It's
28. about time we took a look. Let's just slow down, and take a look
29. at where we're going. We are, in fact, or we have, in fact,
30. appropriated eight hundred and twenty-three million dollars worth
31. of projects through FY '76. We have, in fact, given the Capital
32. Development Board to this point seven hundred and fifty-two
33. million dollars worth of authority. Now, it's just about time that

1. we slow down and take a look. Mr. President, I move the
2. adoption of Amendment No. 1.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Question is, shall Amendment No. 1 to Senate Bill 1936
5. be adopted? Those in favor indicate by saying Aye. Those
6. opposed Nay. The Ayes have it. Amendment is adopted.

7. Is there a...is there five members that request a roll call?

8. I see no five members. The amendment is adopted. Amendment
9. No. 2.

10. SECRETARY:

11. Amendment....

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Rock.

14. SECRETARY:

15. ...No. 2, offered by Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. Amendment No. 2 contains some technical changes,
19. renumbering certain sections given the fact that Amendment No. 1
20. did, in fact, delete certain sections. Additionally, we have been
21. in contact at great length with the Board of Higher Education
22. and the various university systems. They had requested some
23. thirty-eight million dollars in new projects. By virtue of
24. Amendment No. 1, we cut nine million dollars of that request.
25. We have asked them and they have given to us a list of those items,
26. particularly in the rehabilitation and remodeling, to bring certain
27. buildings and structures into conformity with Federal and State
28. life and safety codes. We have asked them for a priority list
29. what, in fact, is absolutely essential for FY '77. Amendment No. 2
30. incorporates the absolutely essential items for FY '77 as respects
31. higher education. We are, by virtue of Amendment No. 2, restoring
32. 4.8 million dollars so the net result will be a five million dollar
33. cut instead of a nine million dollar cut. It cuts across all the line
34. items. I would suggest to all the members that they, in fact, take

1. a look at Amendment No. 2 when the bill is on 3rd tomorrow,
2. if anybody has any quarrel, I will, certainly, as always, call
3. it back for possible amendment. I think by virtue of the long hours
4. that we have spent with this bill, and by virtue of the information
5. we have received from the various universities, and I think
6. Senator Weaver can and will corroborate what I'm saying, and by virtue
7. of the list that we have received from the Board of Higher Ed,
8. that this is a fiscally responsible addressment to this problem
9. and I would move the adoption of Amendment No. 2.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Question is, shall Amendment
12. No. 2 to Senate Bill 1936 be adopted? Those in favor indicate
13. by saying Aye. Those opposed. The Ayes have it. Amendment
14. No. 2 is adopted. Amendment No. 3, Senator Rock.

15. SECRETARY:

16. Amendment No. 3 offered by Senator Rock. Senator Rock,
17. this was Senator Davidson's amendment.

18. SENATOR ROCK:

19. Yes, thank you, Mr. President, Ladies and Gentlemen of the
20. Senate. Again, in our continuing dialogue, the subcommittee
21. started meeting about two and a half weeks ago going over each and
22. every project. Amendment No. 3 would restore to the Military and
23. Naval Department a project at Camp Lincoln in the amount of 1.4
24. million dollars. This, it has just been determined, is absolutely
25. essential for FY '77 predicated upon the fact that there is, in
26. fact, 1.5 million dollars in Federal money as a match and if, in fact,
27. this is not appropriated, that match will be lost. Additionally,
28. when this project is completed, and I am informed by the Capital
29. Development Board, that they will expedite this one, we will, in fact,
30. free up about twenty-seven thousand square feet of floor space in the
31. Armory and I think Senator Davidson can and will corroborate that,
32. to be used for the various State agencies for office space. We are,
33. as you are well aware, renting space all over town and it seems to me
34. that if we can attempt, at least, to consolidate the State agencies

1. and departments in a central location in State property, we are
2. better off. So, with that, I will move the adoption of Amendment
3. No. 3.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Knuppel.

6. SENATOR KNUPPEL:
7. I'm so pleased to hear that logic about us renting space
8. all over town. I heard about all the money we're paying out
9. in Peoria and everywhere else. I'd like to see that applied
10. to the Department of Agriculture. The working conditions out
11. there are deplorable and we're using other facilities. We're
12. spending money on makeshift. We're trying to cut and cover
13. as they call it when they're plowing and I'm glad to hear that
14. Senator Rock has finally come to his senses and will use the
15. same kind of logic on the other project down the road now. We
16. can come back and use this logic when this matter comes up
17. again.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Rock.

20. SENATOR ROCK:
21. Well, I suppose I can...speak on a point of personal privilege
22. since my...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. State your point.

25. SENATOR ROCK:
26. ...name was directly used as it is so...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. We'll grant you that privilege, Senator.

29. SENATOR ROCK:
30. I didn't realize I'd ever left my senses, Mr. President.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Senator Johns.

33. SENATOR JOHNS:

1. Question of Senator Davidson and also Senator Rock and I'd
2. like for them...Davidson first and Rock. Were there any matching
3. funds involved in previous cuts that we will lose?
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Rock. His response is no.
6. SENATOR ROCK:
7. The...the answer is no.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Johns.
10. SENATOR JOHNS:
11. All right. Now, we have a cut here I noticed, for example,
12. in Conservation out of about twenty-five projects, I think about
13. sixteen were in Conservation. Now, are you telling me that in
14. cuts in Corrections there is never any Federal funds involved?
15. Matching funds?
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Rock.
18. SENATOR ROCK:
19. I'm...I'm not suggesting that there are never any
20. matching funds involved. The question was are we going to lose
21. any by virtue of the cuts. The answer is no.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Senator Johns.
24. SENATOR JOHNS:
25. All right. Now, I understood you to say that if we didn't
26. fund the project for Senator Davidson, that we would lose like
27. fifty percent of them like a million and a half dollars of matching
28. funds. Are you telling me that we are funding this in order to
29. not lose them and then on the other hand telling me then in Corrections,
30. et cetera, that we do not have the potential of having matching
31. funds?
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Rock.

1. SENATOR ROCK:

2. No,...again, Senator, will all due deference and Mr.
3. President, you didn't listen to what I said. There are, in fact,
4. certain projects where Federal matching funds will, in fact,
5. be available. The question you asked was, "by virtue of the cut
6. will we lose any?" My answer is "no." If, in fact, this is not
7. restored, we will, in fact, lose 1.5 million dollars. With respect
8. to...those other projects we can and will be delaying them,
9. the Federal money will be available when we get to it.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Davidson. Is there further discussion? The question
12. is, shall Amendment No. 3 to Senate Bill 1936 be adopted? Those
13. in favor indicate by saying Aye. Those opposed. The Ayes have
14. it. The amendment is adopted. Amendment No. 4.

15. SECRETARY:

16. Amendment No. 4 offered by Senator Wooten.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Wooten.

19. SENATOR WOOTEN:

20. Mr. President and colleagues. This amendment would restore
21. to Senate Bill 1936 approximately eight and a half million
22. dollars for Conservation projects. I want to point out a
23. discrepancy between the amendment which is presented on the
24. Secretary's Desk and the one on your desk. The Rock Island
25. Trails State Park amount has been deleted from my amendment.
26. I understand that rather controversial matter will be taken up
27. in a separate amendment. About three and a half million is for
28. land acquisition and I think there's general consensus that
29. we should buy this land. The rest is for individual projects
30. which are scattered all over the State. We have some twenty-eight
31. million people in Illinois which make use of our recreational
32. ...recreational areas and these particular works are to improve
33. recreational areas for use. I submit that it is a proper use of
34. our funds. I might also point out that Senator Rock said in

1. 1742 I believe it is, that we are reappropriating money
2. for work that is in the wings. I suggest that is not the case.
3. We are reappropriating money in that bill to pay money which
4. is owed for work, most of which is done well along the road.
5. Those projects are not in the wings. These are new projects,
6. actually that is a misstatement. They are continuations of those
7. projects and completions of some of them. I think this is
8. essential to our conservation program and I move the adoption
9. of this amendment.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. Well, I can just say this one thing and that is with
14. respect to the three million dollars and something for land
15. acquisition, United States Department of Agriculture Index
16. shows that agricultural prices advanced some thirty-six
17. percent the last year. This is at a very high rate and I think
18. it...it's...it's for the acquisition of land and the acquisition
19. of land the cost still goes up and for that part of it, I think
20. it would be penny wise and pound foolish if there's land
21. we should be buying, to postpone it. This is different maybe
22. than a building improvement. I know for one thing, I saw it
23. happen when...when Commonwealth Edison came downstate and bought
24. land coal reserves for a thousand dollars an acre about six
25. years ago. That same land today just by natural inflation would
26. be selling for double that or more. And if you're doing Federal
27. or State tax returns and so forth and I made this argument with
28. respect to the Inheritance Tax, that if you're making these kinds
29. of investments, whatever is in there for land acquisition whether
30. this amendment flies or doesn't, we ought to get that back in there
31. because we don't want to pass up the opportunity to acquire land,
32. if it's essential now, because it's going to cost us a lot more the
33. way land is going up and it continues to go up when predictions are

1. that good land can rise the price of as much as five thousand
2. dollars an acre.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. President, Ladies and Gentlemen of the
7. Senate. I rise in opposition to Amendment No. 4 and Senator
8. Wooten and Senator Knuppel have made the point with respect
9. to the proposed request of 3.6 million dollars for land acquisition.
10. Let me say so there is no misunderstanding whatever, that the
11. Board proposes to buy or purchase land in District 38, 56,
12. 43, 35, and 54. I don't, frankly, happen to know who represents
13. those districts. If, in fact, you take a look at Senate Bill
14. 1742 there is some twelve million dollars for land acquisition,
15. which we have appropriated in FY '73, 4, 5, and 6 and the Department
16. has not yet spent. Now, it seems to me, before we spend
17. an additional three million dollars, and I don't disagree with the
18. fact that land is going up. Everything is going up. My
19. suggestion is...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Just a moment. Will the Senate please be in order. Will
22. the members be in their seats. Proceed.

23. SENATOR ROCK:

24. My suggestion is, Mr. President and Ladies and Gentlemen
25. of the Senate, that this is a proper area in which we can defer
26. until November or January or February. We have twelve million
27. dollars being reappropriated. We needn't at this point obligate
28. another 3.6 and I would move to lie Amendment No. 4 upon the Table.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Motion to Table is not debatable. There is a motion to
31. Table Amendment No. 4 to Senate Bill 1936. All those in favor
32. of Tabling Amendment No. 4 indicate by saying Aye. There is a request
33. for a roll call by at least two members or more. There will be a

1. roll call. The question is, shall Amendment No. 4 be Tabled?
2. All those in...favor of Tabling Amendment No. 4 shall vote Aye.
3. All those opposed shall vote No. The voting is open. Have all
4. those voted who wish? Take the record. On that question the
5. Ayes are 32, the Nays are 16, none Voting Present. Amendment
6. No. 4 is Tabled. Amendment No. 5.
7. SECRETARY:
8. Amendment No. 5 offered by Senator Partee.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Partee.
11. SENATOR PARTEE:
12. Thank you, Mr. President and members of the Senate.
13. I think I should really start by saying that I have a great deal
14. of admiration and in inordinate sort of pride in the work of this sub-
15. committee. They've done a very wonderful job. A real yeomanlike
16. like service and my colleagues have been discussing millions
17. of dollars and I'm just going to talk about the measly, paltry
18. sum of one hundred thousand dollars. It's like peanuts by a
19. comparison to what my colleagues have been about. Hence it is
20. something that you can do inasmuch as you have just saved us
21. millions of dollars, and I've been helping in that effort, but
22. this pure little hundred thousand dollars is really nothing.
23. Now, what this amendment would do would be to put in for site
24. improvements for Phase 1, a trail development known as the Rock
25. Island Trail, a hundred thousand dollars. Now, let me tell you
26. why. First of all the project is not a new project. It is a
27. project which has started some years ago on which there has
28. been some expenditure of money. About sixty-five percent of
29. it is complete. I think most of us know that when you have
30. spent at least sixty-five percent of the cost of something,
31. it's really foolhardy and retrogressive to not complete it.
32. It would be simply a waste of money if we did not complete it.
33. Now, more than that, there have been hearings and I have a letter

1. here from the Director of the Department of Conservation
2. who says that this is something that we ought to do and that they
3. did have some public hearings in Peoria concerning this
4. Rock Island Trail and about three hundred people attended.
5. I have a long list of people who have indicated and expressed
6. at that meeting, a real interest in this project and among them
7. are people from the Tazewell Peoria Hiking Club, the Brewery
8. Workers 77, the Communication Workers of America, the Springfield
9. Bicycle Club, Senator Davidson, the Forest Park Nature Center
10. of the Peoria Park District, the Open Space and Recreation
11. Advisory Committee, the Peoria Academy of Science Entomology
12. Section, the League of American Wheelmen, the Illinois Environmental
13. Counsel, the Champaign County Forest Reserve District, the
14. Alfa-Delta Chapter members of the Epsilon Sigma-Alfa Fraternity,
15. the Citizens Coalition to support the Rock Island Trail, the
16. Illinois Valley Striders, the Peoria-Tazewell Illinois Labor
17. Counsel, the League of Women Voters, the Peoria Academy of
18. Science, Lobotomy Section, the Peoria Academy of Science,
19. Audubon Section...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Partee...

22. SENATOR PARTEE:

23. Yes, Sir?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Some of your colleagues are making some noise about
26. time.

27. SENATOR PARTEE:

28. Well, I...I just wanted to say, you know, because these
29. people are very interested and I wanted to acknowledge their
30. interest and to let them know and I have another long list from
31. the Sierria Club and many of the organizations like Boy Scouts,
32. Girl Scouts, and so forth, the...that have indicated interest in
33. this trail are people...are people who are in...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Just a moment. Would the members please be in their
3. seats, and we could have an awful lot of quiet, not a little.
4. Please proceed.
5. SENATOR PARTEE:
6. Well, there are...
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. To conclude.
9. SENATOR PARTEE:
10. ...there is this large number of people who are interested.
11. Now, I recognize that, and I had some fear and trepidation about
12. getting involved in another section of the State of Illinois,
13. because this is around the Peoria area and it's possible that
14. Senator Bloom may have something to say about it and it's
15. possibly maybe negative, but the fact is I believe as an Illinoian
16. that I have a responsibility to be interested in all sections of
17. Illinois. I am not a person with parochial interests, I have
18. as much interest in one section as the other, and although this
19. is not in my immediate area in term of my domocile, it is a part
20. of my life because it is in Illinois and Illinois is a state
21. which has been good to me and my family and I have an interest
22. in Illinois and in its orderly development, and free and open
23. space and recreational areas are very, very important and I would
24. solicit your support on the adoption of this amendment.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Weaver. Senator Harris.
27. SENATOR HARRIS:
28. Well, Mr. President, I wonder if this would be an appropriate
29. time to call attention to the fact that Attorney General Scott
30. is sitting in Senator Soper's seat and he might want equal
31. time on this amendment.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Weaver.

1. SENATOR WEAVER:
2. Thank you, Mr. President...
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Just a moment. Excuse...excuse me, Senator Weaver.
5. Senator Demuzio, for what purpose do you arise. I did promise
6. Senator Demuzio.
7. SENATOR DEMUZIO:
8. Am I next on...
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. This is in...
11. SENATOR DEMUZIO:
12. ...am I next on the list?
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. You are.
15. SENATOR DEMUZIO:
16. I just want to remind Senator Partee, he talks about
17. his hundred thousand dollars and his peanuts that that my
18. seventy-nine thousand dollars worth of peanuts just went down
19. the drain on Amendment No. 4.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Is there further discussion? Senator Weaver.
22. SENATOR WEAVER:
23. Mr. President, after that brief discussion of this amendment,
24. I would move to Table Amendment No. 5.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. The motion...the motion is not debatable. The motion is
27. to Table No. 5 to Senate Bill 1936. All those in favor of Tabling
28. Amendment No. 5 to 1936 indicate by saying Aye. Those opposed.
29. The Chair requests a roll call. The Ayes have it. The amendment
30. is Tabled. Amendment No. 6.
31. SECRETARY:
32. Amendment No. 6 offered by Senator Philip..
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Philip.

2. SENATOR PHILIP:

3. Thank you, Mr. President and Ladies and Gentlemen of the
4. Senate. Amendment No. 6 to Senate Bill 1936 appropriates
5. the sum of 7.4 million dollars for site improvement utilities
6. and completion of a total project for learning resource center
7. for College of DuPage, which in very simple terms, happens to be
8. a library. We heard mention here before how it...important it
9. was to build a new headquarters here in Springfield for the
10. Illinois National Guard called Lincoln Camp because of matching
11. funds. I understand that. College of DuPage since 1966 has had
12. a grant of matching funds for one million dollars. The Federal
13. government has said if we don't act and start building, we're
14. going to lose that match and that's our reason for appropriation
15. of this 7.4 million dollars. I ask for your favorable consideration.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further...Senator Rock.

18. SENATOR ROCK:

19. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
20. There is, in fact, contained within the provisions of Senate
21. Bill 1936 as amended thus far, some one million dollars for the
22. College of DuPage for this purpose. Predicated upon that, I
23. would move that Amendment No. 6 lay upon the Table.

24.
25.
26.
27. (The following was typed previously)

28.
29.
30.
31.
32.
33.

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AB 1967
3rd Reading

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The motion is not debatable. The motion is to Table
3. Amendment No. 6 to Senate Bill 1936. All those in favor
4. indicate by saying Aye. Those opposed. The Ayes have
5. it. The amendment is Tabled. Are there further amendments?
6. 3rd reading. Senate Bill 1967, Senator Savickas. We are
7. on Senate Bills, 3rd reading. Senator Savickas.

8. SECRETARY:

9. Senate Bill 1967.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Savickas.

14. SENATOR SAVICKAS:

15. Yes, Mr. President and members of the Senate, Senate Bill
16. 1967 is...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Just...just a moment, Senator. Would the members please
19. be in their seats and all persons not entitled to the Floor, please
20. retire from it or to the gallery. Proceed.

21. SENATOR SAVICKAS:

22. Yes, thank you, Mr. President. Senate Bill 1967
23. is a product of Democratic caucus suggestions that were entertained
24. ...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Just a moment. Senator Harris for what purpose do you arise?

27. SENATOR HARRIS:

28. Point of inquiry to the sponsor of the bill. Senator Savickas
29. do I understand that we are proceeding with the bill on passage
30. consideration? Okay. I know that I've interrupted your explanation.
31. At your conclusion I do have a query to put to you so, proceed. I'm...
32. I'm...excuse the interruption.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

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1. We'll add that on his time. Senator Savickas.

