

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 17, 1975

1. PRESIDENT:

2. The hour of nine having arrived the Senate will come to
3. order. Will our guests in the gallery please stand as we have
4. the prayer by the Father George E. Nelis, St. Patrick's Church,
5. Srpingfield, Illinois.

6. FATHER NELIS:

7. (Prayer given by Father Nelis)

8. PRESIDENT:

9. Reading of the Journal, Senator Kenneth Hall.

10. SENATOR KENNETH HALL:

11. Thank you, Mr. President. I move the reading and approval
12. of the Journals of Wednesday, June 11, Thursday, June 12, Friday,
13. June 13, Monday, June 16, all of 1975 be postponed pending
14. arrival of the printed Journals.

15. PRESIDENT:

16. You heard the motion. All in favor will say Aye, opposed
17. Nay. The Ayes have it. The motion carries. Committee reports.

18. SECRETARY:

19. Senator Hynes, Chairman of Appropriations Committee reports
20. out the following bills: Senate Bill 632 with the recommend-
21. ation Do Pass as Amended. House Bills 1086, 1502 with the
22. recommendation Do Pass. House Bills 743, 1274, 1303 and 1426
23. with the recommendation Do Pass as Amended.

24. PRESIDENT:

25. Message from the House.

26. SECRETARY:

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

28. Mr. President - I am directed to inform the Senate that the
29. House of Representatives has passed bills of the following
30. titles in the passage of which I am instructed to ask the con-
31. currence of the Senate, to-wit:

32. House Bill 2790, 3049, 3063, 3063, 3070, 3071, 3072, 3073,
33. 3074, 3076, 3077, 3082, 3083, 3087, 3088, 3089 and 3099.

1. PRESIDENT:
2. Is there leave to go to the order of Motions in Writing?
3. Leave is granted. Call the first one please.
4. SECRETARY:
5. House Joint Resolution 18 by Senator Partee set for hearing
6. June 17, 1975.
7. PRESIDENT:
8. June 26. 26. House Bills 1st reading. House Bill 2189.
9. Senator Knuppel.
10. SECRETARY:
11. House Bill 2189.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDENT:
15. House Bill 3047, Senator Knuppel.
16. SECRETARY:
17. House Bill 3047.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDENT:
21. House Bills on 2nd reading. House Bill 3, Senator Lemke.
22. 222, Senator Newhouse. 330, Senator Buzbee. 396, Senator
23. Kenneth Hall. 396, Senator Kenneth Hall.
24. SECRETARY:
25. House Bill 396.
26. (Secretary reads title of bill)
27. PRESIDENT:
28. Take it out of the record. House Bill 449, Senator
29. Dougherty. 569, Senator Regner. 581, Senator Nimrod. 603,
30. Senator Carroll. 604, Senator Bruce. 612, Senator Brady. 696,
31. Senator Nimrod. 723, Senator Carroll. 731, Senator Smith.
32. Senate Bill 731, do you desire to move it? Read the bill.
33. SECRETARY:

1. House Bill 731.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. The Committee on Appropriations offers
4. two amendments.
5. PRESIDENT:
6. Senator Smith moves the adoption of Committee Amendment No.
7. 1 to Senate Bill ... to House Bill 731. All in favor will say
8. Aye, opposed Nay. Amendment No. 1 is adopted. Senator Smith
9. moves the adoption of Amendment No. 2 to House Bill 731. All in
10. favor say Aye, opposed Nay. Amendment No. 2 is adopted. Any
11. further amendments? Any amendments from the Floor? 3rd reading.
12. House Bill 736, Senator Hickey. House Bill 745, Senator Buzbee.
13. 836, Senator Carroll. 852, Senator Joyce. 859, Senator Carroll.
14. 898, Senator Knuppel. 944, Senator Clarke. Senator, you want
15. to go with that one? 898, page 41 at the bottom. 944, Senator
16. Clarke. 960, Senator Egan. 965, Senator Chew. Egan. Brady.
17. Brady, Brady, Buzbee, Netsch, Savickas, Palmer, Shapiro. House
18. Bill 1659, Senator Don Moore and Schaffer. Schaffer, Brady.
19. 1837, Senator Don Moore. Carroll, Nudelman, Hickey. 2042, Senator
20. Kosinski. Read the bill.
21. SECRETARY:
22. House Bill 2042.
23. (Secretary reads title of bill)
24. 2nd reading of the bill. No committee amendments.
25. PRESIDENT:
26. Any amendments from the Floor? 3rd reading. This ...
27. Buzbee Senator McCarthy. House Bill 2089, Senator Kosinski.
28. Pardon. Read the bill.
29. SECRETARY:
30. House Bill 2089.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. No committee amendments.
33. PRESIDENT:

1 Any amendments from the Floor? 3rd reading. Senator
2 Latherow. Senator Bruce. House Bill 2100; Senator Bruce. Read
3 the bill.

4 SECRETARY:

5 House Bill 2100.

6 (Secretary reads title of bill)

7 2nd reading of the bill. No committee amendments.

8 PRESIDENT:

9 Any amendments from the Floor? 3rd reading. Senator Buzbee.
10 Senator Brady. House Bill 2252, Senator Lane. 2253, Senator
11 Lane. Senator Nudelman. Senator Netsch on the Floor. 2435,
12 Senator Rock. Read the bill. Senator Lane. Just one moment,
13 Senator. Read 2435.

14 SECRETARY:

15 House Bill 2435.

16 (Secretary reads title of bill)

17 2nd reading of the bill. The Committee on Elections and Reappor-
18 tionment offers one amendment.

19 PRESIDENT:

20 Senator Rock.

21 SENATOR ROCK:

22 This amendment, Mr. President, Ladies and Gentlemen of the
23 Senate, would reincorporate the provisions we've talked about
24 before with...with respect to Senator Nimrod's Senate Bill 18.
25 We discussed this in committee. I have agreed at a future time to...
26 we are, Senator Nimrod and I, are working on an alternative pro-
27 posal but in the meantime I would wish that the amendment would
28 be adopted and the bill would be moved to 3rd reading.

29 PRESIDENT:

30 Any discussion? Senator Davidson.

31 SENATOR DAVIDSON:

32 Senator Rock, I...I know you and Senator Nimrod are working
33 on an initial amendment. Whether you mutual agree or not, do we have

1. an understanding you will bring this back to 2nd to make an
2. attempt ... for him to make an attempt ... I've seen the amend-
3. ment. Okay. Senator Graham is asking for a copy of the amend-
4. ment but ... I just want that understanding since Senator Nimrod
5. is not here.

6. PRESIDENT:

7. Yes, he says he'll bring it back. Any further discussion?
8. Senator Wooten.

9. SENATOR WOOTEN:

10. Mr. Speaker, I ... I feel sure now that most of those
11. present in the Chamber have heard the explanation of the amend-
12. ment. It is Senate Bill 18 redivivus. We've already killed it
13. once and it is back with us again. I would ask that we have a
14. roll call vote on this and ask that the amendment be resisted.

15. PRESIDENT:

16. Senator Fawell.

17. SENATOR FAWELL:

18. I, for one, have not had a chance to look at the amendment
19. and of course I think everybody does understand that it is a
20. controversial one. I would suggest that this amendment be
21. printed and on our desks before we vote on it. And I think too
22. that we ought to, I ... I ...

23. PRESIDENT:

24. Senator Rock.

25. SENATOR ROCK:

26. Well, if ... if ... if in fact we're going to start this
27. procedure with respect to every committee amendment so be it.
28. This is a committee amendment this is not a Floor amendment.

29. PRESIDENT:

30. Senator Fawell.

31. SENATOR FAWELL:

32. I understand that, Senator Rock. I don't mean in any way
33. just to cause problems. I think, however we have here a very

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1 significant piece of legislation. The amendment totally changes
2 the intent of the bill and there are some strong feelings both
3 pro and con here. Even if...if we could perhaps even go at it
4 later today so we don't lose a day, but I...I don't even...I
5 haven't even had a chance to see the amendment and this is a
6 very important vote. I...I would most respectfully request
7 that this be printed and be on our desks before we vote on it. I
8 ...I don't plan to...do this very often but when you have a
9 major piece of legislation coming in by means of an amendment
10 whether it's committee or not, I think in all fairness that you under-
11 stand how those of us who do oppose this feel.

12 PRESIDENT:

13 Senator Rock.

14 SENATOR ROCK:

15 I understand perfectly. I'll take it out of the record and
16 I will make sure everybody gets a printed, autographed copy.

17 PRESIDENT:

18 House Bill 25...take it out of the record. House Bill 2576,
19 Senator Davidson. House Bill 2590, Senator Carroll. Read the
20 bill.

21 SECRETARY:

22 House Bill 2590.

23 (Secretary reads title of bill)

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

25 PRESIDENT:

26 Any amendments from the Floor? 3rd reading. House Bill
27 2591, Senator Carroll. Read the bill.

28 SECRETARY:

29 House Bill 2591.

30 (Secretary reads title of bill)

31 2nd reading of the bill. No committee amendments.

32 PRESIDENT:

33 Any amendments from the Floor? 3rd reading. House Bill

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1. 2592, Senator Carroll. Read the bill.
2. SECRETARY:
3. House Bill 2592.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. No committee amendments.
6. PRESIDENT:
7. Any amendments from the Floor? 3rd reading. House Bill
8. 2627, Senator Carroll.
9. SECRETARY:
10. House Bill 2627.
11. (Secretary reads title of bill)
12. 2nd reading of the bill. No committee amendments.
13. PRESIDENT:
14. Any amendments from the Floor? 3rd reading. ... Senator
15. Carroll.
16. SENATOR CARROLL:
17. I do believe there was a committee amendment on that.
18. PRESIDENT:
19. Senator Carroll ...
20. SECRETARY:
21. The Committee on Judiciary offers one amendment ...
22. PRESIDENT:
23. ... one moment, one moment. Senate Bill 2627, Senator
24. Carroll seeks leave to move it from the order of 3rd reading to
25. place it on the order of 2nd reading for the purpose of a an
26. amendment. Is there leave? Leave is granted. The bill is again
27. now on 2nd reading. Amendment No. 1, Senator Carroll.
28. SENATOR CARROLL:
29. Thank you, Mr. President. This was an amendment discussed
30. in committee that deals with another section to allow the State
31. to collect the taxes and be reimbursed by local government for
32. their expenses. I would move the adoption of the amendment.
33. PRESIDENT:

1. Any discussion? Senator Carroll moves the adoption of
2. Amendment No. 1 to House Bill 2627. All in favor will say Aye,
3. opposed Nay. Amendment is adopted. Any further amendments?
4. Any amendments from the Floor? 3rd reading. House Bill 2628,
5. Senator Carroll. Read the bill.

6. SECRETARY:

7. House Bill 2628.

8. (Secretary reads title of bill)

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

10. PRESIDENT:

11. Any amendments from the Floor? 3rd reading. House Bill
12. 2692, Senator Schaffer. House Bill 2784, Senator Egan. House
13. Bill 2832, Senator Carroll. Read the bill.

14. SECRETARY:

15. House Bill 2832.

16. (Secretary reads title of bill)

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

18. PRESIDENT:

19. Any amendments from the Floor? 3rd reading. House Bill
20. 2869, Senator Savickas. House Bill 2916, Senator Fawell. House
21. Bill 2991, Senator Bloom. Senator Carroll, what purpose ...
22. We're going to start again on 2nd reading bills. Now if there is
23. a movement of foot here for us to not start at the appointed
24. time just let me know and we will do that. It did not rain
25. before nine if you'd been here, but nine you would have gotten
26. wet. For what purpose does Senator Buzbee rise?

27. SENATOR BUZBEE:

28. Mr. President, would you read House Bill 330 a 2nd
29. time when you get to that order of business?

30. PRESIDENT:

31. Give all your numbers to the ...

32. SENATOR BUZBEE:

33. Okay...

1. PRESIDENT:
2. ... Secretary ...
3. SENATOR BUZBEE:
4. ... thank you.
5. PRESIDENT:
6. ... we're going to call them.
7. SENATOR BUZBEE:
8. Thank you.
9. PRESIDENT:
10. House Bills 2nd. House Bill 3, Lemke. Senator Lemke. 222,
11. Senator Newhouse. Read the bill.
12. SECRETARY:
13. House Bill 222.
14. (Secretary reads title of bill)
15. 2nd reading of the bill. No committee amendments. One Floor
16. amendment offered by Senator Buzbee.
17. PRESIDENT:
18. Senator Buzbee. We're on the order of House Bills on 2nd
19. reading. House Bill 222 has been called. There's an amendment
20. on the Desk from Senator Buzbee. Senator Buzbee.
21. SENATOR BUZBEE:
22. I'm sorry, Mr. President, I'm going to ask the sponsor if
23. he'll call it back from 3rd. I cannot find my amendment right
24. now.
25. PRESIDENT:
26. He indicates he will. Any further amendments? Senator
27. Rock.
28. SENATOR ROCK:
29. Well if it's being moved with that understanding, I can
30. wait until it's called back. That's no problem.
31. PRESIDENT:
32. With that understanding. Any further amendments at this
33. time? 3rd reading. Buzbee's was not offered yet. 3rd reading.

1. with the understanding it'll come back for two amendments at
2. least. House Bill ... House Bill 330, Senator Buzbee.

3. SECRETARY:

4. House Bill 330.

5. (Secretary reads title of bill)

6. 2nd reading of the bill. No committee amendments.

7. PRESIDENT:

8. Any amendments from the Floor? 3rd reading. House Bill
9. 396, Senator Kenneth Hall. That's the one you wanted to pass?
10. Alright. House Bill 449, Senator Dougherty. House Bill 596,
11. Senator Regner.

12. SECRETARY:

13. House Bill 569.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. The Committee on Revenue offers one
16. amendment.

17. PRESIDENT:

18. Senator Regner.

19. SENATOR REGNER:

20. Yes, Mr. President, members of the Senate, this committee
21. amendment removed and solves some of the problems the county
22. assessors had. It makes provisions for notification, enforcement
23. penalty and clears up the language and ... in another area of
24. the bill and I move for the adoption of Committee Amendment No. 1
25. to ... House Bill 569.

26. PRESIDENT:

27. Any further discussion? Senator Regner moves the adoption
28. of Amendment No. 1 to House Bill 569. All in favor will say Aye,
29. opposed Nay. Amendment No. 1 is adopted. Any further amendments?
30. 3rd reading. House Bill 581, Senator Nimrod. Read the bill.

31. SECRETARY:

32. House Bill 581.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.
2. PRESIDENT:
3. Senator Nimrod.
4. SENATOR NIMROD:
5. Mr. President, I'm moving this with the understanding that
6. I will move it back for a possible amendment. I did discuss this
7. with Senator Demuzio and I will follow up with that.
8. PRESIDENT:
9. Any further amendments? 3rd reading. House Bill 603,
10. Senator Carroll. Read the bill.
11. SECRETARY:
12. House Bill 603.
13. (Secretary reads title of bill)
14. 2nd reading of the bill. The Committee on Finance and Credit
15. Regulations offers one amendment.
16. PRESIDENT:
17. Senator Carroll.
18. SENATOR CARROLL:
19. I would move the adoption of the committee amendment.
20. PRESIDENT:
21. Any discussion? Senator Carroll moves the adoption of
22. Amendment No. 1 to House Bill 603. All in favor say Aye, opposed
23. Nay. Amendment is adopted. Any further amendments? Any amend-
24. ments from the Floor? 3rd reading. House Bill 604, Senator
25. Bruce. Read the bill.
26. SECRETARY:
27. House Bill 604.
28. (Secretary reads title of bill)
29. 2nd reading of the bill. The Committee on Public Health, Welfare
30. and Corrections offers one amendment.
31. PRESIDENT:
32. Senator Bruce.
33. SENATOR BRUCE:

1. It's a technical amendment. I move its adoption.

2. PRESIDENT:

3. Senator Bruce moves the adoption of Amendment No. 1 to
4. House Bill 604. All in favor will say Aye, opposed Nay. The
5. amendment is adopted. Any further amendments? Any amendments
6. from the Floor? 3rd reading. House Bill 612, Senator Brady.
7. 696, Senator Nimrod. Read the bill.

8. SECRETARY:

9. House Bill 696.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. No committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor? 3rd reading. House Bill
14. 723, Senator Carroll. Read the bill.

15. SECRETARY:

16. House Bill 723.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDENT:

20. Any amendments from the Floor? 3rd reading. 736, Senator
21. Hickey. 745, Senator Buzbee. Read the bill.

22. SECRETARY:

23. House Bill 745.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDENT:

27. Any amendments from the Floor? 3rd reading. 836, Senator
28. Carroll. Read the bill.

29. SECRETARY:

30. House Bill 836.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. The Committee on Appropriations offers
33. one amendment.

1. PRESIDENT:

2. Senator Carroll.

3. SENATOR CARROLL:

4. Yes, Mr. President, this is a Committee on Appropriations
5. amendment reducing the budget of the operation of the Court of
6. Claims and I would move its adoption.

7. PRESIDENT:

8. Any discussion? Senator Carroll moves the adoption of
9. Amendment No. 1 to House Bill 836. Those in favor will say Aye,
10. opposed Nay. The Ayes have it. The amendment is adopted. Any
11. further amendments? Any amendments from the Floor? 3rd reading.
12. House Bill 852, Senator Joyce. 859, Senator Carroll. Read the
13. bill.

14. SECRETARY:

15. House Bill 859.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Revenue offers one
18. amendment.

19. PRESIDENT:

20. Senator Carroll.

21. SENATOR CARROLL:

22. I would move the adoption of the committee amendment. This
23. deals with the homestead exemption for senior citizens.

24. PRESIDENT:

25. Any discussion? Senator Carroll moves the adoption of
26. Amendment No. 1 to House Bill 859. Those in favor will say Aye,
27. opposed Nay. Amendment No. 1 is adopted. Any further amendments?

28. Any amendments from the Floor? 3rd reading. 944, Senator
29. Clarke. Do you have the amendment? Are you ready? Alright.
30. House Bill 898, Senator Knuppel.

31. SECRETARY:

32. House Bill 898.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments. Three Floor
2. amendments offered by Senator Knuppel.

3. PRESIDENT:

4. Amendment No. 1, Senator Knuppel.

5. SENATOR KNUPPEL:

6. Amendment No. 1 excludes home rule units. I move the
7. adoption of Amendment No. 1.

8. PRESIDENT:

9. Senator Knuppel moves the adoption of Amendment No. 1 to
10. House Bill 898. Those in favor will say Aye, opposed Nay. The
11. Ayes have it. Amendment No. 1 is adopted. Amendment No. 2,
12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. Amendment No. 2 provides a severability clause for this
15. Act. I move the adoption of Amendment No. 2.