2. SENATOR SAVICKAS:

3. Yes, Mr. President. Once again, as I had mentioned, Senate
4. Bill 1967 was put together through the suggestions of the
5. Democratic members of the Senate. It was put together to address
6. itself to a problem that most easily was identifiable as an
7. emergency and had some aspects that were identifiable as emergency
8. aspects to try to resolve certain questions in our business and
9. labor communities as far as Workmen's Compensation. We feel as
10. Democrats, both as a Labor Committee and as a Democratic
11. Caucus, that these aspects that had caused great concern amongst
12. our business and labor community have been addressed to in Senate
13. Bill 1967. About two days ago or three days ago we had...I
14. had made a commitment that this bill would be brought back
15. to 2nd reading for the purpose of allowing Senators on the
16. other side of the aisle to place before this Body their further
17. suggestions or further amendments for 1967. Before I do that,
18. I would just like to comment that yesterday I had talked to
19. Mr. Bill Dart and Mr. Pres Peden discussing certain amendments
20. that may be offered. And one of our points in the discussion
21. was what amendments could be offered that would reduce the premiums
22. of Workmen's Compensation insurance at this point. They said
23. at that time that they didn't know offhand but they would get
24. these amendments to me in my office this morning. As of yet,
25. no one has ever placed on my desk any amendment that would help
26. reduce the premiums that are charged for Workmen's Compensation.
27. In this vein I am bringing back Senate Bill 1967 for 2nd...to
28. 2nd reading to comply with my agreement with members of the other
29. side of the aisle, but I would suggest that the Democratic members
30. of this Body go over these amendments carefully. I would suggest
31. that no amendment that is being offered will do any...any good
32. in reducing premium dollars as far as Workmen's Compensation;
33. that these are cosmetic suggestions and I would suggest that each

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1. and every member on this side of the aisle oppose wholeheartedly
2. any amendments that may be offered. So, at this time, I would
3. ask leave of this Body to bring Senate Bill 1967 back to 2nd
4. reading.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Do we have leave? Leave is granted. Senate Bill 1967
7. is on the order of 2nd reading. Are there amendments to
8. Senate Bill 1967? The bill is presently on 2nd reading.

9. SECRETARY:

10. Amendment No. 4 offered by Senator Nimrod.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Nimrod.

13. SENATOR NIMROD:

14. Mr. President and fellow Senators, I arise at this point to
15. address one of the most serious problems that currently confronts
16. the State of Illinois and the members of the General Assembly.
17. The Illinois Workmen's Compensation Act.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Just...just a moment, Senator. What...for what purpose do
20. you arise, Senator Demuzio?

21. SENATOR DEMUZIO:

22. Well, is it possible to have these amendments passed out
23. to the membership? This is a very complex and a very difficult
24. issue and I was wondering if it would be possible, Senator Nimrod,
25. to have the Pages distribute these amendments.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Yeah, we have some amendment numbers and if we can either go
30. to some other order of business for a few minutes, I'll make some
31. copies up. I'd be glad to do that. I had asked before if they
32. wanted them distributed to all the members, and there wasn't any
33. indication. We distributed to several people, but I'll be glad
34. to give them to the rest of the members.

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- 1. PRESIDING OFFICER: (SENATOR ROCK)
- 2. Yes, Senator Bruce, you want to...Senator Bruce. You want to
- 3. assume the Chair? I've got a bill we can go to in the meantime.
- 4. Senator Nimrod has indicated he will distribute copies of
- 5. his proposed amendments. Can we have leave to leave this matter
- 6. where it is and advance to Senate Bill 1970?
- 7. PRESIDING OFFICER: (SENATOR BRUCE)
- 8. Senate Bill 1970, Mr. Secretary.
- 9. SECRETARY:
- 10. Senate Bill 1970.
- 11. (Secretary reads title of bill)
- 12. 3rd reading of the bill.
- 13. PRESIDING OFFICER: (SENATOR BRUCE)
- 14. Senator Rock.
- 15. SENATOR ROCK:
- 16. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
- 17. Senate Bill 1970 is a late edition. It amends the FY '76 appropriation
- 18. to the Department of Law Enforcement. It is a transfer bill.
- 19. There is no change in the dollar amount. It transfers seventy
- 20. thousand dollars from the Personal Service line item to the line
- 21. item which reimburses local units of government and there are some
- 22. forty units of local government involved for the expenses of the apprehension
- 23. of fugitives. I know of no objection. I would solicit a
- 24. favorable roll call.
- 25. PRESIDING OFFICER: (SENATOR BRUCE)
- 26. Is there further debate? Senator Buzbee.
- 27. SENATOR BUZBEE:
- 28. I wonder...question of the sponsor...if any of that money
- 29. will be available for the apprehension of those fugitives
- 30. we're going to have from the Illinois Penal System after we lay
- 31. off all those guards because of the lack of money.
- 32. PRESIDING OFFICER: (SENATOR BRUCE)
- 33. Senator Rock.

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1. SENATOR ROCK:

2. Well, I suppose we'll have to have another transfer next
3. year. This is for last year.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further debate? The question is, shall Senate Bill 1970
6. pass? Those in favor vote Aye. Those opposed vote Nay. The
7. voting is open. Have all voted who wish? Take the record.
8. On that question the Ayes are 54, the Nays are none, none
9. Voting Present. Senate Bill 1970 having received a constitutional
10. majority is declared passed.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. While we are...while Senator Nimrod is preparing his
13. seven amendments for distribution, we also have, if there's
14. leave, we'll go back to the order of Senate Bills, 3rd reading
15. for Senate Bill 1691. Is leave granted? On the order of Senate
16. Bills 3rd reading is Senate Bill 1691, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 1691.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Glass.

23. SENATOR GLASS:

24. Thank you, Mr. President, Ladies and Gentlemen. In the
25. legislation passed last year, one of the requirements for
26. a driver of school...of a school bus was that he complete an
27. initial course in bus driver's safety in training. That course
28. has not yet been completed by all drivers and it is physically
29. impossible to do that by the deadline date, which is September
30. 1st of this year. So this bill would extend that deadline for
31. one year, also, pursuant to an amendment added today, the super-
32. intendent of each educational service region may extend an
33. existing permit up to thirty days in instances of emergency. I

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1. know of no opposition. IOE is in support of the bill and
2. I ask...be happy to answer questions, otherwise request a
3. favorable roll call.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Is there any discussion? All right. The question is,
6. shall Senate Bill 1691 pass? Those in favor will vote Aye.
7. Those opposed will vote Nay. The voting is open. Have all
8. voted who wish? Take the record. On that question the Ayes
9. are 51, the Nays are none, none Voting Present. Senate Bill
10. 1691 having received a constitutional majority is declared
11. passed. Senator Savickas, are we ready to proceed? Senator...
12. Senator Nimrod, are you...all right. On the order of Senate
13. Bills on 2nd reading, is Senate Bill 1967, having been called
14. back from 3rd at the request of the sponsor. Senate Bill 1967,
15. we are considering Amendment No. 4. Senator Nimrod, we await
16. your pleasure, Sir. On the order of Senate Bills, 2nd reading,
17. Senate Bill 1967, Amendment No.4, Senator Nimrod.

18. SENATOR NIMROD:

19. Yes, Mr. President. The Page is distributing Amendment No.
20. 4 and I'm waiting for copies of the other six to come...okay.
21. Start on the other side, would you please. Can we get another
22. Page here that can start with another amendment, then.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. All right. Will the Senate stand at ease for a minute while
25. the Pages are passing out these copies of amendments.
26. Senator Savickas, for what purpose do you arise?

27. SENATOR SAVICKAS:

28. Well, while we're waiting for the other amendments to be
29. distributed, some are very lengthy in their pages. Why don't we
30. start with Amendment No. 4 and...

31. PRESIDING OFFICER: (SENATOR ROCK)

32. The Chair will accept that suggestion. Senator Nimrod, are
33. you ready to proceed? All right. We're on the order of Senate

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1. Bills, 2nd reading. Senate Bill 1967 having been called back
2. to 2nd at the request of the sponsor. We are considering
3. Amendment No. 4. The members will please be in their seats
4. and those not entitled to the Floor will please vacate.
5. Amendment NO. 4, Senator Nimrod.

6. SENATOR NIMROD:

7. Thank you, Mr. President and fellow Senators. Again, I want
8. to begin by telling you that I'd like to address one of the
9. probably most serious problems that is currently confronts
10. the State of Illinois and certainly the members of the General
11. Assembly. We are aware that the House in also discussing
12. these same bills and the same issue and that we will be getting
13. bills from them. And that is on the Workmen's Compensation
14. Act and Occupational Diseases Act. I would not attempt, at this
15. point, to reiterate the dangerous economic burdens which
16. have been placed upon the Illinois businessmen by last year's
17. changes to the Workmen's Compensation and Occupational Diseases
18. Law. Rather, I choose only to focus the attention with my fellow
19. colleagues who are on the Labor and Commerce Committee on what
20. we considered to be the most feasible vehicle to redress those
21. ...those ills and that is the Senate Bill 1967 as it is amended.
22. Although three of the amendments which were currently put onto
23. the bill, are noteworthy and they attempt to alleviate some of
24. the harm which was caused by last year's passage of Senate Bills
25. 234 and 235. We, nevertheless, believed that even as amended,
26. Senate Bill 1967...

27. PRESIDING OFFICER: (SENATOR ROCK)

28. May we have some order, please. Will the members please
29. be in their seats. Proceed, Senator Nimrod.

30. SENATOR NIMROD:

31. Thank you.. Senate Bill 1967 fails to thoroughly resolve
32. the most serious prevailing problem in the Workmen's Compensation
33. Act and that is in the insurance area. The said problem is that

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1. the Workmen's Compensation Law lacks in some cases specific
2. injury and diseases definitions and some financial limitations.
3. The caps in definitions. As a result of these uncertain standards
4. the insurance companies in this State are not writing policies
5. to the businessmen that exist today and, in fact, are charging
6. premiums four, five and six and seven times the amount because
7. they are unaware of their limitations and unable to know what their
8. exposure is and be able to present policies to the businesses and
9. local governments. Such inability by these insurance companies
10. to project these liabilities has precipitated the situation whereby
11. thousands of these businesses, hundreds of local governments,
12. have been confronted with total cancellation of their Workmen's
13. Compensation policies or are faced with tremendous increased
14. premium rates. The amendments that we are proposing today
15. are establishing specific definitions in financial limitations
16. within the Workmen's Compensation Act and Occupational
17. Diseases Act. And they should only produce to stabilize...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Nimrod, excuse me. I hate to interrupt. Senator
20. Bloom, for what purpose do you arise?

21. SENATOR BLOOM:

22. Point of parliamentary inquiry.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Yes, Sir. State your point.

25. SENATOR BLOOM:

26. What...are we considering an amendment?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. We are considering Amendment No. 4...

29. SENATOR BLOOM:

30. Because I'd like to know...

31. PRESIDING OFFICER: ..(SENATOR ROCK)

32. ...Senator Nimrod, I wonder, the Chair has been requested by
33. Senator Nudelman and now Senator Bloom, the amendments have been

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1. passed out. Can you indicate from your desk in which order you
2. are going to proceed so that the membership can follow Amendments
3. 4, 5, 6, 7, and 8? Please. Thank you.

4. SENATOR NIMROD:

5. All right. I will close with that and the first amendment
6. that we will be calling of the group that were passed out
7. is the Loss of Hearing Amendment.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Can you...will you identify that?

10. SENATOR NIMROD:

11. And that...I...that amendment is identified and it begins...
12. it's a six line amendment and it says "provide that the Industrial
13. Commission after public hearings."

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Apparently we've got everyone but that one.

16. SENATOR NIMROD:

17. That...that was the first amendment that was passed out.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Savickas, for what purpose do you arise?

20. SENATOR SAVICKAS:

21. Point of information, Mr. President. Senator Nimrod,
22. I have before me two amendments that evidently address themselves
23. to the same problem. One was distributed to me from you
24. in the package with a cover letter, the other was distributed by
25. a Page. But they read differently and I'm wondering
26. just what amendment we're going to be talking about.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. All right. I wonder now if...if the Chair can intervene
29. for a moment. The Secretary informs me there are five amendments
30. Amendment No. 4 and four others that are placed on his desk.

31. I wonder if for the benefit of the membership, we can identify
32. with numbers those amendments so that we can keep the sequence.

33. Senator Partee, for what purpose do you arise?

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- 1. SENATOR PARTEE:
- 2. Well, before we start identifying them, I want...we want to
- 3. get them all. I only have three on my desk and I'll identify
- 4. them. One starts...addresses page seven, the other page sixteen,
- 5. the other page thirty-nine. Now, the other two I don't have.
- 6. PRESIDING OFFICER: (SENATOR ROCK)
- 7. Well, the Chair has been informed that there are five.
- 8. Now, I assume that they will, in fact, be passed out.
- 9. Senator Glass, for what purpose do you arise?
- 10. SENATOR GLASS:
- 11. Well, Mr. President, might I suggest the Secretary read
- 12. the amendments in the order he has them...
- 13. PRESIDING OFFICER: (SENATOR ROCK)
- 14. Fine.
- 15. SENATOR GLASS:
- 16. ...and that way we'll all know how...
- 17. PRESIDING OFFICER: (SENATOR ROCK)
- 18. All right. Mr. Secretary, will you read the, at least
- 19. for identification purposes, Amendment No. 4.
- 20. SECRETARY:
- 21. (Secretary reads Amendment No. 4)
- 22. PRESIDING OFFICER: (SENATOR ROCK)
- 23. Yeah. Read the whole...there's been a request that
- 24. you read the amendment, the whole amendment.
- 25. SECRETARY:
- 26. (Secretary reads Amendment No. 4)
- 27. PRESIDING OFFICER: (SENATOR ROCK)
- 28. All right. That is the only amendment under consideration.
- 29. Is everybody satisfied that that is Amendment No. 4?
- 30. Senator Nimrod, do you wish to speak to Amendment No. 4?
- 31. Yes, Senator Partee, for what purpose do you arise?
- 32. SENATOR PARTEE:
- 33. Well, I thought Senator Glass' suggestion was a good one.

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1. Why can't we just read the page of the other four amendments
2. so we can number them cause some of us might want to be looking
3. at them.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Fine. All right. Mr. Secretary, that is Amendment No. 4.
6. All right. Amendment No. 5, Mr. Secretary, will you read the
7. caption so we can identify it.

8. SECRETARY:

9. (Secretary reads title of Amendment No. 5)

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Hold it now.

12. SECRETARY:

13. (Secretary continues Amendment No. 5)

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Now, that's number five.

16. SECRETARY:

17. That's number five.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. All right. Amendment No. 6, Mr. Secretary, for the purpose of
20. identification.

21. SECRETARY:

22. (Secretary reads Amendment No. 6)

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Amendment No. 7, Mr. Secretary.

25. SECRETARY:

26. (Secretary reads Amendment No. 7)

27. PRESIDING OFFICER: (SENATOR ROCK)

28. All right. Apparently, Senator Nimrod, the copies of that
29. are not available yet. Okay. There are...I am informed that
30. there are two amendments that have not yet come back from the
31. Xerox machine. That would be seven and eight I take it.

32. Yeah. Amendments No. 7 and 8 are quite lengthy and they have
33. just not yet come back from the Xerox machine. Is there leave

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1. to proceed with four, five, and six? Senator ParTEE.

2. SENATOR PARTEE:

3. We do have two other amendments. One that amends page four,
4. and another that amends page eleven. Now, what about those?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. That...that will be nine and ten.

7. SENATOR PARTEE:

8. I see. Thank you.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Okay. Seven and eight are the lengthy ones and they're not
11. yet back from the Xerox machine, but nine and ten are those
12. last two. The Secretary does not have those, Senator Nimrod.
13. Senator Vadalabene, for what purpose do you arise?

14. SENATOR VADALABENE:

15. Yes, thank you, Mr. President. How about identifying
16. nine and ten while we're waiting?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Well, the only reason we didn't do that is because they're
19. not yet on the Secretary's desk. All right, Mr. Secretary,
20. will you identify for the purpose of identification, Amendment
21. No. 9.

22. SECRETARY:

23. If I got it right from Senator Nimrod, I would say that
24. number nine would be page eleven, line twenty-five; by deleting
25. the period and inserting in lieu thereof.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Okay. And number ten, please.

28. SECRETARY:

29. Number ten on page four; by deleting lines one through six
30. and inserting in lieu thereof, the following.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. All right. Is everybody reasonably well satisfied so far?
33. All right. The question before the Body is the adoption of
34. Amendment No. 4. Senator Nimrod.

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1. SENATOR NIMROD:

2. Yes, Mr. President and fellow Senators, this amendment
3. addresses itself to the loss of hearing provision, and the
4. problem that exists here is that there is no...there are no
5. adequate standards and there is no...that have been established
6. whereby loss of hearing may be defined or known. What this
7. amendment does then in that case, is that since we have
8. assigned the responsibility of promulgating rules to the
9. ..Illinois Industrial Commission, then this...this amendment
10. directs the Industrial Commission to adopt and promulgate
11. adequate and reasonable standards for rules for determining
12. such hearing loss. It's a very simple one but certainly one that
13. is very necessary and that the adequate policies and exposure
14. and liability cannot be known or defined by these insurance
15. companies without having this type of wording and which...some
16. standards and what we're proposing is that those standards, in fact,
17. be established by the Industrial Commission. Now, I did talk
18. to Senator Hickey and a few of the other Senators about this.
19. We have made the necessary changes eliminating awarding of any
20. provisions in this area until these standards were established
21. and this does conform with the request that was made to us.
22. I would ask for...certainly be happy to answer any questions,
23. and certainly ask for your favorable consideration.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Savickas is the sponsor, has yielded to Senator
26. Lemke. Senator Lemke..

27. SENATOR LEMKE:

28. We're on the same subject that I had approached four years
29. ago and have gone through this since I've been here on partial
30. loss of hearing. At that time, the industry said that we couldn't
31. have partial loss of hearing and they were constantly opposed to
32. it. What we're talking about here in partial loss of hearing
33. is very negligible in money, because if a party loses hearing

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1. in one ear, the total he can get for a total loss of ear...of
2. hearing in one ear is fifty weeks. Which comes to this, which
3. means it's fifty weeks divided by a hundred percent. So in order
4. for him to get any type of award of...of five weeks, he's
5. got to have a ten percent loss of hearing. Now, we talk about
6. what the company wants to wait till the Commission writes
7. standards. Well, four years ago Commissioner Moullan
8. was alive and was well and was at the Industrial Commission.
9. The Supreme Court of this State directed a case back to him
10. to write a partial loss of hearing. When they had...had hearings
11. for partial loss of hearing it was the industry that went out
12. and they settled it because they don't want to have hearings.
13. So, if we leave this mending in and wait for the Commission
14. to decide to...before an award for partial loss of hearing is
15. determined it will never be done. This will not lower insurance
16. rates, because right now in the insurance industry if a man
17. does suffer a loss of hearing, this is prior to the new Act,
18. prior to when there was partial loss, they used to pay the guy money and
19. he used to receive money and the insurance industry wasn't given
20. a credit for this...this partial loss of hearing. Now, they
21. get a credit and they can give a guy a partial loss of hearing
22. instead of making a flat settlement on a head injury. In other
23. words, if the man is awarded a thousand dollars for a partial
24. loss of hearing before there was no credit, now the employer
25. gets credit because he gets a determination as to what his percentage
26. is. These cases are not...we're not talking about a lot of money.
27. We're not talking about something. We're talking about an industry
28. that doesn't have insurance. We're talking about the steel
29. industry that's in...is making a lot of money. They refuse to give
30. earphones, but now that partial loss of hearing is here, they
31. are giving earphones. And this is what the Act is about. So
32. therefore, I think a motion to Table this amendment.
33.