16. PRESIDENT:

17. Senator Knuppel moves the adoption of Amendment No. 2 to
18. House Bill 898. Senator Bell.

19. SENATOR BELL:

20. Thank you, Mr. President. Now we're moving along pretty
21. fast on these Floor amendments. The first one I didn't catch.

22. PRESIDENT:

23. He made an explanation. You didn't hear it?

24. SENATOR BELL:

25. Yeah, it was a ... is that severability one? Or is that ...

26. PRESIDENT:

27. No, home rule amendment he said.

28. SENATOR BELL:

29. Beg your pardon.

30. PRESIDENT:

31. He said it was a home rule amendment.

32. SENATOR BELL:

33. Home rule amendment. This one is the severability, would

1. you explain ... a little bit on that, Senator Knuppel? Please.

2. PRESIDENT:

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. It's just a standard severability. Provides that any pro-
6. vision of this Act or application thereof to any person or
7. circumstances is held invalid, such invalid ... invalidity does
8. not affect any other provision or ... the application of this
9. Act.

10. PRESIDENT:

11. Senator Bell.

12. SENATOR BELL:

13. Okay.

14. PRESIDENT:

15. Fine. Senator Knuppel moves the adoption of Amendment No. 2
16. to House Bill 898. Those in favor say Aye. Anybody in favor?
17. Those opposed Nay. Ayes have it. Amendment No. 2 is adopted.
18. Amendment No. 3, Senator Knuppel.

19. SENATOR KNUPPEL:

20. Amendment No. 3 provides that the appointees provided for
21. under the Act shall be dispersed on a geographic basis ...
22. geographically on a regional basis. It follows the language
23. of the Constitution that is available in the provision with
24. respect to the State Board of Education as to dispersement, same
25. kind of language.

26. PRESIDENT:

27. Senator Bell.

28. SENATOR KNUPPEL:

29. I move the adoption of Amendment No. 3.

30. SENATOR BELL:

31. Yes, thank you. How is that set up without this amendment,
32. Senator Knuppel?

33. PRESIDENT:

1 Senator Knuppel.

2 SENATOR KNUPPEL:

3 Without the amendment there was no...there was just so
4 many members and it didn't provide, I've forgotten just exactly
5 how many there were on this board, but, but it didn't provide
6 for geographic dispersement and I wanted it to provide for
7 geographic dispersement so they wouldn't all necessarily come
8 from one section of the State. I'd have to...reread the
9 Act to tell you just exactly how many they were but they weren't
10 on a geographic distribution. I'll be happy to show it to
11 you and if there's a problem, I'll bring it back from 3rd.

12 PRESIDENT:

13 Any further discussion? Senator Knuppel moves Amendment
14 No. 3 to House Bill 898 for adoption. Those in favor will say
15 Aye, opposed Nay. Amendment No. 3 is adopted. Senator Bell.

16 SENATOR BELL:

17 Yes, Senator Knuppel, we of course just saw these three
18 Floor amendments and really haven't had a chance to take a look
19 at them. I don't particulary see any problem with them but
20 would you agree to bring it back from 3rd if we would like to
21 question something on them?

22 PRESIDENT:

23 Senator Knuppel.

24 SENATOR KNUPPEL:

25 Sir, that was contained in my last statement if you had
26 heard it and we're just wasting time...

27 SENATOR BELL:

28 I was talking to my staff assistant.

29 SENATOR KNUPPEL:

30 ...I always will. I always will. That's a standard rule
31 with me. If I can't withstand the amendment that somebody wants
32 to offer, I can't pass the bill. I'll always bring it back
33 from 3rd.

1 PRESIDENT:

2 Any further amendments? 3rd reading. House Bill 944,
3 Senator Clarke. Read the bill.

4 SECRETARY:

5 House Bill 944.

6 (Secretary reads title of bill)

7 2nd reading of the bill. No committee amendments.

8 PRESIDENT:

9 Any amendments from the Floor? Senator Johns.

10 SENATOR JOHNS:

11 Senator Clarke, I just wondered if there was, you know I've
12 been looking at what we're doing here. We come down 731, 745,
13 836, we're now on 944 and to you, Mr. President, and to Senator
14 Clarke, are there amendments in here to take out the 6 percent that
15 we're seeking? I'm looking at Commissions and in my humble
16 opinion if there's anything that can stand a cut and throw the
17 money back to the people it probably would be the Commissions and
18 I'm asking this question of Senator Clarke, is your amendment
19 in here for 6 percent Senator Clarke, or will it be?

20 PRESIDENT:

21 Senator Clarke.

22 SENATOR CLARKE:

23 For eighteen years that the Legislative Audit Commission has
24 been in existence we have been six percenting I'll tell you
25 that. This Commission started out with an appropriation under
26 Senator Arrington of about 76 or 77 thousand dollars and in
27 seventeen years it's only up to eighty-three thousand. I think this
28 is the best investment this Legislature has made.

29 PRESIDENT:

30 Senator Johns.

31 SENATOR JOHNS:

32 Well, I'm speaking to probably one of the most conscientious
33 men on the Senate Floor. I have the deepest respect for him.

1 But we're at a time when everybody's supposed to tighten their
2 belts and I ask a very honest and sincere, constructive question.
3 We've got to start looking at these and I notice that we're
4 passing several right down the line...I'm asking question
5 again, if there are amendments in this to cut these Commissions
6 back 6 percent and other bills here that we've just gone over. I
7 want to know it. If they're not, I want the answer. You know.

8 PRESIDENT:

9 Senator Clarke.

10 SENATOR CLARKE:

11 Well, I think I tried to give you a serious answer that
12 we looked at this budget when we made it up and reduced it 6 percent
13 before we started. And we've been doing that over the eighteen years
14 if this Commission's existence.

15 PRESIDENT:

16 Senator Demuzio.

17 SENATOR DEMUZIO:

18 This eighty-three thousand dollars is 6 percent less what the
19 appropriation was the previous years, is that correct?

20 PRESIDENT:

21 Senator Clarke.

22 SENATOR CLARKE:

23 If you count inflation over the eighteen years this is probably
24 30 percent less, the fact of the matter is. No it's not 6 percent less
25 than last year. I think it's about fifteen hundred more, but if you
26 will stop and think, if you want a serious discussion, that this
27 whole area of State auditing, our function from the legislative
28 standpoint is rapidly changing. And actually the Audit Commission
29 along with the Auditor General...the Auditor General has a tremendous
30 increase and it needs it, because we're looking at all of the rest
31 of State expenditures that are they being done efficiently and
32 effectively and for the purpose we intend.

33 PRESIDENT:

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. Would you be willing to bring this back for an amendment
4. on 3rd reading?

5. PRESIDENT:

6. Senator Clarke.

7. SENATOR CLARKE:

8. No, I would resist that. I'd resist that.

9. PRESIDENT:

10. Any amendments from the Floor? 3rd reading. Senator
11. Smith.

12. SENATOR SMITH:

13. These discussions ... since His Excellency made his T.V.
14. appearance perhaps a week or so ago, I want to be frank and tell
15. you I don't think we should cut not one cent from any budget
16. because of any address that was made to those of you who were
17. in attendance and I'm frank to say that I was not in attendance,
18. did not intend to be in attendance and it would not have affected
19. me had I been in attendance. I think the due deference to the
20. marked ability possessed by gentlemen on this, or rather Senators
21. on this side of the aisle and the other side. We know full well
22. that if His Excellency wishes to cut budgets he has the Consti-
23. tutional right, authority and duty to do such. I yield to
24. Senator Johns. I should be glad to reply to your remarks, Senator.

25. PRESIDENT:

26. Senator Johns, for what purpose do you rise?

27. SENATOR JOHNS:

28. Well, Mr. President this is exactly relates to what I'm
29. talking about. As a Legislator and as a member of this group
30. and having discussed with this group many times, we have
31. striven to regain legislative control in many fields.. Here we
32. are after having striven many years in making a great deal
33. of talk about legislative control, legislative responsibility

1 we're throwing it back to the Governor and this is exactly
2 what I'm directing my question about.

3 PRESIDENT:

4 Now, gentlemen, the Chair will give you the leeway desired.
5 944 has been moved to 3rd reading so...but go right ahead.
6 Senator Smith.

7 SENATOR SMITH:

8 I rise on a point of personal privilege.

9 PRESIDENT:

10 State your point, Senator.

11 SENATOR SMITH:

12 My point is that it's my honest belief that in making these
13 cuts simply because it was suggested that we make cuts, is altogether
14 wrong. I incline to the belief, in fact I know that under the
15 1970 Constitution that if His Excellency wishes the cuts made
16 that he requested of you that we make, he certainly has a right
17 to have done so or to be in the process of doing so even now
18 rather than putting that task off on the members of the Legis-
19 lature. You are going to find, perhaps next year, that you've
20 maneuvered again into an untenable position, the same as we were
21 when by Executive Order he set up certain bodies. We had the
22 right to take advantage of it within a given number of days,
23 which we failed to do, and that caused us to be confronted with
24 these situations. But now if His Excellency wants these cuts
25 made, let him make them. There's no sense at all in the opinion
26 of this humble member for us to jump every time the whip is
27 cracked to try to satisfy His Excellency or anybody else. He
28 has the constitutional right to make cuts, then let him make
29 them. Let him justify them before the people. Now you are seeking
30 to make them and you'll find next year you'll be behind the
31 eight ball when he goes out and tells you that you made certain
32 contribution to authorize certain contributions as he will then
33 claim far in excess of what he wished and that you harnessed the

RB 981
2nd reading
6/17/75

1. affairs of the State of Illinois to such an extent that he
2. cannot do that which he wishes. I would that one of the
3. members of your more recent Constitutional Convention were here,
4. so that he might justify, if he sees fit, the position I now
5. take. I repeat it, it's simply this, that under the Constitution
6. 1970, would you please pardon me, I've been ill and I'm sick
7. now, but under the Constitution of 1970, if His Excellency wishes
8. these cuts that you are authorizing, why not in the name of high
9. heaven let him discharge his constitutional duties and order the
10. cuts made by the veto process.