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator, I wonder if you could withhold that. Certain
3. members have indicated they wish to speak and that motion
4. is not debatable. Can we just...I will entertain that motion
5. when the members have spoken, if that's all right. Senator
6. Glass.

7. SENATOR GLASS:

8. Thank you, Mr. President and Ladies and Gentlemen.
9. I think this is an excellent amendment and should be adopted.
10. Now, I pointed out to Senator Lemke and...and those that construe
11. this as eliminating compensation for loss of hearing. That, of course,
12. is not what it does. It keeps that in the law. Compensation
13. for loss of hearing would remain. But under the law as written
14. now, that without this amendment, there are no standards
15. from which to determine what degree of hearing has been lost.
16. And because of that, companies are going to find it extremely
17. difficult if not impossible, to get coverage for this risk.
18. There is no means of measuring the risk and I think that is what
19. this amendment seeks to do. It does give to the Industrial
20. Commission authority to set those standards, which I think is
21. reasonable. And I would say if...if Senator Savickas and other
22. sponsors of the bill do not feel that they want to give the Industrial
23. Commission that authority, then I would urge you to consider
24. adopting similar legislation to the State of Missouri or Wisconsin
25. or other states that have this in their legislation and have
26. established standards so that this is workable, but this
27. amendment is...is very important and eminently reasonable and
28. I would certainly commend its adoption to everyone.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Johns.

31. SENATOR JOHNS:

32. My question would be to the Senate sponsor, Senator Nimrod,
33. it will just require yes or no. You have several amendments and

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1. each time I'm going to ask you this same question. Do you
2. in your heart feel that if we were to adopt this, that the
3. rates would decrease to the businessman?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Nimrod.

6. SENATOR NIMROD:

7. Yes, I feel that insurance policies would be available
8. to them so you could have a decrease. But the availability
9. comes first. It stablized the premiums.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Johns.

12. SENATOR JOHNS:

13. My question is, "yes" or "no," do you think that the rates
14. would decrease if we adopt this?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Nimrod.

17. SENATOR NIMROD:

18. In my personal belief, I would believe it would help
19. to have the rates decreased, yes.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator McCarthy.

22. SENATOR McCARTHY:

23. Yes, Mr. President, I think Senator Lemke has covered
24. two important points, that is, that we're talking about the
25. total award on loss of hearing on an ear of fifty weeks. So that
26. if you have a two percent loss of hearing, you're only
27. compensable to the point of one week's compensation. So, we're
28. not talking about big money. He further made the point that
29. if you put this amendment in there would be in effect and as an
30. actuality, no payments made for partial loss of hearing until
31. such time as the Industrial Commission would promulgate
32. the rules called for. What does that mean? The...the Industrial
33. Commission would have to hold public hearings, promulgate and adopt

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1. standards and rules for the determination of the partial loss.
2. Who knows when that would be done? If it would be done in
3. July, that would be one thing, August, another. If it be done
4. in November or December, still the people would be postponed
5. in their benefits. So those points have been made and reiterated.
6. Why do I reiterate them? I reiterate them for this reason,
7. that we in this bill...this committee bill, have identified
8. the areas that will at least stabilize insurance rates. We are
9. into this area of partial loss of hearing which is new to the
10. Act. Prior to July 1st of last year, there was no compensation
11. for partial loss of hearing. The person in order to be compensated
12. had to be stone deaf. Total loss of hearing. Now, to come in with-
13. in the orbit of emergency legislation in this Fiscal Session
14. and attempt to change that which has only been on the law since
15. July 1 of 1955...1975 is premature. My suggestion is and I think
16. there's some room...I think there's some room for this Body
17. within the majority and the minority framework to look at the
18. partial loss of hearing. But I submit to the members of this
19. Body that that should be done at a proper Session in January
20. or conceivably even in November, but the amendment is offered
21. for the reason stated, I support Senator Lemke's motion
22. that when it is ultimately placed that that does not belong
23. within the orbit of the emergency scheme under which we're
24. considering this legislation.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Is there any further discussion? Senator Partee.

27. SENATOR PARTEE:

28. Well, Mr. President and members of the Senate, I have not
29. any familiarity with industrial cases but it does seem to me
30. on pure logic that where there are several arbitrators, where there
31. are several commissioners, each who hear cases individually,
32. that there should be some standards by which they make their
33. decisions and choices. It seems to me that that ought to be

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1. the situation just on the basis of each person who appears
2. before that commission being assured that they're going
3. to get equal justice. If one person appears before one
4. arbitrator and another appears before another, and each of them
5. are not operating on the same kind of standards, it seems
6. to me that equal justice just does not follow. Now, I don't
7. see any reason why they have to mandate that the commission set
8. rules and regulations and standards. It seems to me it ought
9. to be a just a part of what they're about. If I were running
10. an industrial commission and there were seven or eight people
11. working there as assistants, each of us would certainly have
12. some rules and standards which would be rules and standards
13. to be followed by all persons involved. Why do we have to
14. mandate them to do this? Can anybody answer that question?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Nimrod, indicates he will yield. Senator Nimrod.

17. SENATOR NIMROD:

18. Yes, Senator Partee, I think that's a very fair question.
19. It's the duty and the responsibility of the Industrial Commission
20. to promulgate rules and regulations. And what we're doing
21. is suggesting that the Industrial Commission promulgate rules
22. so that the twenty-two or twenty-three hearing officers
23. have some guides to follow. And what...

24. SENATOR PARTEE:

25. Just...

26. SENATOR NIMROD:

27. ...and what we're talking about here is hearing, of course, is
28. measured in the area of some five hundred to seven thousand
29. frequency.

30. SENATOR PARTEE:

31. Sir. Sir. I don't want to...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Partee.

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- 1. SENATOR PARTEE:
- 2. Sir, I don't want to get into the parameters of any kind
- 3. of accident or any kind of difficulty that a person encounters
- 4. that sends him there. I'm talking philosophy, not day to day things.
- 5. Are you suggesting to me, now, that the Industrial Commission
- 6. with twenty-two hearing officers, has no rules or no standards
- 7. by which they make judgements?
- 8. PRESIDING OFFICER: (SENATOR ROCK)
- 9. Senator Nimrod.
- 10. SENATOR NIMROD:
- 11. I am suggesting to you that in the area of loss of hearing
- 12. they have no standard rules promulgated in this area.
- 13. SENATOR PARTEE:
- 14. And why is that, Senator?
- 15. PRESIDING OFFICER: (SENATOR ROCK)
- 16. Senator Partee.
- 17. SENATOR NIMROD:
- 18. They have not addressed themselves to that subject.
- 19. They have not...
- 20. SENATOR PARTEE:
- 21. Is it because they don't have many cases of that kind?
- 22. SENATOR NIMROD:
- 23. No, Sir. They have...
- 24. SENATOR PARTEE:
- 25. They have lots of cases of that kind?
- 26. SENATOR NIMROD:
- 27. They have cases of that kind.
- 28. SENATOR PARTEE:
- 29. And they don't have any standards at all?
- 30. SENATOR NIMROD:
- 31. No, Sir.
- 32. SENATOR PARTEE:
- 33. Well, what does an arbitrator do when he gets a particular
- 34. case of that sort? How does he decide it? On what basis?

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1. SENATOR NIMROD:

2. It's...it's just an individual decision. He might
3. refer to some of the others and then if the parties...either
4. party is unhappy, they can appeal and then it goes to the
5. Commission.

6. SENATOR PARTEE:

7. So if two...if twin brothers walked in and one got
8. Commissioner A and the other got Commissioner X and they
9. had identical injuries, one may get ten percent and another may be
10. given thirty percent?

11. SENATOR NIMROD:

12. Yes, Sir.

13. SENATOR PARTEE:

14. That's ridiculous. I can't...

15. SENATOR NIMROD:

16. That sure is ridiculous.

17. SENATOR PARTEE:

18. ...I just can't believe that.

19. SENATOR NIMROD:

20. Yes, Sir. That's exactly the truth.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. All right. Senator Knuppel.

23. SENATOR KNUPPEL:

24. Well, I don't know but I've been trying Workmen's...Workmen's
25. Comp. cases for twenty-five years and you may get a different
26. arbitrator and get a different amount for a leg too. There's
27. no standards for any kind of injury. The arbitrator listens to
28. the medical testimony and it's as wide as the spectrum of colors
29. in the sky. And one doctor will testify this man has no percentage
30. loss or, in fact, they can't give the percentage, but he'll
31. say he has no permanent injury and another one will say he's...
32. he's almost permanently confined to a wheelchair. And the
33. arbitrator has to work from that testimony. And it would be no

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1. different with hearing than it is with a leg, an arm, an eye,
2. or anything else, because they're not allowed to give
3. the percentage in any category anyway. The doctor can't
4. come in and testify this man has a forty percent loss of
5. the use of a leg because that's a conclusion and an opinion.
6. That's what the arbitrator is supposed to decide. Each one
7. comes in and the arbitrator listens, he has to have it founded
8. on medical testimony that can be gotten out of the record. It has
9. to be...there has to be some medical testimony. But, I don't
10. see why hearing should be treated different than loss of
11. use of a leg. A guy hurts a vertebra in his back and they
12. fix the amount at so much...two and a half percent of a leg or
13. something like this, this is no different than all the other types
14. of injuries in Workmen's Compensation. And it doesn't deserve
15. this kind of attention.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Nudelman. Senator Savickas.

18. SENATOR SAVICKAS:

19. Yes, in addressing myself to this particular amendment,
20. I would suggest that this area was covered in one of Senator
21. Graham's bills, Senate Bill 1820. And I would like to just
22. read for a moment what an actuary says about the whole package
23. of bills. "Roy Kellup, of the National Council on compensation
24. insurance testified that none of the three dozen bills before
25. the Legislature would reduce rates employers now pay for Workmen's
26. Compensation coverage." This would also include the standards
27. on the loss of hearing. He goes on to say, "The best hope
28. for businessmen," he said, " is two Republican bills that would
29. cut future increases the insurance industry seeks." But, now
30. when we have the testimony that was presented before the insurance
31. ...before the Insurance Department requesting for a 23.8 percent
32. rate increase, the testimony was that seventeen percent, seventeen
33. percent of that twenty-three was due to medical increases in the

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1. hospitals and treatment. Only 5.8 percent was due to the
2. benefits of the new Workmen's Compensation laws. So when we
3. look at the increases, they're trying...the Insurance Industry
4. under the new laws to pay for everything and blame the Workmen's
5. Compensation area. None of these bills will reduce the premium and...
6. and to believe that or to lend any credence to that belief is
7. just trying to fool the members of this Legislature and it's
8. trying to fool the public. The Insurance Industry admits it.
9. The actuaries admits it, that setting the standards will not
10. decrease the premiums. I would join Senator Lemke in his
11. motion to Table Amendment No. 4.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right. Any further discussion prior to putting the
14. motion? Senator Nimrod may close the debate on Amendment No. 4.

15. SENATOR NIMROD:

16. Thank you, Mr. President, I think I want to call your
17. attention to just two points here. One is how you measure
18. hearing loss is essential to any intelligent underwriting of the
19. loss. Hearing is measured, as I started to tell Senator Partee,
20. from five hundred to a seven thousand frequency. But seven thousand
21. frequency is beyond the range of even hi-fi music. Many of us
22. never have had any hearing in that range. An insurance company
23. must know what the standard will be used before it can set a
24. premium. If you can't get insurance, you then get put into
25. a pool. Just like when you are a driver who has lost his license
26. or you have some problems, you can't get automobile insurance,
27. you're put into a pool. So you pay, three, four, and five times
28. what you should be paying if you were not. What causes here
29. is that local governments and businesses have to end up in
30. a pool when they've never had an accident. So, you certainly
31. are increasing those premiums. And in many cases you can't
32. even get insurance. The Village of Niles, Mayor Nick Blaze,
33. talked to me a week ago and said that his insurance was thirteen

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1. thousand dollars, had now gone to eighty-seven thousand dollars.
2. After three months of insurance, the insurance companies called
3. him and said that we are going to cancel you. Then, on top
4. of that he's talked to twenty-two other companies and unable
5. to get insurance. Of course, premiums will come down. They
6. will not go into the pools. We must establish some form of
7. standard that insurance companies can write these policies.
8. Certainly the loss of hearing standard is one that the Industrial
9. Commission is responsible to do. They do promulgate rules. I
10. think Senator Partee put it very plain and true and factual
11. that it's a ridiculous thing to allow this condition to exist
12. without having some uniform standard that the arbitrators
13. can judge by. I would ask for a favorable roll call.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Lemke for the purpose of the motion.

16. SENATOR LEMKE:

17. Well, in support of my motion, this particular amendment,
18. the reason I made to Table it, will have no effect on the rates
19. because it involves very little money and as...as testimony
20. has revealed, by the insurance industry itself, they said to the...
21. to get a new rate increase, if you give them twenty-four percent
22. out of the package of amendments offered by the Manufacturer's
23. Association they will reduce that by 1.9 percent. Other words,
24. you give them twenty-three percent, and they're happy. They'll
25. take their increase. Well, I would too. So I'd ask for a
26. favorable roll call on my motion to Table.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Lemke.

29. SENATOR LEMKE:

30. Parliamentary inquiry. How many votes does it take
31. to Table.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. The majority of those voting. All right. Senator Lemke

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1. has moved that Amendment No. 4 to Senate Bill 16...1967 lay
2. upon the Table. Is a roll call requested? Those in favor of the
3. motion to Table will vote Aye. Those opposed will vote Nay.
4. The voting is open. Have all voted who wish? Have all voted who
5. wish? Take the record. On that question the Ayes are 23, the
6. Nays are 29, the motion fails. I think the proper procedure
7. is to now move the adoption of it. Is that correct? Senator
8. Nimrod now moves the adoption of Amendment No. 4 to Senate
9. Bill 1967. All those in favor signify by saying Aye. All those
10. opposed. There's been a request for a roll call. Those in favor
11. of the adoption of Amendment No. 4 will vote Aye. Those opposed
12. will vote Nay. The voting is open. Senator Donnewald, will you
13. vote my switch, please. I wish to be recorded No. Have all
14. voted who wish? Adoption is a majority. Have all voted who wish?
15. Take the record. On that question, the Ayes are 30, the Nays
16. are 23, none Voting Present. Amendment No. 4 is adopted. Mr.
17. Secretary, Amendment No. 5.

18. SECRETARY:

19. Amendment No. 5, offered by Senator Nimrod.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Nimrod, will you please again, for the membership
22. identify the amendment?

23. SENATOR NIMROD:

24. Yes, Mr. President...

25. SECRETARY:

26. On page...

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Amendment No. 5 begins with on page 39, line 9, by
31. deleting or inserting in lieu thereof, "and", and then by
32. deleting lines 10 and 11.

33. PRESIDING OFFICER: (SENATOR ROCK)

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1. All right. On the explanation of the amendment,...Senator
2. Nimrod is recognized.
3. SENATOR NIMROD:
4. Amendment No. 5 deals with the Occupations Diseases
5. Section of the Occupational Diseases Act and what this does
6. is it states specifically, occupational diseases should be
7. compensable. But the present law makes all diseases of mankind
8. compensable. If the work aggravates the disease, well, just living
9. causes many diseases to get worse. Part of living is working.
10. Present law actually permits every disease to become compensable
11. as it grows worse, if the person is employed. For example,
12. assume a person has cancer. The doctor says if you take...take
13. it real easy, you'll have five years to live. If you don't,
14. one year. The person chooses to live a full life rather than
15. vegetate and and continue to work...continues to work. He or she
16. dies in nine months. The doctor says, "I told him continuing to
17. work would aggravate his condition and bring death within a year."
18. Thus, cancer becomes compensable. Some sought they would
19. cure this legislation by amending it to exclude the common cold.
20. But the common cold was really descriptive of the many diseases
21. made. They're compensable by the 1975 amendment. I think it
22. states itself very plainly in this amendment that it had...deals
23. with the area of aggravation of diseases and what this amendment
24. does is eliminates that part and makes it to be direct in a cause
25. with the disease. I think it's a clarifying amendment. The insurance
26. companies have testified that they need to have this definition
27. clarified in order for them to be able to write policies
28. so that the business world and that the local governments can obtain
29. insurance and that the premiums can be stabilized. I would be
30. happy to answer any questions pertaining to this amendment.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Glass.
33. SENATOR GLASS:

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1. I would echo Senator Nimrod's comments on the importance
2. of this amendment to eliminate diseases or injuries aggravated
3. by employment and suggest to you that aggravation was never
4. really intended to be covered by Workmen's Compensation.
5. To be compensable a disease really should have its origin in
6. the employment or somehow be involved in a risk peculiar
7. to employment. But to allow the legislation to stand as it
8. is, there is virtually any disease which a doctor would
9. testify has been aggravated by continued activity in employment
10. that would become compensable. Now, that fact, that unknown
11. quantity of what diseases may be aggravated, or under what
12. circumstances an employee can come in and testify or have a
13. doctor testify that his condition is aggravated, is going to make
14. insurance premiums extremely difficult to write. And I...I
15. submit to you that the system cannot bear this kind of a cost, so what
16. the amendment does, and it's a very reasonable one, is eliminate the
17. aggravation and require the law to stick to what was the original intent
18. of the law and that is that the disease arise out of the employment
19. and be a result of the employment. And I think...I think it should
20. be adopted and would urge a favorable roll call.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator McCarthy.