11. PRESIDENT:

12. House Bill 960, Senator Egan. Read the bill.

13. SECRETARY:

14. House Bill 960.

15. (Secretary reads title of bill)

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

17. PRESIDENT:

18. Any amendments from the Floor? 3rd reading. House Bill
19. 965, Senator Chew. Read the bill.

20. SECRETARY:

21. House Bill 965.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. No committee amendments.

24. PRESIDENT:

25. Any amendments from the Floor? 3rd reading. House Bill
26. 981, Senator Egan. Read.

27. SECRETARY:

28. House Bill 981.

29. (Secretary reads title of bill)

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

31. PRESIDENT:

32. Any amendments from the Floor? 3rd reading. House Bill
33. 983, Senator Brady. Senator Brady, 983. 984, Senator Brady.

HB 985
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1 None in the series. House Bill 99...Alright 985, Senator
2 Brady.

3 SECRETARY:

4 House Bill 985.

5 (Secretary reads title of bill)

6 2nd reading of the bill. No committee amendments. One Floor
7 amendment offered by Senator Brady.

8 PRESIDENT:

9 Senator Brady.

10 SENATOR BRADY:

11 Yes, the amendment changes only in the prospect of
12 clearing up on page 2, section 6, it says, one year after the
13 approval of this Act is the effective date. There was some concern
14 that since the Act was 1967, this might be retroactive. So the
15 language would...language was changed to read - after the effective
16 date of this mandatory Act of 1975.

17 PRESIDENT:

18 Senator Brady moves the adoption of Amendment No. 1 to
19 House Bill 985. All in favor say Aye, opposed Nay. The Ayes
20 have it. Amendment No. 1 is adopted. Any further amendments?
21 Any amendments from the Floor? 3rd reading. House Bill 993,
22 Senator Buzbee. Read the bill.

23 SECRETARY:

24 House Bill 993.

25 (Secretary reads title of bill)

26 2nd reading of the bill. No committee amendments.

27 PRESIDENT:

28 Any amendments from the Floor? 3rd reading. House Bill
29 1094, Senator Buzbee.

30 SECRETARY:

31 House Bill 1094.

32 (Secretary reads title of bill)

33 2nd reading of the bill. No committee amendments.

1. PRESIDENT:

2. Any amendments from the Floor? 3rd reading. House Bill
3. 1103 ... House Bill 1399, Senator Savickas. House Bill 1506,
4. Senator Palmer. 1557, Senator Palmer. 1589. 1659, Senator
5. Don Moore and Schaffer. 1662, Senator Schaffer. 1732, Senator
6. Brady. 1837, Senator Don Moore. 1878, Senator Carroll. Read
7. the bill.

8. SECRETARY:

9. House Bill 1878.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. No committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor? 3rd reading. House Bill
14. 1968, Senator Nudelman. 1979, Hickey, Senator Hickey. 2054,
15. Senator Buzbee. Read the bill.

16. SECRETARY:

17. House Bill 2054.

18. (Secretary reads title of bill)

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

20. PRESIDENT:

21. Any amendments from the Floor? 3rd reading. 2074,
22. Senator McCarthy. Read the bill.

23. SECRETARY:

24. House Bill 2074.

25. (Secretary reads title of bill)

26. 2nd reading of the bill. No committee amendments.

27. PRESIDENT:

28. Any amendments from the Floor? ... Any amendments from the
29. Floor? 3rd reading. Senator McCarthy. A just a moment, Senator
30. Fawell. Senator McCarthy.

31. SENATOR MCCARTHY:

32. Mr. President, I have no amendments from the Floor. I
33. mentioned to Senator Harris that in order to obviate what

1. might be protracted debate on amendments today cause I
2. have some amendments myself, I mentioned to him that I would
3. like to move 2074 to 3rd reading today and bring it back
4. tomorrow preferrably or at any such time ... to offer the
5. amendments I have and so that the members could offer their
6. amendments from the Floor.

7. PRESIDENT:

8. Senator Harris.

9. SENATOR HARRIS:

10. Well, the way you expressed it just now, Senator McCarthy,
11. you said that so that you could bring it back to 3rd reading.
12. Will you agree to bring it back to 2nd reading at the request of
13. any member?

14. SENATOR McCARTHY:

15. Yes, Sir, I will.

16. SENATOR HARRIS:

17. Okay. Fine. I just wanted to make certain that it was not
18. careful language. Okay. Thank you.

19. PRESIDENT:

20. Any further amendments at this time? 3rd reading. House
21. Bill 2099, Senator Latherow. 2118, Senator Buzbee.

22. SECRETARY:

23. House Bill 2118.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments. One Floor
26. amendment offered by Senator Buzbee.

27. PRESIDENT:

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Yes, Mr. President, what this amendment does is it says
31. that those teachers who would be retrained under this Act ... that
32. they would only be retrained provided the teacher possesses all
33. necessary entrance requirements and meets all necessary admission

1. requirements. I would move adoption of the amendment.

2. PRESIDENT:

3. Any discussion? Senator Buzbee moves the adoption of
4. Amendment No. 1 to House Bill 2118. Those in favor say Aye,
5. opposed Nay. Ayes have it. The amendment is adopted. Any
6. further amendments? Any amendments from the Floor? 3rd reading.
7. House Bill 2160, Senator Brady. 2252, Senator Lane. Read.

8. SECRETARY:

9. House Bill 2252.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. No committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor? 3rd reading. House Bill
14. 2253, Senator Lane.

15. SECRETARY:

16. House Bill 2253.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDENT:

20. Any amendments from the Floor? 3rd reading. 2296,
21. Senator Nudelman. 2355, Senator Netsch. 2576, Senator Davidson.
22. 2692, Senator Schaffer. 2784, Senator Egan. 2869, Senator
23. Savickas. Read.

24. SECRETARY:

25. House Bill 2869.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. No committee amendments. One Floor
28. amendment offered by Senator Nimrod.

29. PRESIDENT:

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Mr. President and fellow Senators, what this amendment
33. does is to delete the review provision in the Industrial Commission

1. rather than transfer it to the Department of Labor. Since
2. the Governor has elected to transfer the Occupational,
3. Safety and Health inspection provisions to the federal government
4. under OSHA, then we certainly don't need to have that authority
5. transferred to the Department of Labor and this was discussed
6. in committee and it did receive approval. It was probably a
7. better way of handling it as to just delete that particular pro-
8. vision since the Department of Labor will have no review pro-
9. visions and only subject to inspecting and setting a plan for
10. the State employees. If there are any questions, I'd be happy
11. to answer. If not, I would move for the adoption of this amendment.

12. PRESIDENT:

13. Any discussion? Senator Nimrod moves the adoption of
14. Amendment No. 1 to House Bill 2869. All in favor say Aye, opposed
15. Nay. Amendment is adopted. Any further amendments? Any
16. amendments from the Floor? 3rd reading. House Bill 2916,
17. Senator Fawell. Read the bill.

18. SECRETARY:

19. House Bill 2916.

20. (Secretary reads title of bill)

21. 2nd reading of the bill. The Committee on Public Health, Wel-
22. fare and Corrections offers one amendment.

23. PRESIDENT:

24. Senator Fawell.

25. SENATOR FAWELL:

26. Yes, Mr. President. This is a clarifying amendment in
27. regard to the Department of Public Health's Inspection of
28. State institutions which house various individuals. I move the
29. adoption of the same.

30. PRESIDENT:

31. Any discussion? Senator Fawell moves ... adoption of
32. Amendment No. 1 to House Bill 2916. Those in favor will say Aye,
33. opposed Nay. The Ayes have it. The amendment is adopted. House

1. Bill 2991 ... 3rd reading. 3rd reading on 2916. House Bill
2. 2991, Senator Bloom. Oh, House Bills on 1st reading. House Bill
3. 3042, Senator McCarthy.
4. SECRETARY:
5. House Bill 3042.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDENT:
9. House Bill 3045, Senator McCarthy.
10. SECRETARY:
11. House Bill 3045.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDENT:
15. House Bill 3046, Senator McCarthy.
16. SECRETARY:
17. House Bill 3046.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDENT:
21. House Bill 3050, Senator Bruce.
22. SECRETARY:
23. House Bill 3050.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDENT:
27. Any other bills on House Bills 1st? Senator Hynes on the
28. Floor? Senate Bills on 3rd reading. Senate Bill 554, Senator
29. Rock. 555, Senator Don Moore.
30. SECRETARY:
31. (Machine cut off) 555.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1 PRESIDENT:

2 Senator Moore.

3 SENATOR MOORE:

4 I think the Calendar adequately expresses the synopsis
5 of the bill. It makes the appropriations for the ordinary and
6 contingent expenses for the Department of Public Aid for Fiscal
7 Year 1976. I would like to caution the members...first of all
8 I want to compliment the Appropriations Committee for sort of
9 anticipating the action of the Governor and asking for a 6 percent
10 reduction. There was a substantial amount taken out of the
11 personal services item of the Department's bill. I further
12 want to inform the members of the Body that in my opinion this
13 budget is again insufficient for the next fiscal year. Don't
14 be mad at me if I'm back here another nine or ten months ago
15 like I predicted nine or ten months ago for deficiency appro-
16 priations, gentlemen, someplace in the vicinity of one hundred
17 and fifty million dollars. If there are no question, I would
18 ask for a favorable roll call, Mr. President.

19 PRESIDENT:

20 Any discussion? The question is shall Senate Bill 555
21 pass? Those in favor will vote Aye, opposed Nay. The voting
22 is open. Have all voted who wish? Take the record. On this
23 question the Ayes are 44, the Nays are 4, with 1 Voting Present.
24 Senate Bill 555 having received the constitutional majority is
25 declared passed. Senator Mitchler.

26 SENATOR MITCHLER:

27 Mr. President, just on a point of personal privilege. I
28 call attention to Senate Bill 555 which we just passed, which is
29 perhaps the highest budget yet for the Department of Public Aid,
30 totaling 1.8 billion dollars. And I notice it passed with probably
31 not just a few mumblings at your seat, no debate, the way it
32 goes. You get a little thing down here for twenty-five hundred
33 dollars and probably take up a half an hour of the Senate's time.

1. I just mention that as a point of personal privilege.

2. PRESIDENT:

3. House Bill ... Senate Bill 635, Senator Rock. Senator Rock
4. is recognized.

5. SENATOR ROCK:

6. Thank you, Mr. President, Ladies and Gentlemen of the Senate,
7. I am informed that Senator Graham wishes to offer an amendment. I
8. would at this time ask leave of the Body to bring Senate Bill 635
9. back to the order of 2nd reading for that purpose.

10. PRESIDENT:

11. Is leave granted? Leave is granted. Amendment No. ... 16,
12. Senator Graham.

13. SENATOR GRAHAM:

14. Thank you, Mr. President, and thank you, Senator Rock. This
15. amendment addresses itself to some additional funding for Herrick
16. House up in the suburbs that takes care of some of our disturbed
17. children. Yesterday I had an amendment, I had an amendment that
18. would ask for about five hundred fifty thousand dollars that
19. would've all been extracted from the Federal Fund. We, in cooperation
20. with Senator Rock and others, we have tried to make a determination
21. of what of those funds could be taken out of the bond fund
22. and what would have to come out of general fund. The best that
23. we've been able to arrive at is contained in this amendment which
24. I now offer you which would add to the bill a hundred and seventy-
25. one thousand two hundred and fifty dollars and I am informed
26. that Senator Rock has no problem with it.

27. PRESIDENT:

28. Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
31. In fact this facility is in desperate need of rehabilitation. It
32. was in fact included in the accelerated building program which
33. met its demise some time ago. I'd just point out that this is

1. a hundred and seventy-one thousand dollars out of general revenue.
2. I do not know whether it will meet with the favor or disfavor of
3. the Chief Executive but the building, the facility is in fact in
4. desparate need of repair if in fact wards of the State are to be
5. housed there and I would, I don't have any objection to the
6. amendment.

7. PRESIDENT:

8. Any further discussion? Senator Regner.

9. SENATOR REGNER:

10. I also rise in support of this amendment. When Director
11. Leahy was before committee, I questioned her about the usage of
12. the Herrick House facilities for this coming year. They are
13. going to have a full complement of children. They do have raw
14. sewage flowing across the ... the land area and the housing
15. there is in desparate need of repair and I do urge a favorable
16. vote on the amendment to Senate Bill 635.

17. PRESIDENT:

18. Senator Graham.

19. SENATOR GRAHAM:

20. I'm ... I'm informed by our Secretary's office that the total
21. on this bill in the amendment, Senator Rock, a hundred seventy-one
22. thousand is an error which in fact it is. There is an additional
23. error there and that should be a hundred and fifty-one thousand
24. two hundred and fifty dollars. So I would suggest that we have
25. that corrected either on a space or whatever needs to be done.

26. PRESIDENT:

27. Is there leave to correct it on its space?

28. SENATOR GRAHAM:

29. I move that we correct it on its space ...

30. PRESIDENT:

31. Leave is granted.

32. SENATOR GRAHAM:

33. ... a hundred and fifty-one thousand two hundred and fifty dollars.

1. I think that's right, isn't it, Mr. Secretary?

2. PRESIDENT:

3. Leave is granted to correct the amendment on its space to
4. read a hundred and fifty-one thousand instead of a hundred and
5. seventy-one thousand. Senator Harris.

6. SENATOR HARRIS:

7. We are still discussing Senator Graham's amendment?

8. PRESIDENT:

9. We are.

10. SENATOR HARRIS:

11. Okay. I do ... I will support that. I have a question
12. later on another matter.

13. PRESIDENT:

14. Fine. Any further discussion on Amendment No. 16? Senator
15. Graham moves the adoption of Amendment No. 16 to Senate Bill 635.
16. Those in favor say Aye, opposed Nay. Amendment No. 16 is adopted.
17. Any further amendments?

18. SECRETARY:

19. Amendment No. 17 offered by Senator Harris.

20. PRESIDENT:

21. Senator Harris.

22. SENATOR HARRIS:

23. Now, Mr. President, we just this minute finished the actual
24. typing of this amendment and in all fairness to Senator Rock, he
25. has not had an opportunity to look at it. If he would prefer to
26. defer this, and leave the bill on 2nd for a little while so he has
27. an opportunity, he and Senator Hynes to digest the effect of the
28. amendment, I certainly think that would be ... appropriate and
29. more fair to them. I can state briefly that Amendment 17 will
30. cut a million nine hundred three thousand four hundred eighty-
31. three dollars out of the various area or local offices of the
32. Department. Now, the Department has requested a hundred sixty-
33. two new jobs for this purpose. We are suggesting that there is

1. a management crisis in Illinois not actually a financial crisis,
2. but one of the ways to assist in the resolution of that problem
3. is to eliminate expanded programs to continue in effect the existing
4. personnel authorizations in Fiscal '75 and not provide for this
5. kind of instant situation of a hundred sixty-two new jobs. That
6. is the effect of the amendment and I'd be happy to respond to
7. Senator Rock if he has questions or if he wishes ... to of course
8. give him some time to evaluate the amendment.

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
13. I rise in opposition, strong opposition to Amendment No. 17. As
14. the budget was proposed it called for two hundred and thirty-two
15. additional employees in the area offices. The area offices are
16. those that are directly on the street. These are the people that
17. are direct service people with respect to the wards of the State.
18. In the committee, there was a lot of discussion, almost an inordinate
19. amount of discussion, with respect to these new employees. It
20. was determined as a matter of committee judgement ...

21. PRESIDENT:

22. ... a just a moment, Senator. Now, can we have some order,
23. please? Senator Rock.

24. SENATOR ROCK:

25. ... an inordinate amount of discussion with respect to these
26. new employees. It was pointed out very forcefully, I believe,
27. by the Director, that these persons represent those employees who
28. will deal directly with the increase case load that has been
29. thrust upon the Department, both in the area of just plain wards
30. of the State and in the area of child abuse. We determined in
31. the committee, that the seventy persons who were in fact cut
32. from that number represented what were ... what we determined to
33. be middle management or supervisory personnel and we felt, the

1. heat not withstanding that the Department could live without
2. those seventy. To cut the additional personnel I think we are
3. cutting off our nose to spite our face. The Department is in
4. fact confronted with an increased case load. There are now
5. approaching some thirty thousand children who are wards of the
6. State. We just simply do not have the direct field personnel
7. to handle these cases adequately, to man the twenty-four hour
8. child abuse hot line. I ... I think the amendment ... is a
9. spiteful response to the Governor's message and I would urge
10. opposition to Amendment No. 17.

11. PRESIDENT:

12. Any further discussion? Senator Harris.

13. SENATOR HARRIS:

14. Well, I would point out that the amendments adopted in the
15. committee do not result, I believe, I'm ... I could be corrected
16. on this, but I do not believe there has been a six percent cut
17. in the budget book request for the Department of Children and
18. Family Services. I would be happy to have Senator Rock evaluate
19. that statement and if I am wrong I want to be corrected.

20. PRESIDENT:

21. Senator Rock.

22. SENATOR ROCK:

23. You are.

24. PRESIDENT:

25. Senator Harris.

26. SENATOR HARRIS:

27. There was some two million dollars added to this budget for
28. the grant program not provided for in the budget. And I really
29. would like to have the figures stated to the Senate that confirm
30. that the shape that the bill is in prior to Amendment 17, produces
31. a six percent reduction from the budget book request. It would
32. be my belief and I will not state it categorically that the fact
33. is, it is not six percent below the budget book request. What

1 is the total as a result of final consideration of Amendment 1
2 through 16? My recollection is that it is some four million dollars
3 higher than the budget book request. Is that not the case?

4 PRESIDENT:

5 Senator Hynes...Rock. Senator Rock.

6 SENATOR ROCK:

7 Well, if...if in fact you take into account grant money to
8 foster care and day care, that is correct. Alright. If...if
9 you want to cut the grant money for foster care and day care by
10 six or sixty or a hundred percent, be my guest.