23. SENATOR McCARTHY:

24. Yes, Mr. President and members of the Senate. We feel that
25. this amendment should not be adopted inasmuch...inasmuch as we have
26. dealt carefully with the subject matter of aggravation of a
27. pre-existing condition in the Occupational Disease field. Now,
28. why was this question surfaced before the Democratic caucus?
29. Why was it surfaced in the Labor and Commerce Committee? The
30. answer to those questions as to why we're considering an
31. aggravation of a pre-existing condition in the occupational
32. disease is because much hullabaloo was raised about the passage
33. of the Act last year where according to some minds that were able

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1. to manipulate words they said, why even a person with a common
2. cold would be able to get compensation under the Occupational
3. Disease Act in this section. Now, in the first draft of the bill,
4. we deleted the common cold and then later on in the Democratic
5. caucus when we reached, as a majority party, our decisions, we
6. centered on language that was drafted, and submitted by Senator
7. Morris. And we've agreed to that language. That language
8. is contained in Amendment No. 1, I believe, and it says that
9. "the aggravation shall arise out of a risk peculiar to or increased
10. by the employment and not general...and not common to the general
11. public." Now, that deals with the problem and deals with it
12. realistically, that no person can receive compensation under
13. aggravation unless the aggravation shall arise out of a risk
14. peculiar to the employment or be increased by the employment
15. and not common to the general public. That's a pretty good
16. definition. And you know this area of occupational diseases
17. is a new concept. I'd say ninety-eight out of a hundred claims
18. that are filed, are filed under the Workmen's Compensation Act
19. where there is an injury. Less than two percent are filed
20. where there is an occupational disease. And the reason it's so
21. important for this Legislature to consider prospectively
22. the problems we have, is that much of the problems in occupational
23. disease have only surfaced within the past two or three years.
24. The human body is like the Maple tree. It's not immune to
25. unnatural processes. It was only in 1974 that vinyl chloride
26. gas causes a rare and invariably fatal form of liver cancer.
27. These are problems that come up under the Occupational Diseases
28. Act. And it's important that our language be retained because
29. I, as an individual, can be exposed to vinyl chloride gas
30. say for a half an hour a week and not sustain any medical risk
31. for this fatal cancer. But a person who is working in a plant
32. dealing with vinyl chloride gas eight hours a day, five days
33. a week sometimes in overtime, may invariably sustain this rare

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1. newly found out disease and we in the Legislature should be able
2. to say "we have the occupational disease condition ready for,"
3. I hope I'm not taking too much time, but I've attempted to
4. deal with this problem prospectively, in the modern terms that
5. we know it. That's in rebuttal to the language that's suggested
6. by Senator Nimrod which does not...which precludes people...it pre-
7. cludes people from recovery, because under Senator Nimrod's language,
8. in order to recover, he has the medical proof of burden...medical burden
9. of proof, not to show that there is a causal connection between
10. the exposure and we'll use the vinyl chloride gas in his
11. disablement, he has to prove by medical testimony there's a direct
12. connection. You don't find doctors that will ever say there's
13. a direct connection anytime, the test is, might or could, the
14. occupation of being employed by vinyl...in vinyl gas for the
15. period of time that I mentioned, might or could, that have
16. caused the condition of ill-being that the person suffers
17. with at the present time, and that's always been the standard.
18. Senator Nimrod's words of direct, reverses fifty years of Supreme
19. Court decisions on that one point. He goes...further and says
20. that the connection or the aggravation has to be directly and
21. proximately related to, which again imposes an impossible burden.
22. For those reasons, I think it's a bad amendment.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Hickey. Senator Hickey.

25. SENATOR HICKEY:

26. Mr. President, I rise in opposition to this amendment. I, too,
27. was concerned about the aggravation problem much earlier and
28. worked for some time with Senator Morris to...and we did introduce
29. a bill to solve this problem, but I think that...that the wording
30. that came out in the amendment decided on in the Demoractic caucus
31. very adequately takes care of the problem, and I would suggest
32. that everyone vote "No", on this amendment.

33. PRESIDING OFFICER: (SENATOR ROCK)

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1. I have three other members who have indicated they
2. wish to speak. Senator Buzbee.

3. SENATOR BUZBEE:

4. Question of the sponsor, Mr. President.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Sponsor indicates he will yield. Senator Buzbee.

7. SENATOR BUZBEE:

8. Senator Nimrod, do I understand your amendment correctly
9. then, that if there were a pre-existing condition allowed and
10. a...an aggravation of that...rather...pardon me, if there were
11. a pre-existing condition in the worker, and an aggravation
12. because of the nature of his work, he would not be compensable
13. at all under your amendment. Would that be correct?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Nimrod.

16. SENATOR NIMROD:

17. No, he would be compensable if it were shown that there was
18. any kind of relationship at all with his work. What this amendment
19. does is to show that any aggravation of a disease that is not
20. related to the work, that has nothing to do with it, would not
21. get any compensation. But anything that has any possibility
22. of any realm of any kind of identification with the work, would
23. be compensable with this amendment.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Well, I think, perhaps, I find myself in a position similar
28. to a lot of Senators in this Floor in that we are so unfamiliar
29. with the whole area of Workmen's Compensation and those limited
30. few of you who are attorneys who work in the Workmen's Comp.
31. field, or who have had experience with it because of the work
32. with the Industrial Commission or whatever, you know what
33. you're talking about and we're at your mercy. But, I agree with

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1. Senator Hickey, this is something that I listen to many, many
2. hours of discussion on in the Democratic caucus and it seems
3. to me that the amendment that we worked out there was one that...that
4. fairly and deals with the problem. And then so I'm going to...
5. I'm going to vote "No" on this amendment.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Savickas. Senator Savickas.

8. SENATOR SAVICKAS:

9. At this point, after Senator McCarthy's eloquent
10. presentation, I would move to Table Amendment No. 5 to Senate
11. Bill 1967.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Can the Chair request that we withhold that for a moment?
14. There are four more members who indicated they wish to speak.
15. Senator Johns.

16. SENATOR JOHNS:

17. As a businessman, I'm besieged by my colleagues who say,
18. "Gene, we must do something to lower the cost of Workmen's
19. Compensation." Now, Senator Nimrod, the question is again, let
20. me put it this way, will...

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Sponsor indicates he will yield. Senator Johns.

23. SENATOR JOHNS:

24. ...will this lower the cost because in committee,
25. the question was put, "will all of this ever offer us a decrease
26. in rates," and I believe the answer then was "No." Do you feel
27. that by offering this amendment, and if it were passed, that the
28. cost would be lowered?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Senator Johns, of course, yes. Companies would not
33. have...governments would not have to go into the pools and pay

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1. excessive rates for being penalized for not even having any
2. particular cases. Of course it would reduce the rates...
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Johns...
5. SENATOR NIMROD:
6. ...it would stabilize them.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Johns.
9. SENATOR JOHNS:
10. Have you spoken to the companies that sell this compensation
11. insurance?
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Nimrod.
14. SENATOR NIMROD:
15. Yes, Sir. In fact, we had a representative here, Mr. Joe
16. Luby, who represents the insurances and has stated very effectively
17. and certainly said no insurance company can undertake the multitude
18. of conditions which make compensable by the 1975...1975 law.
19. Employers should be responsible for these diseases to which the em-
20. ployment exposes employees, and in order to be able to write insurance
21. they must know what they are, otherwise they cannot write insurance.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator...Senator Johns.
24. SENATOR JOHNS:
25. One final word. I would ask that my leadership on this side
26. of the aisle utilize our staffs to the fullest. That we study
27. all of the insurance companies selling this kind of insurance
28. throughout the Unites States, compare these bills versus those
29. of other states and determine if the Director of Insurance
30. of the State of Illinois should look into the charges being made.
31. Are they comparable to sister states, for example? This, I implore
32. of my leadership on this side of the aisle.
33. PRESIDING OFFICER: (SENATOR ROCK)

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1. That is in fact, being done. Senator ParTEE.

2. SENATOR PARTEE:

3. I was just going to say to Senator Johns that that is, in
4. fact, being done. We have been told that some insurance companies
5. in Illinois are charging a lesser premium for identical coverage
6. in some of our sister industrial states, and that is the reason
7. why we proffered the resolution to have a committee look into
8. that particular question. We want to know, we think we need
9. an answer to that, Senator Johns, and we're doing just that.
10. You will recall perhaps, that we were sort of railed and
11. criticized when we suggested it and we were accused of being
12. dilatory. We weren't being dilatory at all, but I think before
13. you can make a judgement you need all the facts. And we're
14. trying to get all of the facts and I appreciate your having asked
15. the question.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Mitchler. Senator Mitchler.

18. SENATOR MITCHLER:

19. Thank you, Mr. President. It would appear to me that
20. this amendment would have a direct effect on the hiring of
21. handicapped persons and senior citizens. I believe all
22. members of this Body are interested in seeing that handicapped
23. persons do have an opportunity to get gainful employment to
24. the best of their physical ability. Now, it would appear
25. that by a previous impairment or physical condition by
26. accepting them into employment that perhaps that impaired
27. physical condition could be aggravated and cause additional
28. compensation under this Act. I would think that without
29. this amendment, the Act would be in conflict to our goal to
30. have handicapped persons employed. And I think that same theory
31. could be applied to senior citizens and you know that there is a
32. trend and being considered the elimination of mandatory retirement
33. age because we recognize the extended longevity of our citizens.

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1. Which means that a person when they reach the magic age of
2. sixty-five as the honorable Senator Karl Berning has today,
3. that he can look forward to extended employment and
4. if at that age they have had previous physical impairment
5. of some type that could possibly be aggravated by future
6. employment, an employer would look twice, maybe three times,
7. maybe four times, but anyway they would scrutinize the
8. employment applications of handicapped persons and senior
9. citizens. Now, Senator Nimrod, this is your amendment, so
10. may I direct a question to you, as Senator Johns has?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. The sponsor indicates he will yield.

13. SENATOR MITCHLER:

14. Would this not...would this not be true that without
15. this amendment, that my evaluation would be correct?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Yes, Senator Mitchler, you're correct that that could be
20. included. However, the next amendment, I think, will deal with
21. that more directly and that's for pre-existing conditions. But,
22. you're right, that occupational diseases in the definitions here,
23. would alleviate and probably very helpful for aggravating diseases.
24. Certainly, someone who is handicapped or someone who is disabled
25. if, in fact, that that is aggravated in any way, it could be blamed
26. onto the employer. I think there are recent cases that have
27. come up in cases of veterans even, doesn't have to even be the disabled.
28. The handicapped that we have some case history here that certainly
29. requires us to have this kind of an amendment placed.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Mitchler, your time is up. Senator Wooten.

32. SENATOR WOOTEN:

33. Mr. President, I would like to...to merely note that this debate

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1. is a splendid example of Divine Providence, that God truly
2. does move in mysterious ways his wonders to perform as we're
3. dealing with this very difficult subject, Senator Morris is unable
4. to speak. He has asked me to pass along the word that
5. he is opposed to this amendment, he thinks the wording that
6. we have in our compromise is adequate, and I might add from
7. my own point of view, that I've discussed this and related points
8. extensively with representatives of industry and labor back
9. in the quad cities. And particularly we've talked about
10. the problem of hiring the handicapped, and they feel that the
11. language we have will be sufficient to deal with that problem.
12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right: Senator Savickas has moved to lay Amendment No. 5
14. on the Table. Senator Nimrod, do you wish to close before
15. that motion is placed? Senator Nimrod.
16. SENATOR NIMROD:

17. Yes, Mr. President, fellow Senators. I want to call your
18. attention to just one thing. Senator McCarthy referred to,
19. on page 39 of the Act, to lines 33, 34 and 35 and said that that
20. addresses those problems. Now, I think that what we're saying here
21. is that that area what we're concerned with that this amendment
22. specifically deals with is certainly an area that says "which have
23. become aggravated and rendered disabling as a result of the
24. exposure of employment," and all we're doing is not changing
25. anything else, we're saying that instead of a casual connection
26. between, we're saying a direct casual, and all we're adding into
27. it is in line 18 is "to have its origin or aggravation, all we're
28. saying that its origin must be directly or approximately
29. involved with the disease. I think that Senator Johns and Senator
30. Buzbee and Senator Wooten you cannot pass off...or Senator Morris,
31. you cannot pass off saying the words that you have contrived together
32. in a Democrat caucus...a Democrat caucus have revealed any of the
33. information that would certainly address itself to occupational

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1. diseases, you have missed the point. The point is that
2. insurance companies cannot know their exposure to the multitude
3. of conditions that are made compensable by the '75 law
4. unless you have some definition they can go by. This definition
5. is one that has been presented by the insurance companies,
6. that has the sanction and approval of the Illinois Chamber,
7. the Municipal League and certainly the Illinois Manufacturers'
8. Association and some seventy or eighty other associations
9. that are vitally concerned. This and the other amendments
10. will...will not reduce the benefits to the individual employees,
11. all this will do is make it possible to write insurance. Senator
12. Johns, you must see the way to say that if you want to be able
13. to provide insurance to those people that you're concerned about,
14. it can't be done tomorrow, the next day when...when the committee
15. looks at this problem and comes up with some answers. We're
16. voting on the issue now, and legislators are called to respond
17. now and I would ask for a favorable vote so that we can provide
18. an adequate definition that insurance policies can be written
19. and premiums can be stabilized.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Savickas has moved that Amendment No. 5 to Senate
22. Bill 1967 lay upon the Table. Those in favor signify by saying
23. Aye. Those opposed. Roll call has been requested. Those in favor
24. of the motion to Table will vote Aye. Those opposed will vote Nay.
25. The voting is open. Have all voted who wish? Take the record.
26. On that question the Ayes are 31, the Nays are 19, none Voting
27. Present. The motion to Table prevails. Amendment No. 5 is Tabled.
28. Mr. Secretary.

29. SECRETARY:

30. Amendment No. 6 offered by Senator Nimrod.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator, might I request that you again identify the amendment.
33. Senator Nimrod. Senator Nimrod.

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1. SENATOR NIMROD:

2. Yes, Mr. President and fellow Senators, this amendment
3. begins with page 7 line 24 by deleting "is" and inserting
4. in lieu thereof, the following, and it begins on line 5, it says
5. "shall be as hereinafter set forth."

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Thank you, Senator. On the explanation of Amendment No. 6.
8. Senator Nimrod.

9. SENATOR NIMROD:

10. Mr. President and fellow Senators, this amendment deals with
11. the problem that was mentioned by Senator Mitchler and requires the
12. Commission to consider any pre-existing condition and award
13. compensation only for such additional disability as may have
14. been caused or aggravated by the injury. This is virtually
15. required in the law, since the law now prohibits the discrimination
16. against the handicapped in employment. The 1975 amendments
17. expressly forbid the Commission to consider any pre-existing
18. conditions determining disability. Thus, any of us who
19. wear glasses could get something in...gets in our eye and collect
20. for the lifetime total for eye disability. This was and is
21. ridiculous. This amendment addresses itself to that particular
22. problem. Also, I want to mention that this amendment would also
23. clarify and make real and whole a program that is noteworthy
24. and certainly mandated by the Federal government and that is
25. "hire the handicapped." If we do not address ourselves to this
26. problem, and adopt this amendment, then we will be saying to the
27. employers, "you must be the one that cannot discriminate by
28. Federal law and yet you are faced with the possibility of providing
29. and caring for the handicapped and disabled." Do we want to hear
30. limit the number of disabled and handicapped who are going to be
31. eligible for employment? Do we want to, in fact, find different
32. means and methods that we're going to force employers to discourage
33. in fact, any employment of these particular areas? I know

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1. you say you can't discriminate and that's the Federal law, but
2. we are complicating the law and making it impossible for
3. insurance companies to write policies that will cover this.
4. If they know what their exposure is and what their liability
5. is, then they will be able to present that...a policy for the local
6. governments and the businessmen. If we do not adopt such
7. of the pre-existing condition limitation, then we are certainly
8. saying to them, "that you are liable and will be exposed to this
9. particular problem. Be happy to answer any questions on this amend-
10. ment.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Partee.

13. SENATOR PARTEE:

14. One of the things they teach you when you're talking
15. about debating is to drag in red herrings. Now, you know, you
16. start talking about people who are handicapped and people
17. who have problems or aged or something, and you then say to the
18. person, forget about what I'm talking about, forget about the logic
19. of it, just sort of exercise yourself because of the handicapped.
20. The fact of the matter is if a person comes to work as a handicapped
21. person and maybe he works in a wheelchair, whatever pre-existing
22. injury or handicap he had is an accomplished fact. Now, if he
23. gets an injury after that, he can only be compensated for the
24. injury in excess of whatever impairment he already had. Are there
25. any examples, Senator, of somebody getting paid for some pre-
26. existing injury where he came with a known handicap?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Yes, Senator Partee, there are. And one in particular is
31. a veteran who had an aggravation...of a pre-existing condition on
32. his foot. I'll be able...be glad to get you the specific data
33. and detail on that, in fact, who is receiving an award on...based

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1. on the net pre-existing condition, and there are many more, I'm
2. sure.

3. SENATOR PARTEE:

4. Well, I...

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Partee.

7. SENATOR PARTEE:

8. ...I confess...I confess an error in having asked you the
9. question, and the minute it came out, I realized I should
10. not have asked you. But, what I am saying to you, Sir, is
11. those insurance companies that are defending claims which arise,
12. certainly have the facilities to determine on the basis of
13. examinations given at the time the person was employed, what
14. the pre-existing injuries were, and all they have to do is
15. to be assertive of them in their defense and the accident is paid
16. for on the basis of the injury which is extrinsic to the
17. original accident. So, putting this into the law in my judgement
18. does not do anything except to confuse it. If you're saying to me
19. that the Industrial Commission now allows the payment for accidents
20. or for maladies, handicaps, prior to employment not occasioned
21. by the employment, then I say to you that then we ought to maybe
22. take a match and burn the whole place down, but I just don't
23. think that they're operating on that basis. I've heard no one
24. say that. If a person is already handicapped, he gets paid for
25. that which is in excess of that and not certainly for the
26. handicap for which the employer had absolutely nothing to do...nothing
27. to do with.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Savickas.

30. SENATOR SAVICKAS:

31. Yes. Senator Partee hit the nail right on the head. This
32. law is already the language of the Act. The Supreme Court
33. has already ruled that this is what must be followed. It's case law,

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1. it's been in there since 1907 and the only problem that the
2. Republican party is concerned about in this it puts the burden
3. of proof on the employer. It makes them prove that there was
4. a pre-existing condition, and they just, I think in many instances,
5. don't want to take the time to do this. So, if anybody got
6. paid for a pre-existing condition it's because they did not
7. prove up their case properly before the arbitrator. I would
8. move that this Amendment No. 6 be Tabled.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. I...I will, in fact, entertain that motion. There are a couple
11. of others who have indicated they wish to speak. Senator Berning,
12. for what purpose do you arise?

13. SENATOR BERNING:

14. Thank you, Mr. President. I'd like to ask a question of
15. the sponsor of the bill since by way of his statement he
16. has somewhat impuned my now senior citizen membership in the
17. party. His statement as I interpreted it was that the Republican...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Pardon me Senator, you are directing this to Senator Savickas?

20. SENATOR BERNING:

21. Yes.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Savickas indicates he will yield. Senator Berning.

24. SENATOR BERNING:

25. I...I...a...a...a comment, then, in return from Senator
26. Savickas. If...if he views the amendment as a devious effort
27. by the Republican party to protect employers may the same
28. inference not be construed as to the efforts of the Industrial
29. Commission to over-compensate an employee. Is that almost not
30. an identical situation, Senator, and would it not be better to
31. pin it down by an amendment like this?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Savickas.

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1. SENATOR SAVICKAS:

2. I doubt that. I think that the Industrial Commission is fair
3. and square, Senator.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Berning.

6. SENATOR BERNING:

7. Then you're saying that industry is not?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Savickas.

10. SENATOR SAVICKAS:

11. I didn't say that. I just said that I thought the Industrial
12. Commission was fair and square.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Johns.