11 PRESIDENT:

12 Any further discussion? Senator Harris.

13 SENATOR HARRIS:

14 Well, I think the fact is that the institutions within this
15 budget have not been cut six percent, the bill presently does
16 have additional grant money authorized for Fiscal '76 and I am
17 suggesting that these some two hundred thirty-two new positions
18 should be eliminated, so that in general the result would be to
19 permit the institutions to at least have what they requested in
20 the budget book but not fund the new positions. Now there's one
21 exception to the new positions and that is in the Veteran's
22 Home at Quincy. We provide for or we permit to stay in this
23 request fifty-seven new positions. That institution has been
24 permitted to leave unattended a serious responsibility
25 insofar as care extension in that institution. Additionally
26 my recollection is there are some twenty-three existing vacancies
27 in their '75 authorization for personnel. So that in total the
28 bill would have, even with the adoption of Amendment 17, the
29 authorization at the Quincy Institution for some seventy to seventy four
30 additional positions at that institution. It seems perfectly
31 sensible to me and to this side that expanded personnel requests
32 just cannot be considered in the light of the fiscal crisis as
33 described by our Chief Executive a week ago tomorrow night.

1 For these reasons, I would urge the Senate to adopt Amendment 17.

2 PRESIDENT:

3 Senator Egan.

4 SENATOR EGAN:

5 Thank you, Mr. President, members of the Senate. Senator
6 Harris, we very, very carefully went over this budget on several
7 occasions. The Department was in at least five times in the
8 Appropriation Committee. And these are the facts; there are
9 about five hundred front line case workers in the Department of
10 Children and Family Services, there are approximately thirty
11 thousand cases. The Department feels in order to do an adequate
12 job that they should not distribute more than thirty-five cases
13 and usually not more than thirty cases to the individual. So that
14 if you subtract and divide and add you come out with a figure
15 that is far in excess of thirty-five cases per front line worker.
16 And if that's the kind of a Department you want then you can offer
17 your amendment. But let me suggest, Senator, that there's...
18 that's an irresponsible conclusion to the fact, that they just
19 don't have enough people to do the work. We did cut seventy jobs
20 from their request and they've been cut considerably in other
21 areas and the fact is that they're still short, and I'm going to
22 oppose your amendment.

23 PRESIDENT:

24 Senator Knuppel.

25 SENATOR KNUPEL:

26 Well I don't have a copy of the amendment on my desk but I
27 can tell you that that's one of the most understaffed, deleterious
28 institutions in the State of Illinois, and if that's the way we're
29 going to treat our veterans then we ought not to have any veterans.
30 I mean we ought not to ask these people...now what?

31 PRESIDENT:

32 Senator Harris.

33 SENATOR KNUPEL:

1 Well this is some other area...

2 SENATOR HARRIS:

3 ...We are leaving the Quincy institution absolutely in tact.
4 We, the result of this amendment would be to authorize them
5 fifty-seven additional employees for Fiscal '76. They presently
6 have...

7 PRESIDENT:

8 ...A, just one moment, Senator. For what purpose do you
9 rise, Senator Rock?

10 SENATOR ROCK:

11 That's...that's the third time I've heard about the
12 fifty-seven new positions in the Quincy home. That's simply
13 not the fact.

14 PRESIDENT:

15 Any further discussion? Senator Graham.

16 SENATOR GRAHAM:

17 I want to make, Mr. President, only one observation with
18 regard to some of the personnel in the Department of Children
19 and Family Services. I think that in lieu of deficiency, if
20 this Department would be a little more careful with the selection
21 of the type of people that they have doing their counseling and
22 their field work we could save some money. In one instance, in
23 my home town to show you, or in Elgin, to show you the quality
24 thinking of some of these people. There was a child in a perfectly
25 good foster home, absolutely, unbelievably good and the child was
26 getting along fine and the people loved her. The caseworker on
27 behest of her own mother investigated that and took the child
28 away from her and when they objected to the extent that she was
29 carrying on a life that was not in conformity with our usual
30 marriage procedures this girl said, "well they're shacking up all
31 the time, it really doesn't make any difference", and they let
32 this child go, to this hippie and her mother and took her out of
33 a perfectly good home. Those kind of people, if we can eliminate

1. those and I told Director Leahy that I ... how I felt about it.
2. So I think we ought to warn them in advance that we're going to
3. be a little more careful about the type of people we select to
4. take care of these children. We could save a lot of money in
5. that area.

6. PRESIDENT:

7. Any further discussion? Senator Harris.

8. SENATOR HARRIS:

9. Well I just have a question to propose to the world. Is
10. there a fiscal crisis? If there is, join us in the adoption of
11. this amendment that seeks to cure the fiscal crisis that we had
12. described. I would suggest that Amendment 17 eliminates expanded
13. programs and provides for a continuation of the authorizations
14. for personnel consistent with Fiscal '75 except for the Quincy
15. institution, for which agency we concur that the request for
16. additional manpower at Quincy is desirable. I move the adoption of
17. Amendment 17 and request a roll call.

18. PRESIDENT:

19. For what purpose, Senator Knuppel rise?

20. SENATOR KNUPPEL:

21. Well I started to speak a minute ago and I was interrupted
22. because apparently I ...

23. PRESIDENT:

24. ... Senator Knuppel ...

25. SENATOR KNUPPEL:

26. ... didn't have the amendment and I didn't know what was
27. going on. ...

28. PRESIDENT:

29. ... Senator Knuppel ...

30. SENATOR KNUPPEL:

31. ... I just want to say one thing about this so-called fiscal
32. crisis and our responsibility in this area. I'll tell you this, you
33. know we could put twice as much in the bank as the Governor wants

1. and he doesn't have to spend it if he doesn't want to. I don't
2. think that that's our responsibility as much as it is his and I'm
3. a little bit disturbed about putting the monkey on our backs, let's
4. leave it on his. Let's give him what he asked for in the original
5. instance as far as I'm concerned and go home here on June the 27th
6. and let him be responsible. It's like sending your kid to buy
7. an apple with a twenty dollar bill, he doesn't have to spend it all.

8. PRESIDENT:

9. The question is shall Amendment No. 17 be adopted? Those
10. in favor of the adoption of Amendment 17 will vote Aye, opposed
11. will vote No. The voting is open. Have all voted who wish?
12. Take the record. On this question the Ayes are 24, the Nays are
13. 33, with none Voting Present. Amendment No. 17 fails. Any
14. further amendments? Senator Harber Hall.

15. SENATOR HARBER HALL:

16. Mr. President, I would like to ask the sponsor to hold this
17. on 2nd reading. I'm having an amendment prepared, it should be
18. here momentarily.

19. PRESIDENT:

20. Senator, he has agreed to bring it back so rather than lose
21. a day. Senator Rock, I don't know if you heard the request.
22. Senator Rock.

23. SENATOR ROCK:

24. Yes, Senator Hall just came over a few moments ago and in-
25. dicated to me he would have an amendment. I will ... I would
26. like it moved back to 3rd and we can pull it back tomorrow if
27. that's acceptable.

28. PRESIDENT:

29. Any further amendments at this time? 3rd reading. House
30. Bill ... Senate Bill 1492, Senator Welsh. Senator Welsh is
31. recognized.

32. SENATOR WELSH:

33. Mr. President, I ask leave of the Body to bring Senate Bill

1. 1492 back to the order of 2nd reading for the purpose of an amend-
2. ment.

3. PRESIDENT:

4. Is there leave? Leave is granted.

5. SECRETARY:

6. Amendment No. 2, offered by Senator Welsh.

7. PRESIDENT:

8. Senator Welsh.

9. SENATOR WELSH:

10. I have checked this out with the minority spokesman, Mr.
11. President, of Appropriations Committee. What the amendment does
12. it ... it amends 1492 by including revised figures that were
13. not reflected in the Committee's Amendment No. 1 and I would move
14. for the adoption of Amendment No. 2 to 1492.

15. PRESIDENT:

16. Any discussion? Senator Welsh moves the adoption of Amend-
17. ment No. 2 to Senate Bill 1492. Those in favor say Aye, opposed
18. Nay. The Ayes have it. Amendment No. 2 is adopted. Any further
19. amendments? 3rd reading. Senator Rock.

20. SENATOR ROCK:

21. I wonder just to expedite the process if we can go back
22. 554. We can get that out of here.

23. PRESIDENT:

24. Is there leave? Leave is granted. Senate Bill 554, Senator
25. Rock.

26. SENATOR ROCK:

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

28. There was or has been some continuing discussion between the
29. executive director of the board and the various members of the
30. appropriation committee. I do not think we can reach any accommo-
31. dations so to hold it here just ... I think we're better off
32. moving it to the other House. This is the appropriation for the
33. ordinary and contingent expenses of the Capitol Bond Development

1. Board As introduced it called for a ten million dollar appro-
2. priation. It has been reduced by some four million dollars
3. down to 6.6 million. The cuts were in my judgement severe and I
4. would urge a favorable roll call.

5. PRESIDENT:

6. Read the bill.

7. SECRETARY:

8. Senate Bill 554.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Any discussion? Question is shall Senate Bill 554 pass? Those
13. in favor will vote Aye, opposed will vote Nay. The voting is
14. open. Have all voted who wish? Take the record. On this
15. question the Ayes are 58, the Nays are none, with none Voting
16. Present. Senate Bill 554 having received the constitutional
17. majority is declared passed. Senator Clarke.

18. SENATOR CLARKE:

19. Mr. President, I apologize, I'm the fifty-ninth vote and I
20. would have voted if I were at my desk.

21. PRESIDENT:

22. Thank you. The record will so show. Senate Bill 1492,
23. Senator Welsh.

24. SECRETARY:

25. Senate Bill 1492. Senate Bill 1492.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Welsh.

30. SENATOR WELSH:

31. Mr. President, members of the Senate. 1492 amends the 1975
32. appropriations of the Capitol Development Board by transferring
33. funds between expenditure objects. I would hasten to add however

1. that the Appropriations Committee did delete twenty thousand
2. dollars from this budget. I'd appreciate a favorable roll call.

3. PRESIDENT:

4. Any further discussion? The question is shall Senate Bill
5. 1492 pass? Those in favor will vote Aye, opposed Nay. The
6. voting is open. (Machine cut off) voted who wish? Have all
7. voted who wish? Take the record. On this question the Ayes
8. are 59, the Nays are none, with none of course Voting Present.
9. Senate Bill 1492 having received the constitutional majority
10. is declared passed. For what purpose does Senator Rock rise?

11. SENATOR ROCK:

12. I wonder, Mr. President, on a point of personal privilege
13. now that all members of the Senate are present, I have at the
14. Secretary's Desk the amendment to 2435, House Bill on 2nd reading.
15. I wonder if the Secretary would cause that to be distributed and
16. I will alert everyone who is sitting that here is a printed
17. copy of the amendment to 2435. I hope that you'll peruse it at
18. your leisure. I intend to call it just as soon as humanly
19. possible which will probably be tomorrow. So I hope that every-
20. body will avail themselves of this opportunity which was requested
21. of me.

22. PRESIDENT:

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. Mr. President, may I inquire of the Chair if this was the
26. time now that we're all here that we were going to consider the

27. ~~Senate Joint Resolution ... House Joint Resolution 18?~~

28. PRESIDENT:

29. Senator the ... the matter was dealt with since the Senate
30. came in Session this morning. Senate starts at nine and the
31. matter has been dealt with already.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. The Chair recognizes Senator Partee.

1. SENATOR PARTEE:

2. Mr. President and members of the Senate. The Pages have
3. and ready for distribution a copy of an agreed bill list. This
4. list contains about a hundred and eighty bills and it will not
5. be called until tomorrow. The procedure to deal with this list
6. will be the same as the procedure which we employed for dealing
7. with Senate Bills on an agreed bill list. There are still
8. some seven hundred bills on 3rd reading, House Bills on 3rd read-
9. ing on the Senate Calendar and this one hundred and eighty bills
10. will be ditributed now and the ... the Secretary will receive
11. from each of you lists on which you will indicate that you de-
12. sire to vote negatively on the particular bills that you choose
13. to vote negatively on. That list should be given to the Secretary
14. or the Secretary's office by 2:00 tomorrow. Now when we get to
15. House Bills on 3rd reading today, there will be many bills not
16. called. You will please understand that the ones which are not
17. called today on 3rd reading as we get to them are bills which
18. already have been placed on this agreed bill list. Any questions?
19. Will the ... will you pass them out, please?

20. (Continued on next page)

21.
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33.

20 1500
6/17/75
3rd Reading

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. 3rd reading. Senate Bills. Senate Bill 1500, Senator Lane.
3. PRESIDENT:
4. Read the bill.
5. SECRETARY:
6. Senate Bill 1500.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDENT:
10. Senator Lane.
11. SENATOR LANE:
12. Mr. President and members of the Senate. We've attempted to
13. pass a meaningful No-Fault Law in this State for several years. The
14. people of this State need No-Fault automobile insurance, because the
15. present insurance system is inadequate, unfair, subject to...inexcusable
16. delay, wasteful, expensive and irrelevant. We can't predict exactly
17. what Congress will do, but all indications are that a Federal No-Fault
18. Bill will pass this year if major states like Illinois do not pass a
19. ...meaningful No-Fault Bill of their own. The past several days we've
20. seen much input on this bill by the various groups that are interested.
21. The Senate Committee on Insurance feels that this is a meaningful No-
22. Fault Bill, and urges the support of this Body.
23. PRESIDENT:
24. Any further discussion? The question is shall Senate Bill 1500
25. pass. Well, Senator Harris.
26. SENATOR HARRIS:
27. I just want to, very briefly, join Senator Lane. The statement
28. from this side of the aisle that there has been cooperative effort to
29. put this bill in the shape that it is. I think there is good reason
30. to enthusiastically support this bill, now, and I would urge a favor-
31. able roll call.
32. PRESIDENT:
33. Any further discussion? The question is shall Senate Bill 1500

1. pass. Those in favor will vote Aye. Opposed Nay. Senator McCarthy.

2. SENATOR MCCARTHY:

3. I'm sorry. I...I had been called out by some opponents to the
4. Equal Rights Amendment, and that was the reason I was absent from the
5. Floor at the time this Bill was called. Is this the No-Fault Bill?

6. PRESIDENT:

7. This is Senate Bill 1500 that deals with that subject, Senator.

8. SENATOR MCCARTHY:

9. Well, I can understand and I have just this to say - I intend
10. to vote against the bill. I would encourage the members to vote against
11. it, because this is the product, in my opinion,...this is the product,
12. in my opinion, of the insurance industry as to what they think the law
13. should be insofar as recovery under the Doctrine of unintentional wrong
14. or tort. It has several implications. One is to the agents that sell
15. the policies. They think that they are going to be, the ones that have
16. communicated to me, adversely affected, because if you have a uniform
17. policy that people have to buy, paying all the same benefits, there is
18. that segment of the industry, the agents who think it will soon be sold
19. by mail order, no one to adjust and comply with the provisions other
20. than a computer located in some distant terminal. More importantly
21. than the statement of the agents that have contacted me is the way in
22. which the process comes upon us. We...we're now faced with the question
23. shall we take away from the party, who is physically injured, his right
24. to recover, because the insurance companies want it. In Illinois people
25. had the Tort Law long before the automobile was invented, but when the
26. automobile came along and got running in to each other the insurance
27. industry decided they could make some money if they came in Illinois
28. and other states and write insurance. And after making money, now they
29. have taken over the department, or attempted to take over the depart-
30. ment, and their plan has been this. They have attempted to take over
31. the regulatory agency, the Department of Insurance, because they say
32. to make our voices heard first we infiltrate the department, second,
33. we populate the department, third, we inculcate the department, and

1. fourth, we propagate the department. And as the Department of Insurance
2. comes along with the insurance industry and ask us to take away these
3. rights, I say we're allowing the regulatee to tell the regulator what
4. we, who represent the people, should do. The people's rights are taken
5. away by our action today, and I intend to oppose that type of a politi-
6. cal end result.

7. PRESIDENT:

8. Senator Netsch.

9. SENATOR NETSCH:

10. Mr. President, I think something should be said on behalf of Senate
11. Bill 1500 as it now stands, that is not just a reflection of what the
12. insurance company wants. And I think it ought to be made clear that
13. there are some of us who think that Senate Bill 1500, as it now stands,
14. is a respectable resolution of some very difficult and very deep phil-
15. osophical differences about how a No-Fault Bill should be structured,
16. and our conclusions on that point came not from the insurance industry
17. and not from the insurance department, even, but from our own review
18. and study and, in many cases, soul searching about how you can, indeed,
19. try to find a resolution to an extremely serious problem, and that is
20. the...the total takeover by the automobile of our court system on the
21. civil side. It seems to me that No-Fault does not work unless there
22. is what is generally referred to as a threshold. Without that you sim-
23. ply have not met the major challenge that the automobile has presented
24. to the court system and the tort lawsuit. There has got to be that
25. element in any kind of a decent No-Fault. I did not like the original
26. threshold section that was in Senator Lane's Bill as it came out of
27. Committee. It seemed to me it was entirely too restrictive. I think
28. that one that goes only on the basis of dollars and cents does create
29. a rich, poor dichotomy, which is not defensible. But it seems to me
30. where we are now with a series of about six forms of threshold in-
31. cluding a sixty day disability permanent injury and a one thousand
32. dollar threshold, that that is probably exactly where we ought to come
33. out. It is fair to everyone, and I think we also should remember

1. one additional thing, the restriction on suit that we're talking about
2. is not a restriction on genuine economic loss that goes beyond the No-
3. Fault benefit. It is only the pain and suffering element that we are
4. restricting at all. At any other form of loss can be fully compensated
5. by a lawsuit without any of the threshold elements involved. So, it
6. seems to me what we have now is a very responsible and, if I may use
7. this expression, a genuinely consumer-oriented No-Fault Bill that should
8. be supported.

9. PRESIDENT:

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Yes, thank you, Mr. President and members of the Senate. I would
13. ...would like to know if Senator Lane would yield to two or three ques-
14. tions? I thought I'd wait until all the amendments were adopted and
15. we got into the final passage of this bill before I'd answer these
16. questions. Will Senator Lane yield?

17. PRESIDENT:

18. He indicates he'll yield.

19. SENATOR VADALABENE:

20. Yes, Senator Lane, under this bill what recovery would a child
21. be entitled to if blinded or rendered deaf and the medical expenses
22. were less than one thousand dollars?