15. SENATOR JOHNS:

16. Mr. President, though I am a businessman, I grew
17. up in the coal fields of Southern Illinois and I watched men lose
18. arms, both legs, and I saw them receive little compensation
19. and it really destroyed all my belief in society for a long time
20. and I determined then that I would seek the position I hold
21. today to fight for labor and I found that the Democratic party
22. was that party and that they cared about labor. I see here
23. where in the course of events that the insurance representative
24. said "yes, this bill might lower the rates," the bill that
25. we proposed, it might lower the rates, now mind you, two-tenths of
26. one percent when in essence they had already asked for a rate
27. increase of 24.3. That means they'll give us two-tenths of a percent
28. if they're allowed a 24.1 percent increase, and I say to my
29. colleagues we must not desert labor here today nor the common
30. man, the working man and I see here the need to resist changes
31. that will put us back in what I call, I believe that the
32. Compensation Bill was our cake and it needed improvement. Perhaps
33. we went too far. Now, we're trying to resolve that issue and

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1. bring it back into maybe better and more realistic terms.
2. But the thing that continues to bother me, is that the rates
3. won't decline and then again, I ask you the same question,
4. Senator Nimrod, will this amendment lower the rates?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Nimrod.

7. SENATOR NIMROD:

8. Yes, this amendment will have a direct effect on enabling
9. insurance companies to be able to write premiums and set up
10. policies for those businesses and governments that cannot obtain
11. insurance today and for those people who have been threatened
12. and told that they are going to lose their coverage in these
13. areas as all the testimony that you heard in the committees.
14. Yes, it will have an effect on the rates and certainly
15. eliminate necessity of going into the pools and stabilize
16. premiums.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator McCarthy...oh, Senator Johns.

19. SENATOR JOHNS:

20. Still want my question. Will it lower the rates?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. I said "yes."

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Johns.

27. SENATOR JOHNS:

28. Have you in your conference with insurance companies and
29. through the proposal of this amendment, have you had a
30. statement from them that if this is adopted, it will lower rates?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Nimrod.

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1. SENATOR NIMROD:

2. The comments that I have and the assurances I have, it
3. will stabilize and not keep increasing, so if you're not going to
4. be...paying more, of course, it's going to cost you less. If
5. you're not in the pool and you're not being penalized four and
6. five times the premium rates, of course, it's going to cost you
7. less if a policy is available, not just one percent less, not
8. just a penny less. Senator Johns, let me tell you one other thing.
9. There were hearings on June the 2nd. I'm not sure whether you're
10. aware of those or not, but you ought to talk to Senator McCarthy.
11. He had a representative there, and that man was there said that
12. the insurance companies were, except for though one provision,
13. they were justified rate increases, and there was no really
14. concern about that. So, I think that what we have to do is to look
15. at these areas and allow insurance companies who want to issue
16. policies an opportunity to do this if we will adopt these kinds of
17. amendments. Without these amendments, they cannot write policies.
18. They cannot stabilize premiums. You are denying employees, not
19. only the right of coverage and protection, but you are doing away
20. with their job and their livelihood, and you will be held directly
21. responsible.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Johns.

24. SENATOR JOHNS:

25. Now, if I'm not mistaken, our staff has determined that these
26. rates are out of line in comparison to the rates imposed on sister
27. states. Am I not correct in that assessment? Senator Hickey, didn't
28. our staff...aren't they pursuing these interest...I mean these
29. compensation rates in other sister states, and haven't I been told
30. that the results are looking towards...showing that this rate that
31. we're being ripped off in this state in compensation rates in comparison
32. to other states.

33. PRESIDING OFFICER: (SENATOR ROCK)

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1. Senator Partee.

2. SENATOR PARTEE:

3. I'll yield...

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Yield...

6. SENATOR PARTEE:

7. ...to Senator McCarthy on this.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. ...Senator McCarthy is next on the list. Senator McCarthy.

10. SENATOR MCCARTHY:

11. Well, just in answer. There is a report that's filed this
12. day, pursuant to the resolution, which doesn't draw any definite con-
13. clusion. It's an interim report, but it does question certain
14. things such as trend factors, experience, and so forth, so it's an
15. open question. I can't say what the conclusion is.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. All right. Senator McCarthy.

18. SENATOR MCCARTHY:

19. Yes, I...I...you know, hesitate to arise on some of these
20. amendments, but I think Senator Partee and Senator Savickas have
21. really touched upon why the amendment is bad and that is that there
22. is a rule, and it is the law that if a person suffers an injury
23. under the Workmen's Compensation Act, say to his arm, and he later
24. receives an award or a settlement for fifteen percent of the loss
25. of use of the right arm, and then later on down the line, if
26. he suffers a second injury to that right arm, where it's the arbitrator's
27. opinion that as a result of the two accidents, he is...he has
28. suffered a total loss of fifty percent of the arm. The law is now,
29. he only gets thirty-five percent. If he's lost fifty percent, they
30. take off the fifteen percent that was awarded earlier, and that's
31. fair and that's always been the law. Now, those...but this amendment
32. goes much further than that. It says that they don't get anything
33. where an employee has suffered a permanent physical impairment,

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1. let's take the fifteen percent of the arm, prior to the accident
2. or injury for which compensation is payable. Now, I want to point
3. that out, because a good many people injure themselves on the job
4. are entitled to compensation but never make claims, never make claims.
5. So, what you've got here in this amendment is the person who may
6. have injured himself, suffered an injury, to a point of some degree
7. of permanency, but never filed a claim and never got any money,
8. even though it was payable, and he would be penalized, penalized
9. under this amendment so that he would only get the difference between
10. his degree of disability, say fifty percent today, and the fifteen
11. percent which he has sustained in his first injury, even though he
12. was one of these nice guys that for one reason or another didn't
13. feel that it was worthwhile to file his claim. That puts a penalty
14. on the people. It's going to increase filings. You're going to
15. have people filing for every time they scratch their fingernail
16. if this type of...of an amendment goes through. If people filed
17. their claims for every time they scratched their finger or scratched
18. their toe, then the insurance companies are going to raise rates.
19. This is a self-defeating type of amendment for the reasons hereto-
20. fore stated and the examples I give. It should be resoundingly
21. defeated.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Glass.

24. SENATOR GLASS:

25. Well, Mr. President, Ladies and Gentlemen, I wasn't going to
26. speak either, but I can't let those comments of Senator McCarthy
27. go by unnoticed. I think if I understand him correctly, he would allow
28. someone to be compensated for an injury that did not occur at all
29. in the line of duty and was not caused by the employment whatsoever.
30. The amendment is a simple amendment, and I can't imagine anything
31. more reasonable. To say that compensation shall be awarded only to the
32. extent that the pre-existing condition has been aggravated by the
33. injury for which compensation is payable, that is what's fair.

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1. You ought to...you ought to compensate someone to the extent their
2. pre-existing injury has been aggravated, but not for the pre-existing
3. injury that wasn't caused by the injury for which he's being compensated.
4. So, I...I don't understand the opposition to this amendment.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Partee, for what purpose do you arise?

7. SENATOR PARTEE:

8. Well, I just wanted to thank Senator Glass for an opportunity
9. to a little bit of nostalgia. When you said what you just did, it
10. reminded me that when I was fifteen years old, one day a man said
11. to my father, "Did I hear you say that?" My father said - "I don't
12. know whether you heard me or not." But based on what you say, it's
13. obvious to me that you did not understand what I said, because what
14. Senator McCarthy said is not what you obviously understood him to say.
15. He didn't say that at all.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. All right. Senator Bell.

18. SENATOR BELL:

19. Well, thank you, Mr. President. I've been sitting here
20. listening to the debate continuing on now for, something in excess
21. of an hour, on...on these few amendments, and I find myself distressed in
22. some aspects of how the reaction of...of these amendments is taking place.
23. In one hand we have the left side of the aisle. Seemingly to say,
24. that what we on the right side of the aisle are trying to offer is
25. something less than for the benefit and the welfare of the people of
26. the State of Illinois. Now, I don't know how it comes about that
27. the Democrat Party can sit over there and simply say that they take
28. care of the interests of the working man. I mean this is not, in
29. fact...altogether the case. We're all here to serve the people of
30. the State of Illinois, be it the working man, you know I consider
31. myself a working man, most of you consider yourselves working men,
32. or whether it be for the case of business, or industry, or what.
33. We have amendments that are being offered here today on probably, in

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1. my humble opinion, one of the most vital crises that the State
2. of Illinois has got, and if we're going to sit here and take a
3. partisan - political outlook constantly on every amendment that's
4. offered, my friends, we're not going to get the job done for the
5. welfare and vitality of this State. Now, the fact of the matter
6. is, that business is leaving the State of Illinois. The fact of
7. the matter is, that there is migration moving out of the State of
8. Illinois. All you have to do is read Business Week, read the
9. newspapers, read almost any publication that's talking about the
10. problems of this country in general, and in many cases, specifically
11. to the State of Illinois. Why can't we work together in trying to
12. resolve some of these problems. Why must it always being laid on
13. that this is a political-partisan thing. Damn it, it's not. You know,
14. we've got an issue here that the working man has to have jobs. He
15. has to be able to relate to the economy of Illinois. To have those
16. jobs, business has to be viable, and I'm getting darned tired of
17. sitting and listening to your side of aisle constantly saying that
18. we have something ulterior in our motives. I resent that, and in
19. the case of this particular Senator, it's not true.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right. Senator Savickas has moved that Amendment No. 6
22. lay upon the Table. Senator Nimrod, before that motion is placed,
23. may close the debate.

24. SENATOR NIMROD.

25. Thank you, Mr. President. I want to say one thing. I spent
26. two years in the Industrial Commission, Senator Partee, and I want
27. to tell you that in a figure form of speech, I want to join you in
28. carrying that match, because it does not serve the working man. It
29. does not compensate those people and rehabilitate them. It's because
30. of restrictions of this type and because of the kind of process that
31. goes on, Senator Savickas, that the Industrial Commission is not
32. effective. And in fact, why did you on that side of the aisle take
33. a million and a half dollars out of their budget. We should have

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1. gone further than that. It has been wholly and totally inappropriate
2. to meet the needs of the employees of this State. What we need to
3. do is to take care of these people. What we're saying by not voting
4. for this amendment is that we won't want to have the handicapped to be
5. hired, Senator Partee. We don't want Senator Johns to be able to have any
6. business. We don't want to have any...any particular area here that
7. can be covered for employment. What we're saying is that we want
8. to make it impossible to go ahead. Yes, I know, there is a division
9. here, and there is strong support. I wish, Senator McCarthy, ...
10. I agree with you that...the rate increases are there, and the trends,
11. there might have been some question, but there is no question about
12. the premium increase, and I wish that Senate Bills 234 and 235 had
13. been explained in detail last year. I can assure you with the same
14. kind of intelligence here that we're looking at these amendments. I
15. can assure you that that bill would have never passed in any manner,
16. shape or form, because it was not addressed, and the pitfalls and the
17. problems and all the things that came out of it were never explained
18. to all the Senators on this Floor. I would hope that in this small
19. way, addressing ourselves to these six or seven items, not taking
20. away any of the benefits from the employees of this State, but
21. making it possible for business to be able to obtain insurance,
22. being able to be able to have policies that are written, being able
23. with the best knowledge and you received that information over
24. there just as well as we did, that stated emphatically that without
25. some definitions and without some limitations, we cannot expect to
26. have premiums being available and stablized and be able to have
27. insurance available to the employers and to the local governments
28. of this State. This one is even one step further than that. It's
29. going to end up in the negative where you are forcing discrimination
30. against the handicapped and disabled. The decision rests upon
31. you.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Savickas has moved that Amendment No. 6 lay upon the Table.

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1. Those in favor will vote Aye. Those opposed will vote Nay. The
2. voting is open. Have all voted who wish? Take the record. On
3. that question, the Ayes are 32, the Nays are 21, none Voting Present.
4. The motion prevails. Amendment No. 6 is Tabled. Mr. Secretary.
5. SECRETARY:
6. Amendment No. 7 offered by Senator Nimrod.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Nimrod, is this the large one? Has that been distributed,
9. Sir?
10. SENATOR NIMROD:
11. We...
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Will...will you identify it, please.
14. SENATOR NIMROD:
15. Yes. Yes, Mr. President, this is one of the large ones, and
16. it does begin by...on line 4, as you'll begin from there, and it
17. says, "on Page 7 by inserting immediately below line 21, the following,
18. and covering Chapter 28, paragraphs 138.7," and then it begins with,
19. "section 7."
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Brady, for what purpose do you arise?
22. SENATOR BRADY:
23. Yes, Senator Nimrod, there are two amendments in a row that
24. say exactly the same thing. Is this the one that is underlined on the
25. first page, or not underlined?
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Nimrod.
28. SENATOR NIMROD:
29. Yes. Senator Brady, it's the one that's underlined.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. All right. Senator Savickas.
32. SENATOR SAVICKAS:
33. Did Senator Nimrod conclude his...

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1. PRESIDING OFFICER: (SENATOR ROCK)
2. No...no...he...
3. SENATOR SAVICKAS:
4. ...presentation.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. ...I was just asking...
7. SENATOR SAVICKAS:
8. All right.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. ...The Chair requested that he identify the piece of paper we're
11. talking about. All right. On the question on the adoption of
12. Amendment No. 7, Senator Nimrod.
13. SENATOR NIMROD:
14. Mr. President, it's very obvious that what is happening
15. here this afternoon, and I want to briefly address myself to this
16. amendment and I want to restate that these amendments are those
17. amendments that are needed in order to make insurance policies
18. available to business and being able to stabilize the premiums.
19. These in no way affect the benefits that go to the employees, and
20. they do place some limits and caps on them in order to...allow
21. writing of insurance policies. This particular amendment addresses
22. itself and clarifies a provisions between the widows and children.
23. And what it does, is that it...it requires that the widow or widower
24. be at least partially dependent upon the deceased in order to get
25. benefits. There's no change, in fact, if he or she is totally
26. dependent. So, there's no change provided there. For children,
27. benefits continue to the age of eighteen, or to the age of twenty-
28. five if they are in an accredited institution. So, this remains
29. unchanged in this amendment, and this leaves the two year dowry or
30. remarriage unchanged. It leaves the dependent parents and partially
31. dependent children as beneficiaries but only if they are dependent.
32. It...and in this particular area, I think it's very important that
33. we address ourselves to clarifying these provisions and this is all this

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1. particular amendment does.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Savickas.

4. SENATOR SAVICKAS:

5. Yes, Mr. President and members of the Senate, this is not
6. just in all what this amendment does. This is one of the worst
7. amendments out of the whole lot. What you're trying to do is
8. penalize, penalize a family because if the wife goes out to work
9. part-time, so that she may obtain some of the better things in life,
10. maybe to help put the children through school, maybe to buy a new
11. washing machine, or to buy new rugs or buy clothes, you're trying
12. to penalize that family because she's going out to take a part-time
13. job. I think this is totally ridiculous. The second part of it
14. is you're trying to take a person who has a vested...vested
15. interests in a pension, and I think this is unconstitutional to
16. take their vested interest in a pension and apply it towards
17. their Workmen's Compensation benefits. People that have worked all
18. their lives to build a pension, have taken monies from their own
19. pockets and contributed their portion to it, and now you're going say
20. to use their pension towards the Workmen's Compensation benefits.
21. Why, sure, it would reduce the cost of insurance. Pretty soon, they'll
22. want to take your whole pension, and that should be your Workmen's
23. Comp. My God, ...where will this stop? Are we only concerned what
24. big business wants, so...so they could increase their profits? This
25. has no...no legitimate affect on the insurance rates. You can't tell
26. me that insurance companies cannot actuarially write insurance in
27. Illinois because they can't make use of someone's pension rights,
28. because they want...some woman is working part-time to get some of
29. the better things in life and that we should figure those earnings
30. against...against what they should get in Workmen's Comp.? This is
31. one of the worst amendments that I've ever seen. I...it's an amend-
32. ment that would penalize the poor working person and again benefit
33. the big business community. I would suggest that this amendment be
34. Tabled without any further discussion.

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Your motion will be recognized. There are at least two...
3. two members who have indicated they wish to speak. Senator Buzbee.

4. SENATOR BUZBEE:

5. Well, yes, Mr. President. First of all, unfortunately, I
6. got my hand up too late awhile ago on Amendment No. 6. I did that
7. because I had no intention of speaking on that until Senator Bell
8. brought up the political issue, and I wish Senator Bell were on
9. the Floor right now, because there's some of us...there he is. Good.
10. There's some of us who feel that this issue has been politicized
11. by people other than the Democratic members of the Illinois State
12. Senate. I specifically refer to the Illinois State Chamber of
13. Commerce. Now, I have in my district a lot of small businessmen
14. who belong to Chambers of Commerce and they're very concerned people,
15. because we passed some legislation last year that was not to their
16. best interests. I firmly believe that, and that's the reason why
17. I have been participating in trying to correct some of those mistakes.
18. But it seems that the Illinois State Chamber of Commerce continues
19. to put out the propaganda that the Democratic Senators are not
20. interested in the business climate of the State of Illinois. And
21. now, I resent that, because my little businessman sitting back in
22. Carbondale and Waterloo and Nashville, he doesn't know anything about
23. the insurance rates nor more than I do, or nor more than you do on
24. that side of the aisle. All he knows is the propaganda that he
25. gets from the Illinois State Chamber of Commerce, and it's getting
26. worse and worse and worse. There are some of us who firmly believe
27. that the Illinois State Chamber of Commerce is not interested in
28. correcting the problem, but is interested in electing Republicans
29. in the Fall. Now, I submit to you that may be an honorable stance.
30. If I were a Republican, I would be doing the same thing, but I would
31. like for the Illinois State Chamber of Commerce to at least have the guts
32. to stand up and say, "yes, that is what we're trying to do." I
33. have been talked to and lobbied by lobbyists from the Illinois State

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1. Chamber of Commerce in the evening several times, and have been
2. told that, "tomorrow I will be by to talk to you about this problem
3. in your office," and I have yet to get the first visit from that
4. lobbyist in my office during the day. Now, I think if he's really
5. serious about correcting this problem, he'll come by and talk to
6. us. But in the meantime, let me tell you what I'm going to do. I'm
7. going to request, and I'm not up for election this year, I got two
8. year's of grace, I'm going to request every local chamber of commerce
9. in my district to meet with me and I'm going to describe to them all
10. of the machinations that we went through on every one of these
11. amendments and what those of us who don't know anything about work-
12. men's compensation have gone through to try to correct the problem
13. and then say - if you want to take the hogwash that the Illinois
14. State Chamber of Commerce keeps putting out as the gospel truth, then
15. so be it, but in the meantime, I want to tell you what my side of
16. the story is, because you're not getting the whole picture. You're
17. getting the propaganda to elect Republicans to the Legislature in
18. the Fall, and if we want to call it the political action arm of
19. the Republican Party, then let's so label it. But let's don't call
20. it the newsletter of the Illinois State Chamber of Commerce. Thank
21. you, Mr. President.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator McCarthy. Senator Nimrod, for what purpose do you
24. arise?

25. SENATOR NIMROD:

26. Mr.....Mr. President, I just want to get...make the record
27. straight pertaining to one particular area. I thought the amendment,
28. the additional wording for the credit for pensions was added to
29. another amendment, but it is on this amendment, and I...

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senators...

32. SENATOR NIMROD:

33. ...would like just a moment if I can before Senator McCarthy

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1. can speak to this, to...to explain what that does, because...as
2. I never did explain that.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Well, you will have an opportunity to close, Senator.

5. SENATOR NIMROD:

6. But they...if they don't know what I spoke about in the first
7. place, how they going to know how to vote?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Well, I understood that Senator Savickas pointed that out
10. quite ably. Senator McCarthy.

11. SENATOR MCCARTHY:

12. Well, I just and I'm trying and I think my colleagues on this
13. side of the aisle are doing a...an exemplary job of responding to the
14. political aspects of these bills. I've been attempting to lend what
15. expertise I have in this matter, so that the Body can look at the
16. amendment one by one, and then gauge the whole thing together. I...
17. I...I again would like to address the proposed amendment, Mr.
18. President. What this amendment provides is something that really
19. is a...is worse than a can of worms. It provides that in the case
20. of death...of death of an injured worker that the surviving spouse,
21. be it a widower or widow, must in order to collect death benefits
22. prove dependency, or if they can't prove total dependency, they
23. must prove partial dependency. That's been unheard of. Now, let me
24. give you some real problems in this area. At the present time, when
25. a man is killed on the job, and there's no question about the fact
26. that he was on the job, that he was killed in the course of his
27. employment, that the widow's got a marriage certificate and that she also
28. could produce a birth certificate, she goes before the commission
29. without a lawyer and gets the award from the commission. If there
30. are just a little tiny question involved, maybe it's an adopted
31. child, or child by a previous marriage, she may wish to have a lawyer
32. look over her pink sheet, and the commission allows that lawyer for
33. an award of thirty thousand dollars or upwards, two hundred or a

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1. maximum of three hundred dollars. That means the widow gets all
2. the money, and that's where the money goes. Now, what are you
3. doing, Senator Nimrod, in every death case when you have to prove
4. partial dependency or total dependency, you're making that widow
5. go to the lawyer and say - I got to prove that I am totally dependent
6. even though I went out and took the job to buy the washing machine
7. that Senator Savickas talked about. That's just intolerable. It
8. makes the Act worse. It's going to be of a cost factor which is
9. going to take money away from the widow and children, and once their
10. benefit stops, we know that when the employer stops paying the
11. workmen's compensation dollar, the widow and children go on Public
12. Aid.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Bruce.

15. SENATOR BRUCE:

16. Yes, Mr. President and members of the Senate. This amendment re-
17. minds me of a fish that has been out of water three days and has started to
18. stink, 'cause as we've gotten to Number 7, they've started to smell
19. a little worse. Senator McCarthy's point is well taken. I certainly
20. would not want to be part of any movement that would require widows
21. to go before the commission with records going back, Lord only knows
22. how long, to prove dependency, wholly or partially, upon the person
23. who has now deceased. I think that requirement is stupid and I
24. would hope that this amendment would not be adopted. In addition,
25. on Page 2, if the deceased was unfortunate enough to have a mentally
26. or physically handicapped child whom he, while alive, was able to
27. enroll in a college so that that child could proceed, that he has help-
28. ed him get into college, if he dies at that point unfortunately,
29. that child who is mentally or physically handicapped, his benefits
30. are cut off, and that is a stupid way to run a Workmen's Compensation
31. program. Finally, the proposal that we would say that any pension
32. program, any wage continuation program, any insurance plan that a
33. person has is going to be used to offset benefits, is again not the

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1. wisest way to handle a Workmen's Compensation program. If the
2. worker has been diligent enough and worked long enough to have built
3. up an pension, to have gotten an insurance program that may provide
4. for him partial disability benefits, that worker who has taken the
5. time, who has paid out of his own pocket for those benefits, he is
6. penalized. The guy who does nothing to provide for his family, who
7. walks along in the sunshine hoping he'll never die, he receives
8. all the benefits. I think it turns the system absolutely upside
9. down, and I would hope that no one supports this particular amend-
10. ment.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Harber Hall.

13. SENATOR HARBER HALL:

14. Mr. President and fellow Senators, I would be remiss sitting
15. on this side of the aisle if I did not take exception to Senator
16. Buzbee's remarks that have at last referred to this whole problem,
17. this whole issue before us today in Senate Bill 1967, as one being
18. entirely partisan. I recall, Mr. President, last year in April, a
19. number of businessmen contacted me and said they were coming down
20. here to Springfield to stop the poor legislation that was being
21. advanced in last year's Session concerning Unemployment Compensation
22. and Workmen's Compensation and Occupational Disease Acts. They
23. came down, Mr. President, three thousand strong. I went over to
24. the Armory across the street and talked with them. I heard what they
25. had to say. Most of us on this side of the aisle heard what they
26. had to say, virtually, everyone on this side of the aisle. We tried
27. to stop passage of 234 and 235 and 285. We weren't successful. We
28. heard following that, from members of the Democrat side, that they
29. didn't really understand what was in those bills. They didn't under-
30. stand it, and they were going to support some changes. We heard one
31. member say it was the worst bill they had ever voted for. We took
32. them at the word, Mr. President, and we enjoined our staffs, our
33. business representatives, and we sat down and we worked out some reason-
34. able amendments to the bills, and we've offered them here this morning,
35. this afternoon. They do not affect any individual's benefits

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1. in any serious matter, but they do enable companies to
2. write insurance and to give coverage to all those who are
3. under the Workmen's Compensation Act, and without that
4. we're going to hear the same complaints, and I say to you,
5. Senator Buzbee, do not come back again next year and say
6. you didn't have...you didn't really know what was in these
7. amendments and you consequently are pleading ignorance on
8. these amendments that we're offering. This entire pack-
9. age offered by Senator Nimrod is very responsible. I could
10. stand in back of the entire package without any qualm and
11. you could too. Each one of you Democrat members could do
12. that and you know you could, but you are listening to organ-
13. ized labor. Say -"we will settle for nothing less, that's
14. it, period." You do not want a Republican amendment on any
15. of your bills since you want to put it on a partisan basis.
16. But, we're offering them, nevertheless, and we'll stand be-
17. hind them and we'll see what happens next year. Thank you,
18. Mr. President.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Savickas has moved to Table Amendment No. 7.
21. Before that motion is put, Senator Nimrod may close the de-
22. bate.

23. SENATOR NIMROD:

24. Thank you, Mr. President. In addition to that I'd want
25. to explain one thing about this. This has a strong support
26. of the Municipal League, Illinois Municipal League. The
27. reason for that is that our cities and our...and our villages
28. and our local governments are going to have great difficulties
29. and serious repercussions, because if we do not provide for
30. this amendment. I want to tell you that this does not reduce
31. the two-thirds of the wage standard, but it does require that
32. employers receive credit against that money, on their pensions
33. and social security to which the employer has contributed

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1. not for any others, but only to those where the employers
2. contributed. Without this, any employee is better off not
3. working than working. For example, Workmen's Compensation
4. and social security benefits are eighty percent of the gross
5. wages, all...all tax free. For municipalities, the police
6. pension plus the Workmen's Compensation benefits, is one
7. hundred and thirty-two dollars of gross pay, and all tax
8. free. Will anyone return to work if he is getting these
9. kinds of benefits? Will anyone undertake training for voca-
10. tional rehabilitation if by going back to work he's going to
11. be financially worse off? Without this amendment we have
12. made it more profitable not to work than to work. Society
13. cannot afford to have the nonproducers and have a system of
14. inevitable decline in production. What we need to do is to
15. have more producers and less nonproducers. Let's not create
16. the parasites or create the people that are going to be able
17. to go ahead on this area and look for this free money. I
18. think this is an important and very responsible amendment
19. and I would urge its adoption.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Savickas has moved that Amendment No. 7 to
22. Senate Bill 1967 lay upon the Table. Senator Buzbee, for what
23. purpose do you arise?

24. SENATOR BUZBEE:

25. A point of personal privilege since my name was mentioned
26. in debate.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. State your point.

29. SENATOR BUZBEE:

30. I would like to say, Senator Hall, that if I had any
31. assurance from the insurance industry that these amendments
32. as offered by Senator Nimrod were going to bring down rates
33. appreciably, then I might be more prone to supporting all of

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1. them, and I would like to correct one thing you said, that you
2. don't want any Republican amendments. You said - you Demo-
3. crats don't want any Republican amendments to go on this
4. bill. I would point out to you that the first amendment
5. Senator Nimrod offered, in fact, was adopted with help of
6. several Democratic votes.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Savickas has moved that Amendment No. 7 lay upon
9. the Table. Those in favor of that motion to Table will vote
10. Aye. Those opposed will vote Nay. The voting is open.
11. Have all voted who wish? Take the record. On that question
12. the Ayes are 30, the Nays are 20, none Voting Present. The
13. motion prevails. Amendment No. 7 is Tabled. Mr. Secretary.

14. SECRETARY:

15. Amendment No. 8, offered by Senator Nimrod.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Nimrod, will you again identify this amendment,
18. please?

19. SENATOR NIMROD:

20. Yes, Sir. Amendment No. 8 begins exactly as 7 did except
21. it's not underlined and let me read it. On page 7 inserting
22. immediately below line 21, and it's the heavy one that you
23. have left, the thick one that's left, and it begins at para-
24. graph 8...a without the underlining if the employee leaves
25. a surviving widow and widower, and goes on from there.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. All right, on the question of the adoption of Amendment
28. No. 8, Senator Nimrod.

29. SENATOR NIMROD:

30. Yes, Mr. President. This is a companion bill to the
31. last one...companion amendment to the last one which we dis-
32. cussed, and it's the...has to do with the Inflation Fund.
33. This has nothing to do with the increase of two hundred

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1. percent of the average manufacturing wage which is going to
2. prevail by 1981, but what it does do, it eliminates...it elimi-
3. nates the necessity of having to have a reserve setup by the
4. insurance companies to provide for inflation. It deletes this
5. fund. This is an additional levy on the employers and to
6. cover future inflation and it is wrong, and, in fact, what
7. it does is that new businesses coming into the State of Illinois
8. will...based on the amount of the awards that were made, are
9. going to have to make the contributions going back through
10. 1965 for those awards. This is certainly an unfair area,
11. it's certainly not necessary, and we ought to be dealing with
12. the inflationary trends at the time when they happen rather
13. than providing...forcing insurance companies to provide that
14. reserve now. Now, if you want to have a chance to take and
15. have some affect on those rates, Senator Johns, if you keep
16. asking me that question, if you want to have an understanding
17. of what this amendment does, Senator Buzbee, to reduce those
18. premiums, here's a chance that says that we delete that fund
19. and the insurance companies will not have to provide those
20. reserves and increase those premiums. So, you will get a re-
21. duction of...of the premiums if this amendment is adopted.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Savickas.

24. SENATOR SAVICKAS:

25. Well, once again I think this is another one of the great
26. con jobs that we have, because what we're going to do is elimi-
27. nate what was in the law before Senate Bill 234 and 235 were
28. passed. This was in the law before the new benefits legisla-
29. tion was passed. It did not increase the insurance premiums
30. then. There was no argument about it then. It's always been
31. in there. Why now are we again using the excuse to lower the
32. insurance premiums to provide insurance to emasculate the
33. whole Workmen's Compensation Act to go before...before the

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1. new benefits are put in. I think the only way that would
2. satisfy the Republican side of this aisle and satisfy the
3. manufacturers and big business if we did away with the Com-
4. pensation Act entirely, if we went back to 1912 before the
5. Act was introduced. I can't understand how we can claim
6. that this removal of language and the removal of provisions of
7. the Act before this terrible, terrible legislation was pass-
8. ed in 1975 is going to reduce any benefits, is going to cause
9. any change in the insurance premiums. This is another great
10. con job. I would move that this amendment be Tabled.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Your motion will be entertained, Senator. We do have
13. some others that have indicated they wish to be heard. Sen-
14. ator Bruce.

15. SENATOR BRUCE:

16. A question of the sponsor.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. He indicates he will yield. Senator Bruce.

19. SENATOR BRUCE:

20. Senator Nimrod, you and several other people have stated
21. to me that the Rate Adjustment Fund will apply to employers
22. who come into the State of Illinois at some later date and
23. begin business in this State, and they will have to pay the
24. one percent premium based on the total loss to the State of
25. Illinois. Can you cite where in the Statute, as it presently
26. exists, in 1975, where it states that?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. I...I will attempt to get that for you right away, but
31. I want you to know that the inflation factor, for example,
32. effective July 15, 1976 will be 12.8.

33. PRESIDING OFFICER: (SENATOR ROCK)

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1. Senator Bruce.

2. SENATOR NIMROD:

3. And...and based upon this increase in average wages from
4. two zero five to two thirty-one. Now...

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Bruce.

7. SENATOR BRUCE:

8. Well, I...I can read the rate adjustment and I know in-
9. flation factors. Perhaps, we ought to look at page 5 of your
10. amendment, line 11 in which it states - "the employer shall
11. further pay a sum equal to one half of one percent of all
12. compensation payments made by him." Now, how is it that
13. any employer who comes into the State of Illinois at some
14. later date has to pay one half of one percent of the total
15. claims paid when on the face of the Statute, as it exists,
16. it limits to compensation claims paid by him. If he has a
17. bad loss record, yes, he will pay one half of one percent of
18. those high claims, but if an employer comes to Illinois and
19. has no loss or a very small loss he will pay one half of
20. one percent of the claims paid by him, and your argument that
21. employers coming into this State will be obligated to some
22. horrible burden just doesn't carry water.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Johns.

25. SENATOR JOHNS:

26. I didn't ask him a question.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Nimrod, for what purpose do you arise?

29. SENATOR NIMROD:

30. Yes, I want to give the answer to...

31. PRESIDING OFFICER: (SENATOR ROCK)

32. You will have an opportunity to close. There were no
33. questions...

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1. SENATOR NIMROD:

2. But, he asked...he asked...

3. PRESIDING OFFICER: (SENATOR ROCK)

4. ...there was no question directed. Senator Johns.

5. SENATOR JOHNS:

6. Mr. President, I think most of my colleagues would have agreed
7. to the fact that we need to polish up the bill after such a
8. long dry spell, you know, it started like 1906 and 1912. First
9. major changes, I think, were in 1973 under the Democratic Senate.
10. The abuses were rampant at that time. They have been for years.
11. It's a small wonder that when we gave it...we got a chance
12. we swung hard at this bill. I, for one, felt the need and
13. I was ready, and I reacted. The thing that I'm concerned a-
14. bout here today and have been with the talk of all the increase
15. in rates, is that business...business...big business usually,
16. they're at the background of most of this. They want to shift
17. the responsibilities of caring for the disabled, the widows
18. and all those that are needy to the public. They want to
19. damn the...the cost that's incurred when that's really their
20. moral responsibility. Many people give their lives in build-
21. ing business and dedication with loyalty and then they find
22. that that loyalty in return is not fair. We shift the
23. burden if business allows us to, to the...to the burden of
24. the guy that's really making big business hum, and that's
25. the taxpayer. And that's what really worries me here today,
26. and all that's attempting to be put forth is that business
27. wants...they want the gravy and then when the time comes to
28. foot part of the bill for those that are in need of subsis-
29. tence and aid, they want to shift that to the taxpayer. They
30. want to put the people on Public Aid at the mercy of general
31. assistance and relief. And that's what it's all about, is a
32. shifting of the burden from business, whose responsibility it
33. is to look after those that made it what it is, and they want

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1. to shift that over to the taxpayer, and I think that's what
2. it's all about here today.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator McCarthy.

5. SENATOR McCARTHY:

6. Yes, again, attempting to respond to the content of each
7. amendment. This amendment here...Senator Bruce I think has
8. pinpointed it, but it bears repetition that the contributions
9. to the Injury Fund. The Compensation Rate Adjustment Fund
10. will be paid by the people who suffer the injuries. That is,
11. that the bigger the plant the more injuries, assuming they
12. don't have safe practices, and they're the ones that are go-
13. ing to be paying in to this COL adjustment. This is the type
14. of thing that should not be deleted or changed by Senator
15. Nimrod's amendment, assuming that you agree with the concept
16. of cost of living which we agree with in many areas, because
17. one of the problems that we've had in rating on small business-
18. men, Senator Johns, people that have three or four employees
19. and no...no accident record is that they are being hit dispro-
20. portionately high by insurance rates, because of some under-
21. writing problems where they have to write for the heavy loss.
22. So, this bill as written, with the amendment rejected, is a
23. bill that the COL Adjustment Fund is funded by big business.
24. So, I...I think it can fairly be said that this is a big busi-
25. ness amendment, because they want to take out of the Act the
26. people that have all the injuries and the larger the employ-
27. ment, the more the injuries. This one would...by rejecting
28. this amendment I think we're doing the small businessman a
29. real favor in this instance.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berning yields. Senator Savickas has moved that
32. Amendment No. 8 to Senate Bill 1967 lay upon the Table before
33. the motion is put. Senator Nimrod may close.

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1. SENATOR NIMROD:

2. Yes, Mr. President. What I want to point out at...that
3. this law is effective upon those dating back to 1965, and
4. I think it's very clear that any business coming into this
5. State under the Act, if it's liable for any those awards go-
6. ing back to '65 then must also share its part of the burden,
7. because the rates are established based on the awards going
8. to '65, so that any business coming into this State is go-
9. ing to be paying that penalty for coming in here, the State
10. of Illinois. Now, the...if we would change that date from
11. '65 then, of course, you wouldn't have that effect, but that's
12. what the base is...is the concern here on the inflationary fund.
13. I would say then, that what we're really doing here is to providing
14. a reserve that's going to increase the premiums, and what I
15. want to tell you, Senator Johns, is that I think that you
16. have been misinformed and I think that you have an opportunity
17. now to redeem those ways, and that you have a chance to look
18. at this Legislature, and this Senate had a chance here to look
19. at a model Act that was provided when, in fact, the provisions
20. within this Act far exceed anything recommended by the National
21. Commission. The National Commission had made certain recom-
22. mendations, and I address you and tell you, so that you'll be
23. informed for the future, that, in fact, the maximum benefits
24. which was set by the model...by the recommendations of the
25. National Commission have been, in fact, made the minimums,
26. and...this one...

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Savickas, for what purpose...excuse me, Senator.

29. Senator Savickas, for what purpose do you arise?

30. SENATOR SAVICKAS:

31. A point of order. We're supposed to be closing the de-
32. bate on Amendment No. 8, not going into the National Commission's
33. recommendations, which certainly do not say that we should

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1. remove this...this language. I think the gentleman should
2. address himself to the amendment.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. The point is well taken. Senator Nimrod, please confine
5. your remarks to Amendment No. 8.

6. SENATOR NIMROD:

7. Senator Savickas, I will not refer to the Model Act,
8. which I know you're afraid to talk about. And in this case
9. I would call for a favorable roll call.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. All right. Senator Savickas has moved that Amendment
12. No....No. 8 to Senate Bill 1967 lay upon the Table. Those
13. in favor of the motion to Table will vote Aye. Those opposed
14. will vote Nay. The voting is open. Have all voted who wish?
15. Take the record. On that question the Ayes are 30, the Nays
16. are 22, none Voting Present. The motion prevails. Amend-
17. ment No. 8 is Tabled. Mr. Secretary.

18. SECRETARY:

19. Amendment No. 9, offered by Senator Nimrod.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Nimrod, will you identify the amendment, please?

22. SENATOR NIMROD:

23. Yes,of the two amendments remaining this is the
24. one that has five lines and it begins with first line ending
25. which says, "on page 11, line 25 - by deleting the period and
26. inserting in lieu thereof," and then there's two lines there.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Thank you. Everybody...all right. The question now is
29. the adoption of Amendment No. 9, and on that question the
30. Chair recognizes Senator Nimrod.

31. SENATOR NIMROD:

32. Mr. President and fellow Senators, the...this amendment
33. changes the minimum weekly benefit of fifty percent of the

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1. State average weekly wage instead of the present law which
2. sets the...the minimum as fifty percent of the employee's
3. average weekly wage. This is a provision which has permitted
4. outrageous annual payments of thirty to fifty thousand dollars
5. for the widows of an executive, an area in which the Workmen's
6. Compensation was never designed to cover, and this specifically
7. states that -"provided that in no event shall the employees
8. weekly compensation exceed his weekly wage." And what we're
9. saying here, is that for those employees who, in fact, as a
10. result of this, are going to receive, for example, July 31st
11. we're going to two hundred and thirty-one dollars on compen-
12. sation. That would mean then fifty percent of that, of course,
13. would be a hundred and sixteen dollars, and on that basis an
14. employee receiving ninety dollars a week if he went on Work-
15. men's Compensation would automatically, as of July 31st, get
16. a hundred and sixteen dollars a week net pay where, in fact,
17. his pay would be less than that when he reduced the benefits
18. ...so, someone who might be earning sixty or seventy dollars
19. take home pay will, in fact, end up getting a hundred and six-
20. teen dollars a week on weekly compensation. I don't believe
21. it was the intent of either 234 or 235 to pay people more
22. money for receiving Workmen's Compensation than their wages.
23. It certainly was not the intent of the bills. So, where we
24. have an employee who is actually receiving less money than
25. fifty percent of his salary, this limits him to his pay,
26. which is the gross pay. We're not saying pay him less, we're
27. not saying take out his deductions, we're just saying don't
28. pay him more than his gross weekly wage. I think it's a very
29. reasonable kind of an amendment, and it's certainly one that
30. does not do any damage and..and...and should be included.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Savickas.

33. SENATOR SAVICKAS:

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1. Yes, it seems strange that on this particular amendment
2. the good Senator didn't want to quote the National Commission's
3. recommendation, because at this point the National Commission
4. recommendation has been followed in Senate Bill 1967, which
5. provides the maximum cap, but also provides a minimum cap, a
6. minimum of fifty percent of the average weekly wage of...de-
7. termined by the manufacturing industry...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Nimrod...

10. SENATOR SAVICKAS:

11. ...which as of today is two hundred and five dollars.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Nimrod, for what purpose do you arise?

14. SENATOR NIMROD:

15. Mr. President, I would like to remind Senator Savickas
16. that from his own words, we're not talking about the National
17. Commission.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. We're talking about its recommendations. Thank you,
22. Senator Carroll. And I would like to point out that in his
23. first statements, he alludes to this thirty thousand dollar
24. payment when he knows full well that Senate Bill 1967 has
25. already kept any possibility of anybody receiving over, at
26. this point, two hundred and five dollars a week for fifty-
27. two weeks, which in pure arithmetic comes out to a little
28. over ten thousand dollars a year. So, this allusion to thirty
29. thousand dollars a year is again an effort to try to con the
30. news media, try to get something printed in the paper that's strict-
31. ly false. And I say, what's wrong with awarding someone making
32. a hundred dollars a week, that he got fifty percent of the
33. two hundred and five dollars, because that's what we're talking

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1. about. At the present rate, the average weekly wage is two
2. hundred and five dollars a week. The minimum that this
3. party can get is a hundred and two dollars and fifty cents
4. a week. Is this going to make him a millionaire? Is he
5. going to want to stay on disability the rest of his life
6. for this? No, he certainly doesn't want to do that. There's
7. no one that would want to be disabled for a hundred and two
8. dollars and fifty cents a week. I think this is ridiculous.
9. I think we should follow the National Commission's recommen-
10. dations. Support Senate Bill 1967 as it is in this regard,
11. because it does have the caps on it, and defeat Amendment No.
12. 9.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Glass.

15. SENATOR GLASS:

16. I'd like to ask Senator Nimrod a question if I may.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. He indicates he will yield.

19. SENATOR GLASS:

20. Senator Nimrod, I'm trying to find my copy of this amend-
21. ment, but I...am I correct that all the amendment does is
22. say that an individual cannot receive more in compensation
23. than his actual wage?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Nimrod.

26. SENATOR NIMROD:

27. That is correct, Senator Glass.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Glass.

30. SENATOR GLASS:

31. I...again, I have a hard time understanding why there
32. should be opposition to this. Why anyone would want to pay
33. somebody more in compensation than they're actually earning

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1. without...when they're not injured and on...receiving Workmen's
2. Compensation. I think it's a reasonable amendment to say
3. to somebody - it is better for you to work than not to work.
4. If you want to encourage people not to be employed, because
5. they're going to get more from compensation than while they're
6. working, then defeat this amendment. But, if you accept what
7. is reasonable, that an individual ought to not be paid more
8. when he's not working than when he's working than I think we
9. ought to pass this amendment. I...I find...find it very
10. difficult to find...to understand the basis for opposition
11. to this, and certainly would urge that it be adopted.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Buzbee.

14. SENATOR BUZBEE:

15. I have a question of the sponsor.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. He indicates he will yield. Senator Buzbee.

18. SENATOR BUZBEE:

19. Senator Nimrod, is it my understanding that, let's say,
20. a person is earning the minimum wage now as, let's say, a
21. grocery store clerk. I believe the minimum wage is two
22. thirty five an hour. At...at forty hours a week that would
23. come out to be ninety four dollars a week. Is it the intent
24. of your amendment to say that that grocery store clerk for
25. ever and ever and ever could no longer could draw no more
26. than ninety-four dollars a week, let's say he was totally
27. and permanently disabled?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Nimrod.

30. SENATOR NIMROD:

31. If the award is the weekly compensation rate, it is going
32. to be based on fifty percent of the manufacturing wage and
33. he receives less than that. Yes, he would not be able to

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1. receive more money than what he is earning and has been
2. earning as an average. Now, there's...it gives him...it
3. doesn't take his deductions or his net pay. That same clerk
4. would be really getting about seventy dollars or sixty dollars
5. a week and he would now be getting under this basis, ninety-
6. four or ninety-six whatever his...his weekly pay would be.
7. So, he would be getting more money for the period of
8. time that he's going to be collecting compensation.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Buzbee.

11. SENATOR BUZBEE:

12. Well, as Senator Glass said, at least off the top of my
13. head that sounds very good. I certainly don't want to pay
14. somebody more for not working than they could receive for
15. working under a disability plan. I used to sell life in-
16. surance and disability income insurance and I know that the
17. life insurance industry had a maximum, I forgot now what it
18. was, sixty or seventy percent of person's wage was the maxi-
19. mum that a life insurance salesman could sell them as far as
20. disability income was concerned, because they didn't want
21. to be able to pay them where they would be in the position of
22. receiving more money for not working than for working except
23. that in the case of, let's take this same grocery store clerk
24. making ninety-four dollars a week for forty hours a week.
25. If that person is totally and permanently disabled and, let's
26. say, he's twenty-five years old. Does that mean when he gets
27. to be fifty-five years old, thirty years later, that ninety-
28. four dollars a week would still be all that he would be able
29. to draw? I...I'm asking the question.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Nimrod.

32. SENATOR NIMROD:

33. Yes, that would be instead of the hundred and five, but

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1. what happens is, that this is going to go up to 1981. But,
2. presently, it's still a hundred and five or the two ten.
3. That's true, so, he would be getting ninety-four instead
4. of the hundred and five.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Well, I believe there's another section of the bill
9. which builds in a...a cost of living or a...or an increase
10. in the average weekly manufacturing wage, which would...which
11. would take care...which would increase that average that...
12. it would go from two zero five, that average weekly manufacturing wage
13. would continue to go up. Is that not correct?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Nimrod.

16. SENATOR NIMROD:

17. Yes, Senator Buzbee. For someone who doesn't under-
18. stand the bill you understand it very well. It goes to
19. two hundred percent, and that's the section you're referring
20. to, by 1981. Two hundred percent of the average manufacturing
21. wage which would be two hundred...four hundred and ten dollars.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. True, but that only pertains if this amendment of your's
26. were adopted. That only pertains to that person who's already
27. at or above that...that level now. If that person's only
28. making ninety-four dollars a week, that...that increase up to
29. two hundred percent would never pertain for this person if
30. your amendment is adopted. Ninety-four dollars is the maximum
31. he could ever draw. Is that not correct?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Nimrod.

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1. SENATOR NIMROD:

2. No, Sir. As the minimum wages, of course, are going...
3. see, that person is getting his award at that time, so you're
4. not going to take that award for a later date, but as minimum
5. wages go up, so do we have the other, so we don't know what
6. the minimum wage is going to be by 1981, and that will take
7. care of those individuals. But, this individual who was
8. hurt today or one that was hurt five years ago gets the money
9. for at that time. They don't take care of the other areas.
10. So, you're trying to prorate a...you're mixing apples and
11. oranges..

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Buzbee.

14. SENATOR BUZBEE:

15. Well, no, I'm trying to draw a parallel here. If a
16. person is...is injured today and is making two hundred and
17. five dollars a week then he would receive compensation, let's
18. say he's totally and permanently disabled, and as the...the
19. cap continues to grow up to two hundred percent by 1981,
20. that person would continue to receive an increase in his un-
21. employment...in his Workmen's Comp., but if the person is making
22. ninety-four dollars a week right now and is injured, and if
23. your amendment were adopted, as the cap continues to grow or
24. the minimum wage continues to grow or whatever, this ninety-
25. four dollars a week would never continue...would never go up.
26. Is that not true?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. That is true.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Further discussion? Senator Harber Hall.

33. SENATOR HARBER HALL:

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1. Mr...Mr. President, I am glad that Senator Buzbee showed
2. that he may have some sentiment in favor of this particular
3. amendment. Of all of the amendments, this one is the easiest
4. to...to understand. We would, with this amendment, suggest
5. that no one would be paid more in a position of unemployment
6. compensation receipts than he was making before. Now, I
7. don't know about your constituencies, but I haven't found
8. anyone that I talk with on the streets of my district that
9. believe that this is a reasonable approach to compensation.
10. So, I think all of us can support this amendment. I'm afraid
11. we're not all going to, and while I have the Floor I would
12. like to answer Senator Buzbee, who pointed out that there were
13. some Democrat votes on Amendment No. 4 having to do with...
14. I'll take a point of personal privilege, and pointed out on
15. the hard...on the hard of hearing amendment that there were
16. some Democrat votes and I would also like to let it all out
17. here right now since we're on the political side of this,
18. that we have been offered a deal. Now, I don't mind deals
19. to get good legislation through. Sometimes it takes it, but
20. he knows as well as I know that you will file an amendment
21. ...or I mean that you will file a motion to withdraw and pull
22. that amendment back and take it off, if you will, and thereby
23. not have any Democrat support for any of the Republican amend-
24. ments offered here today, just as I had earlier, suggested un-
25. less we furnish Republican votes on 3rd reading of this bill.
26. So, let's be reasonable. Let's look at the good amendments
27. and vote on them. This one is a good amendment and you know
28. it and I know it and let's support it.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Further discussion? Senator Bruce is recognized. Senator
31. Buzbee, for what purpose do you arise?

32. SENATOR BUZBEE:

33. I want to correct Senator Hall for one thing.

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. That is not a point of personal privilege.

3. SENATOR BUZBEE:

4. Well, a point of...

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. You...thank you, Mr. President, thank you, thank you.

9. A point of personal privilege. My name was mentioned. I,
10. also, Senator Hall, am not above making a deal for good legis-
11. lation. Contrary to some soothsayer who likes to say some-
12. times around here, "no deal," "no deal." But, I was not aware
13. of the point you just made until as...when I raised my hand
14. Senator Morris came by and said - "I filed a motion an hour
15. and a half ago." I did not know about that. I will resist
16. that motion. I continue to think that Amendment No. 4 was
17. a good one.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. As your point...it was not well taken nor was it personal
20. privilege. Senator Bruce.

21. SENATOR BRUCE:

22. Thank you, Mr. President and members of the Senate. So
23. that we can understand the amendment as before us, perhaps,
24. we should review to whom it will apply. Any discussion that
25. this fellow is going to go back to work is going to be a neat
26. trick since it applies to death claims. It also applies to
27. a person who is permanently and totally disabled. You know
28. who that is, as defined under Section 18, a person who's lost
29. both hands, both arms, both feet, or both legs or both eyes
30. or any two thereof. Are we going to euchre that guy who has
31. lost two legs, one arm and a leg, out of five thousand three
32. hundred dollars? Are we going to tell the widow of a per-
33. son who makes less than five thousand dollars that he can't

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1. get any award for his widow and three children other than
2. what he is paid for a death? Are we willing to go so low
3. that we'll deny that to a worker who leaves a wife and chil-
4. dren? Are we willing to say to a guy who loses both arms,
5. that you didn't make enough money so for the loss of those
6. arms you are going to get fifty-three hundred bucks? I don't
7. think we want to do that. We put in the limitation on tem-
8. porary total, which says if he's temporarily disabled he
9. can only get...he is limited by his salary. We put in par-
10. agraph 2 that on permanent partial, it shall not exceed his
11. salary. We're talking, in this instance, about death and
12. permanent total disability. The max. is ten thousand six, the minimum is five
13. thousand three hundred. If you want to go below that, that's pretty tough.
14. I'm not going to go below five thousand three hundred and say - an employee who's
15. salary will not exceed fifty-three hundred dollars he shouldn't
16. get any benefits in excess of that. I think the minimum award
17. ought to be at least fifty-three hundred dollars no matter
18. what a man makes.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator McCarthy. All right. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Well, I think some of the fallacies in this...this is
23. one of those slogan propositions we've been hearing all after-
24. noon. There...there is a good concept in here maybe with
25. respect to some short-term temporary total, but...but, it...it
26. certainly...and it might be used as a political club, but if
27. you're serious...if you're serious about it why don't you bring
28. back an amendment that says some person who...who's on temporary
29. total will not receive more than what he was earning elevated
30. in proportion to whatever the advance is in the minimum and
31. leave it to that. I agree with respect to a death claim or a
32. totally disabled person, but if you're really serious about
33. making an improvement and about using your slogan so that some

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1. fellow doesn't get hurt and stay off permanently, because
2. he's making more off than he makes on, why don't you make
3. that amendment? Why don't you take...withdraw this one and
4. make a sensible amendment which says, "no person on temporary
5. total shall receive"and then make it so that he will receive
6. a proportion of the minimum. Even then if...if it advances
7. as from...from the one half of 205 to one half of 231, give
8. him the same proportion that he would get because of the
9. ascendancy by reason of inflation. Now, if you're really
10. serious about the amendment and about temporary total and
11. about somebody who's off, and I think that's what you're
12. trying to say, is the person who's goldbricking. Why don't
13. you change the amendment and bring it back. Maybe you'll
14. get some support for a sensible amendment.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. All right. Senator Savickas has moved that Amendment
17. No. 9 lay upon the Table. Before that motion is put, Senator
18. Nimrod may close the debate.

19. SENATOR NIMROD:

20. Yes, Mr. President. I might address this question to
21. my closing here to Senator Savickas.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. He indicates he will yield.

24. SENATOR NIMROD:

25. Senator Savickas, if we were to withdraw the amendment
26. and come back with one and that, would you bring the bill
27. back for...for the amendment? We want to make a sensible
28. amendment, because this covers the whole picture and I think
29. they've pointed out an area that it should not apply to death
30. penalties and we'd like to change that. Would you allow us to
31. bring the bill back for an amendment?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Savickas.

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1. SENATOR SAVICKAS:

2. Am I to understand now that you're admitting that this
3. is not a sensible amendment?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Nimrod.

6. SENATOR NIMROD:

7. Well, Senator Savickas, what I'm saying is, that in in-
8. cluding the amendment to cover a purpose that there is one
9. provision within the amendment that does cause some difficulty,
10. and I'm in agreement. When we see a mistake or an error I
11. think we ought to be able...I'm willing to correct it, and
12. I'm just asking you in all common sense and courtesy, not
13. only to us, but to some of your own members who have indicated
14. the problem here to us, and I thank them for that, that they
15. should also have the courtesy of having an opportunity to
16. vote on a corrected amendment as has been indicated by two
17. of your members. Would...would you bring it back?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. I have held this bill, and I have brought it back to
22. 2nd reading. It has been on 2nd reading before. Since obviously
23. the time and consideration wasn't taken to go into this deep
24. enough, that I have no intention at all once this passes 2nd
25. reading again to bring it back.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. All right. Senator Nimrod may close the debate.

28. SENATOR NIMROD:

29. Mr. President, in light of that I am not going to force
30. members of our side or members of the other side to vote on
31. an amendment that I know and I'm aware of that has some deficiency.
32. I was hoping that there might be some, at least a courtesy on
33. the part of the Senators to be able to bring it back for this

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1. one amendment. If you're worried about more, I would not
2. offer any others, but I...if we do not...if you will not give
3. ...extend that courtesy to us then I will have to withdraw the
4. amendment.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Amendment No. 9 is withdrawn. All right, Mr. Secretary.
7. Further amendments?

8. SECRETARY:

9. Amendment No. 9, offered by Senator Nimrod.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Well, 9 was withdrawn, so...all right. 9 was withdrawn,
12. so we start over with 9. The old 10 is now 9. Senator
13. Nimrod.

14. SENATOR NIMROD:

15. Yes, Mr. President. What...this is a very simple amendment
16. and it is one, I think, that is strictly administrative, and
17. it does probably correct one error which has been made on
18. the part of the Amendment No. 1 which was placed...I think it's
19. Amendment No. 1, which...which changed the word "premises" to
20. "place." And, also, the original bill calls for a indication
21. of a notice. What we're saying is, that certainly employees
22. are entitled to know the name of the insurance carrier and
23. they're certainly entitled to know in the case of a self-
24. insured, who the excess insurance is placed with. We're...
25. we're suggesting that that information remain, but when we
26. are mandating that the place of employment be indicated this
27. could be inferred that, for example, a telephone company that
28. might have several hundred trucks, that you would have to post
29. a notice in every truck and you'd have to post a notice into
30. every wing of a particular building, into every...into every
31. department within the area, and...and some of these and this
32. becomes a rather ridiculous kind of a requirement...imposition
33. So, I'm saying that we should have notices that should be on

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1. premises, as I think if we point out that there are some problem
2. deficiencies in areas and as you have to us in the last
3. amendment that we certainly should note on this one. The second
4. provision here, of course, is one that is...removes the termi-
5. nation date of the policy. This in no way can help anyway.
6. If we are required to post the name of the insurance carrier by law
7. and the penalties of this are a misdemeanor, then certainly
8. when you change policies or it terminates and you change to a
9. new insurance company you would automatically by...by this
10. law have to have the new name up there. So, you would be
11. out...you would be in violation if you did not have the name
12. of the new company when your policy terminated. So, I would
13. say that this..it seems to be a very sensible amendment, and
14. all it pertains to is the items I've called that have...
15. and reminds the requirement that the employee tells his employer
16. he has an accident. He puts the burden on the employer to
17. prove it. So, I'm just saying that we need not have a notice
18. provision on the place of employment, because that is not de-
19. fined as such in the Act and anywhere. Premises certainly has
20. been and has...there is precedence up there...previous...par-
21. ticular indications have covered the word premises and we
22. wouldn't have any problem with it, and I would ask that you
23. consider this amendment favorably.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Savickas.

26. SENATOR SAVICKAS:

27. Yes, Mr. President and members of the Senate. The pur-
28. pose of placing the word "premise" or "place" instead of "Premise"
29. was because if you have all of these trucks, as you were talking
30. about with telephone company going out all over, or, you have
31. workers out on a pipeline going a hundred miles in different
32. directions, that you would just place this notice in one place
33. and they, and an example, with the trucks leaving a garage, you

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1. place it in the garage. That's their place of employment. This
2. is a very simple amendment. Was addressed to itself in Amend-
3. ment No. 3 by Senator McCarthy in committee. I see a no need
4. to change it. The...the concern about the expiration date
5. of the insurance policy...the only one that this should
6. concern are those brokers...insurance brokers that are writing
7. these policies. They obviously are concerned that they may
8. have some competition that when another broker sees when this
9. insurance expires, he may go in himself to negotiate another
10. policy at a better rate, in fact...at a better rate. Now,
11. there's nothing wrong with issuing the policy expiration date.
12. All this does is give the worker the notice of the policy
13. expiration. It gives...and it keeps the company on its toes,
14. and I see no reason why we should hide it. I would at this time
15. suggest that Amendment No. 9 be Tabled.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Your motion will be in order. There are a couple of members
18. who have indicated they wish to speak. Senator McCarthy.

19. SENATOR MCCARTHY:

20. Yes, Mr. President and members of the Body. Senator Savickas
21. has responded, I think, well, but it bears repetition. On the
22. question of posting of the notice, that's contained on Page 3
23. which was corrected by us in Amendment 3, that the notice has
24. to be placed at the place of employment. This proposed Amendment
25. 9 doesn't have anything to do with Page 3. What this proposed amendment
26. does, relates only to Page 4 and it relates to the contents of
27. the notice. And if adopted, which it should not be adopted, it
28. just merely states that the name of the insurance company shall
29. be on the notice like Aetna, like Hartford, like whatever the
30. name of the company is. It doesn't give the number of the policy.
31. It doesn't give its effective dates or its date of termination.
32. Now, one of the big problems we have is when people are injured
33. on the job, we have restored to this Act through Amendment No. 1

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1. the fact that they must give notice to the employer within forty-
2. five days. If this amendment is adopted, they don't...they don't
3. know who to give the notice to, because all you've got on there
4. is the name of the carrier. Who is Aetna Life and Casualty
5. Company? How do you get notice to them? It's...the bill as
6. drafted specifies a certain amount of information, that is the
7. policy number, the date of the termination, that gives a reasonable
8. opportunity to the people who are injured to get notice to the
9. insurance company. One of the big difficulties that we have in
10. our modern technology today is the busy signal...busy signal syndrome.
11. You call somebody on the phone, the line's busy. You call someone,
12. Aetna and Hartford, and say -"I want to report a claim," they'll
13. say -"will you hold please," and three days later when you're
14. still holding on the phone, you won't know who to talk to. I
15. think you could call on the phone, Aetna and Hartford Connecticut
16. and you'd wait forty-five days on hold, and then you'd be barred
17. from your claim,'cause you didn't give notice. This allows you
18. to know what the policy number is and whether' or not the companies
19. are actually insuring the carrier at the time which is a reasonable
20. requirement, so the people know if I've got money because I've
21. got a broken arm, I know who's supposed to pay me and I know what
22. the policy number is so I can write a letter, and make certain that it
23. gets delivered, but this deletes that, and in the event...and in
24. the event, Mr. President, that the company is a self-insured
25. company, they take away from the notice the name of the individual
26. who is in charge of Workmen's Compensation claims. Now, there's
27. big companies that are self-insured. A fellow gets injured, he
28. calls on the job, and he says -"I want to report an injury." He
29. doesn't say -"I want to speak to John Jones' office" or write a
30. letter to John Jones' office, because he doesn't know who in
31. the mammoth aggregate of ITT world and Caterpillar Tractor world
32. and the multinational General Electric world who it is that is in
33. charge of compensation. And all this bill does is state, put the

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1. name down who you're supposed to notify because the law says you've
2. got to notify them. And now, they come along and say we want
3. to play secret, we want to go hide. We are big corporates, want
4. to go hide from you, so you can't find us to give us the notice.
5. It's unreasonable, Ladies and Gentlemen. It's unreasonable.
6. Why don't you tell them who the company is, what the policy
7. number is, and when it's going to expire? If it's a self-insured
8. why don't you say John Jones is in charge of compensation, so
9. that you'll know who to give your notice to. Another machination
10. to defeat legitimate claims through legalistic tricks should
11. be rejected.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. ...Senator Bruce.

14. SENATOR BRUCE:

15. Senator McCarthy indicated he was going to take care of
16. Number 10, and I believe, in fact, that he has, but I would only
17. add that...at his suggestion I am adding, by the way, that the
18. employer in this situation is very much like the Cheshire cat
19. in Alice in Wonderland. The Cheshire cat began by disappearing
20. at his tail and disappeared until only the smile was left. It
21. is the employer who's smiling because he would win the game of
22. hide and seek and win the game of now you see them, now you don't.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Further discussion? Senator Savickas has moved that Amend-
25. ment No. 9 lay upon the Table. Before the motion is put, Senator
26. Nimrod may close the debate.

27. SENATOR NIMROD:

28. Yes, Mr. President and fellow Senators. I might say to you
29. that Senator McCarthy, you have misstated the facts. I want to
30. you that the...amendment requires the name and address of his
31. insurance carrier, and it also requires to be placed...the case of
32. a self-insured it requires him to post the notice and also indicate
33. who the self-insured excess insurance is placed with. Now, the

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1. other requirements on this are that this information prior to
2. 234 and 235 was obtained at the Industrial Commission. What
3. this really is for, and I noticed that two attorneys stood up
4. and spoke for this, it is to give the attorneys the information
5. to go ahead and not the employee, because certainly in the past,
6. all they did was go to the Industrial Commission to get this
7. information, and I don't know of any incident anywhere that does not allow
8. any company that's never willfully given this information. In
9. fact, I want you to know that the State of Illinois...I just took
10. a notice down from the board across the street, and it provides
11. in a form that's prescribed by the Industrial Commission, it
12. requires you to put the name and address of the employer...the
13. insurance carrier. And I ~~know~~ notice that even in the one
14. that's posted even in the Senate, does not indicate on any of
15. our bulletin boards who the name of the carrier is, so I think
16. that what we're doing here is saying...requiring the employer a...
17. to produce a ridiculous requirement that is really not going
18. to be of any benefit, that's going to cause a great deal of in-
19. convenience, that's going to cause a great deal of time and
20. money to provide that kind of service, and in fact, will only
21. confuse the whole issue and complicate the issue by requiring
22. termination dates. I think that what they want to know and they
23. should know...employees should know and should have available
24. to them the name of the insurance carrier, the active carrier,
25. and who to go to, and where to file their claims. And I say
26. that there isn't one anywhere that anyone can produce that can
27. be denied this information under the present law before you made the
28. changes in this particular bill. It's a foolish way of...of attacking
29. the situation, and I would think that we might cooperate to relieve
30. a problem which is costly and unnecessary. I would hope that
31. we will be able to have a chance to pass this amendment.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Savickas has moved...Senator McCarthy, for what purpose

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1. purpose do you arise?

2. SENATOR MCCARTHY:

3. To respond, because Senator Nimrod intentionally or unin-
4. tentionally said that I had misstated the case...

5. PRESIDING OFFICER: (SENATOR ROCK)

6. State your point.

7. SENATOR MCCARTHY:

8. ...on Amendment 10, and so whatever the proper point is,
9. Senator Nimrod, I...I know that you didn't intentionally make
10. that statement knowing it to be false, but I think the tapes
11. later will bear it out. I said that...that under your amendment
12. the name and address of the insurance company would still be
13. be there, Hartford Insurance...I mean Aetna Life and Casualty,
14. Hartford, Connecticut, but that didn't give the people enough
15. notice, and that's what contained in the next four lines, the
16. policy number, the date of termination. You further stated
17. something insofar as the self-insured, that I had indicated that
18. the servicing corporation need not be noted. I didn't state
19. that. I said the name, an individual, of the person in charge had
20. been deleted, so to correct that, so that we have it clear, I wanted
21. to respond to that, because, Mr. President, there is a lobbyist
22. for the employers who has stated to the press throughout the State
23. and it's been published. He said that the Legislature was lied
24. to two years ago in the passage of 234 and 235. That man is not
25. around here now. He never took the stand in the hearings,
26. to be confronted...confronted with the fact that he was publicly
27. ...publicly said that the Legislature was lied to two years ago,
28. and that correction, I don't want to be put through again.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. All right. Senator Savickas has moved that Amendment No.
31. 9 to Senate Bill 1967 lay upon the Table. Those in favor of that
32. motion to Table will vote Aye. Those opposed will vote Nay. The
33. voting is open. It's the old 10 that's...Have all voted who

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1. wish? Take the record. On that question, the Ayes are 35, the
2. Nays are 19, none Voting Present. The motion to Table prevails.
3. Amendment No. 9 is Tabled. Are there any further amendments?
4. Mr. Secretary, any further amendments on your Desk?
5. SECRETARY:
6. No further amendments.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Any further amendments? 3rd reading. Senator Partee,
9. it's back on 3rd reading. Senator Savickas, do you wish to
10. proceed with the bill? All we need is intervening business.
11. It has, in fact, received one amendment, so intervening business
12. will be necessary. Senator Savickas.
13. SENATOR SAVICKAS:
14. Mr. President, members of the Senate, I would like to hold
15. this for Senator Graham to make his remarks when he returns,
16. because he was very concerned about speaking on this bill...
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Fine.
19. SENATOR SAVICKAS:
20. ...so, I'll hold it on 3rd reading.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. All right. Senator Partee, the Appropriations Committee
23. was to have met at two o'clock. The hour of five is quickly
24. approaching. What's the pleasure?
25. SENATOR PARTEE:
26. Senator Hynes has made me very conscious and aware of that.
27. And I assumed that we would be going right now, Senator Hynes,
28. to Appropriations in Room 212 and we would have the Session...
29. will commence tomorrow at 9:30. There is a...a 8:30 committee
30. hearing, Revenue, and the Session will commence at 9:30 tomorrow.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. All right. Now, don't everybody...
33. SENATOR PARTEE:

1. 8:30, Pensions and Personnel as well as Revenue and the
2. Session at 9:30.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. All right. There are some...there are some announcements
5. and motions that members have indicated they wish to make so
6. I just...before everybody vacates lets...Senator Savickas.

7. SENATOR SAVICKAS:

8. Yes, Mr. President and members of the Senate. I would like
9. to clarify myself that I will hold the bill on 3rd, not
10. indefinitely, but we will give Senator Graham a chance to come
11. back this coming week before we move it.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right. Senator Partee.

14. SENATOR PARTEE:

15. Well, I don't know what the motions are that are proffered,
16. but I would just ask the membership inasmuch as we are three
17. hours past the time for Appropriations, if you envision that the
18. motion you're offering is going to take a long time, please don't.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. All right. Senator Smith.

21. SENATOR SMITH:

22. Mr. President and members of the Senate, I merely want to
23. move that the six day notice for a hearing be suspended and that
24. you allow us to hear Senate Bills 1972 and 3 in the Health,
25. Correction and Welfare Committee as of Wednesday.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. You've all heard the motion. Is leave granted? Leave.

28. So ordered. Senator Lemke.

29. SENATOR LEMKE:

30. I'd like to make a motion to...on the Interim Study Committee
31. House Resolution...Senate Resolution 356 and 357. the reporting
32. date was today and I talked to Senator Morris...who is unable to speak
33. today and he has a committee meeting next week. On my resolution

1. we have a...going to set up a committee hearing, but we have not
2. received any information from the carriers as to information
3. so therefore, we'd like to make a motion to continue the
4. reporting till the 25th of June.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. You've heard the motion. It's to extend the reporting date
7. of those interim committees to June 25. Is leave granted?
8. Leave. So ordered. Senator Netsch.

9. SENATOR NETSCH:

10. Mr. President, with permission of the Chairman of the
11. Committee on Assignment of Bills and the Chairman of the Senate
12. Executive Committee, I would like to move to discharge the
13. Committee on Executive from further consideration of House Bill
14. 3913 so that it may be reassigned to...and reassign it to the
15. Committee on Public Health, Welfare and Corrections, which has
16. heard the same subject matter.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. All right. You've heard the motion. All those in favor signify
19. by saying Aye. All those opposed. The Ayes have it. So ordered.
20. Senator Netsch.

21. SENATOR NETSCH:

22. One additional motion. I would like leave to be shown as
23. a co-sponsor with Senator Brady of House Bill 3854.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Is leave granted? So ordered. Senator Vadalabene.

26. SENATOR VADALABENE:

27. Yes, thank you, Mr. President and members of the Senate.
28. I would like to make a motion to lay the six day rule be suspended
29. for the purpose of having a hearing on the Executive Committee
30. on Appointments on Tuesday, June 15th at 9:00 o'clock...

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Is leave granted?

33. SENATOR VADALABENE:

1. ...in Room 212.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Is leave granted? Leave is granted. So ordered.

4. Senator Wooten.

5. SENATOR WOOTEN:

6. Mr. President, speaking for the silent Senator Morris,

7. I would like leave of the Body to put his Motion in Writing

8. over until Monday.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. There has been a Motion in Writing filed by Senator Morris.

11. The motion relates to Senate Bill 1967. Is leave granted?

12. Leave is granted. Senator Harber Hall.

13. SENATOR HALL:

14. Well, Mr. President, I'd like leave of the Senate to

15. waive the six day notice rule in respect to House Bill 3217 so

16. that it may be heard tomorrow in Revenue Committee.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Is leave granted? So ordered. Senator Harris.

19. SENATOR HARRIS:

20. Thank you, Mr. President. Will the record show that Senator

21. Graham's absence today is on account of his illness. He is still

22. hospitalized and that Senator Soper's absence is due to illness

23. in the family.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. The record will so show. Any further announcements?

26. Senator Johns.

27. SENATOR JOHNS:

28. Mr. President, I have a bill...House Bill 3431. It's on a

29. hundred and ninety thousand dollar appropriation to the Department

30. of Conservation. It's the Ducks Unlimited money. Senator Weaver

31. knows about it. I'd like to waive the rules and move it to

32. 2nd...order of 2nd reading.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. What's the number, Senator?

2. SENATOR JOHNS:

3. House Bill 3431.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. House Bill 3...Senator Johns has moved that House Bill
6. 3431 be discharged from the Committee on Appropriations and
7. put on the Calendar in the order of 2nd reading. Well, we'll
8. have to get the bill, then. The motion is to discharge the
9. Committee on Appropriations from further consideration of House
10. Bill 3431, and have it placed on the order of...on the Calendar
11. on the order of 2nd reading and read a second time. All those
12. in favor signify by saying Aye. All those opposed. The Ayes have
13. it. So ordered. Mr...well, when...when the Secretary gets the
14. bill physically, he will read it. You've got another motion.
15. Senator Johns.

16. SENATOR JOHNS:

17. I have a bill, House Bill 3329 that we moved to Rules
18. this morning. It's an administration bill, no money involved.
19. It saves the taxpayers filing of a form and you'll...I'd like to
20. move that in the same category, Sir. Wait.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Well, I...I don't know that...it was read a first time today
23. so it will go to the Assignment of Bills. Might I suggest
24. you might hold that motion till tomorrow till we find out what
25. we're discharging.

26. SENATOR JOHNS:

27. All right. Then may I do this, Mr. President, I've
28. discussed this bill with the Revenue Chairman. May I have
29. leave to waive this six day rule and have it heard tomorrow
30. in Revenue?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Is that the committee in which it's...

33. SENATOR JOHNS:

34. Yes.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. To which it's been assigned?
3. SENATOR JOHNS:
4. Yes.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. All right. You've heard the motion. The motion is
7. waive the six day posting requirement so that House Bill
8. 3329 can be heard in the Committee on Revenue tomorrow morning.
9. Is leave granted? Leave is granted. Senator Carroll.
10. SENATOR CARROLL:
11. Thank you, Mr. President. I would like the record to
12. reflect that Senator Welsh is absent today because of his illness.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Thank you. The record will so show. Senator Nudleman.
15. SENATOR NUDELMAN:
16. Thank you, Mr. Chairman. I would move to discharge the
17. Committee on Judiciary on several small bills and have them
18. placed on the Calendar on 2nd reading. Make it in one motion
19. or would be necessary to make several motions?
20. PRESIDING OFFICER: (SENATOR ROCK)
21. No, if you can explain the bills, that would be helpful
22. and then just give us the numbers.
23. SENATOR NUDELMAN:
24. These are...these are bills which would make various
25. departments of government...put them under the Illinois
26. Administrative Procedure act. They're simple matters and it
27. relates to several of the small commissions of...of State
28. government and all of the departments are in agreement. They
29. are House Bills 3886, 3887, 3888, 3889, 3914, and 3916.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. All right. You've heard the motion with respect to these
32. bills. The motion is to discharge the Judiciary Committee from
33. further consideration and have the bills placed on the order
34. of 2nd reading. All those in favor signify by saying Aye.

1. All those opposed. The Ayes have it. So ordered. Any further
2. announcements? Senator Latherow.

3. SENATOR LATHEROW:

4. Mr...Mr. President, thank you. I'd like to move to suspend
5. the six day rule so that we can hear House Bill 3586 in
6. committee Monday, Local Government. I've talked to Senator
7. Dougherty.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. 35...House Bill 3586, Senator Latherow has moved to
10. waive the six day posting requirement so that that bill can be
11. heard in the Committee on Local Government. Is leave
12. granted? So ordered. House Bills on 2nd reading.

13. SECRETARY:

14. House Bill 3431.

15. (Secretary reads title of bill)

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

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any amendments from the Floor? 3rd reading. There any
19. further announcements or business to come before the Senate?
20. Senator Berning.

21. SENATOR BERNING:

22. Thank you, Mr. President. Would this be an appropriate
23. time to ask for consideration of a resolution?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Well, I...I...I understand that the ideas...there are a
26. number of resolutions ...we were going to hold them until tomorrow
27. because of the lateness of the hour.

28. SENATOR BERNING:

29. Thank you.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Further business to come before the Senate? If not, Senator
32. Partee moves that the Senate stand adjourned until 9:30 on Friday
33. June 11th.