23. PRESIDENT:

24. Senator Lane.

25. SENATOR LANE:

26. Yes...

27. PRESIDENT:

28. For what purpose does Senator Harris arise?

29. SENATOR LANE:

30. Senator Fawell, would you respond to that question?

31. SENATOR HARRIS:

32. Well, I can respond...

33. PRESIDENT:

34. No, Senator Harris desires to respond to it.

1. SENATOR HARRIS:
2. Well, that's a permanent serious injury and they would have the
3. full opportunity for tort recovery in the law of Illinois today.
4. PRESIDENT:
5. Senator Vadalabene.
6. SENATOR VADALABENE:
7. Even if there's a nonwage earner?
8. PRESIDENT:
9. Senator Harris.
10. SENATOR HARRIS:
11. Absolutely.
12. PRESIDENT:
13. Senator...Vadalabene.
14. SENATOR VADALABENE:
15. If it was less than one thousand dollars medical expenses?
16. PRESIDENT:
17. He's...the answer is yes he's giving you, but Senator Vadalabene.
18. SENATOR VADALABENE:
19. I'm asking the sponsor, Mr. President, or Senator Harris.
20. PRESIDENT:
21. Well, Senator Harris may answer it again. Senator Harris.
22. SENATOR HARRIS:
23. The language of the bill provides for piercing the threshold
24. if permanent significant loss of an important body function occurs.
25. The loss of the sight of an eye certainly meets that definition.
26. PRESIDENT:
27. Senator Vadalabene.
28. SENATOR VADALABENE:
29. What benefits would be paid to a child, or one not earning wages,
30. who suffers an injury resulting in paralysis of the extremities, and
31. incurs medical expenses less than one thousand dollars? And these are
32. serious questions, Mr. President.
33. PRESIDENT:

1. Senator Harris.

2. SENATOR HARRIS:

3. He would have the complete medical benefits package provided
4. under No-Fault, and since it's the loss of an important body func-
5. tion he would have the right to sue for pain and suffering.

6. PRESIDENT:

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. That, Senator Harris, you know, would get into a medical question
10. in regard to the paralysis. Whether it's a permanent paralysis or not.
11. My third question, Senator Lane. What recovery would be allowed to
12. an individual suffering a nerve injury that causes permanent severe
13. pain that is nontreatable and still allows the individual to function
14. in his normal activities?

15. PRESIDENT:

16. Senator...yes, Senator Vadalabene.

17. SENATOR VADALABENE:

18. And his expenses are less than one thousand dollars.

19. PRESIDENT:

20. Senator Harris.

21. SENATOR HARRIS:

22. The bill provides...I don't know whether to direct this answer
23. to Senator McCarthy or to Senator Vadalabene, but I will beam it over
24. in that general direction and they both can receive the information.
25. Disability continuing in excess of sixty days provides opportunity,
26. in my judgement, to pierce the threshold and proceed under the present
27. tort system. I believe that is the circumstance Senator...Vadalabene
28. directed to me.

29. PRESIDENT:

30. Senator Vadalabene.

31. SENATOR VADALABENE:

32. I want Senator Harris to be assured of this one instance that
33. Senator McCarthy seen these questions for the first time just like you

1. did, and my questions were referred to Senator Lane, Senator Harris,
2. so it looks like Senator Lane, Senator Harris versus Senator Vadalabene,
3. Senator McCarthy.

4. PRESIDENT:

5. Well,...

6. SENATOR VADALABENE:

7. And Senator Partee.

8. PRESIDENT:

9. No, Sir, I...I assumed you wanted the questions answered and that
10. was the reason you asked them. Is that right, Senator? Senator...
11. Senator Fawell. Well, Senator Vadalabene, have you finished, Sir?
12. Time has expired.

13. SENATOR VADALABENE:

14. Yes, Mr. President, all I'm saying is these were serious questions
15. that hadn't been brought out before. We're talking about minors, we're
16. talking about children, nonwage earners, serious injuries that cannot
17. be paid with one thousand dollar medical insurance, and I would urge
18. all my colleagues to defeat this No-Fault Bill.

19. PRESIDENT:

20. Senator Fawell.

21. SENATOR FAWELL:

22. Mr. President, just briefly to respond to Senator Netsch. This
23. is the second day in a row that I have disagreed with her on a signifi-
24. cant piece of legislation. I shant mention the other one, though we
25. privately discussed it. The one point is that Senator Netsch dwelled
26. upon the question that a threshold is absolutely necessary in order to
27. have a No-Fault Bill. I think this is a great misunderstanding that
28. a number of people have had. You can't have No-Fault unless you have a
29. restriction on the right of the person to sue for injuries which a
30. third party by...because of his negligence has brought upon you. The
31. Oregon Plan which does not have that threshold built into it, does not
32. have the elimination of the risk of insurance, which is what the insur-
33. ance companies are in business for, built into it has been quite success-

1. ful in Oregon, and I refer you to the fact that just one year ago the
2. insurance industry was touting the Oregon Plan as being exemplary and
3. being an example of how No-Fault can work. Please understand that
4. when we talk about No-Fault we're talking, also, about what I consider
5. to be the more important features where you require everybody to pur-
6. chase automobile insurance, for instance, which is something we
7. haven't seemingly gotten around to do, where you're doing something
8. such as Senator Hickey had pointed out, the double recovery theory
9. no longer is possible even though you may have paid the premiums, you
10. cannot gain a double recovery from some other insurance carrier, nor
11. can you bring by subrogation a recovery of medical expenses which your
12. own insurance company has paid to you, and we are requiring the in-
13. surance companies to...to settle the matters between themselves with-
14. out going into litigation into court. These and many other features
15. of the No-Fault Bill, I think, are much more important than the so-
16. called threshold theory which the insurance companies, understandably,
17. want because it will enable them, as I've indicated before, to prognos-
18. ticate actuarially just how much they have to pay and be able to better
19. enable them to make the profit which they are in business to make. The
20. insurance industry, whereas I won't castigate them any further, though
21. I think they need it every once in awhile, are primarily profit motivated
22. and they are not, necessarily, the ones who are going to signify that
23. this is good for the consumer. What they said two years ago was the
24. Oregon Bill was great, and I will say to you the Oregon Bill, I think
25. the House will pass out and bring over here to the Senate. We will
26. have the opportunity, therefore, to pass that, and I repeat, I do not
27. agree that a threshold is an absolute essential. But, at least, we
28. can pass the bill without it, see how the matter goes, and if we can
29. have the success that Oregon had, I think we can say we've accomplished
30. quite a bit. Thank you.

31. PRESIDENT:

32. Senator...Senator Glass.

33. SENATOR GLASS:

1. Thank you, Mr...

2. PRESIDENT:

3. Pardon me. Senator Knuppel is the next on my list. Then you,
4. Senator Glass. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Well, at this point I want to renew my statement about my in-
7. terest - I'm a trial lawyer. I'm much more deeply concerned about the
8. subtleties of the underlying interest of the parties and the...as
9. members of the General Assembly and No-Fault insurance and how it will
10. work than I am what the expressed provisions are here, because I think
11. those things can be worked out in a conference committee, and will be
12. worked out. But, it's the consumer who is paying here. It seems that
13. they're caught between the crush of the trial lawyers and those people
14. who have some behoovance one way or another to the insurance industry.
15. And I still say that the people, maybe you think...maybe you think the
16. people aren't looking, but I think the people are looking and they're
17. going to be looking at their premiums after...No-Fault comes in. And
18. I think it behooves each one of us if we have an interest in this to
19. declare it. I...I...I'm very, frankly, frightened. I was and I said
20. this when I voted for No-Fault in 1971, that insurance companies in
21. this country are extremely powerful. In recent years they have become
22. extremely active in politics, note the contributions to our late Presi-
23. dent from Combined Insurance Company, and others and the role the
24. Combined Insurance Company President played in his contribution to
25. certain candidates for State office. And I submit to you that we ought
26. not to be considering a bill that is identified here as an Insurance
27. Industry Bill as opposed to a Trial Lawyer's Bill, we ought to be talk-
28. ing about a People's Bill, and I think that, historically, the trial
29. lawyers have discharged their duties to the public and...and lawyers
30. generally in that profession better than the insurance companies have.
31. When I watch the bills and whether they are consumer oriented or not
32. that...that are introduced into the Insurance Committee in this Body,
33. I wonder sometimes how large the grasp of the insurance industry is

1. in its... as its hidden tentacles run throughout this Body, and I
2. would suggest to you, and I would suggest to the people of the State
3. of Illinois, they might be considering this when they...when they try
4. to evaluate this legislation as opposed to any other.

5. PRESIDENT:

6. Senator Glass.

7. SENATOR GLASS:

8. Well, thank you, Mr. President. In response to what Senator Fawell
9. stated in regard to the threshold, I would like to begin by briefly re-
10. minding him and the other memberships all be it a gentle reminder that
11. the one thousand dollar threshold was, in fact, Senator Fawell's Amend-
12. ment, and that we began with a threshold of two thousand dollars and
13. gradually worked...worked our way to one thousand, which, in my judgement,
14. is a fair and reasonable compromise and one which I support. And, also,
15. we should point out that the benefit levels were correspondingly dropped
16. so that, hopefully, there will be no rate increase, and if we are for-
17. tunate a rate decrease. Now, to compare Oregon and Illinois, I think
18. is unjust. If you've practiced law or been aware of the...the litiga-
19. tion that exists in the City of Chicago, the county of Cook, there are
20. virtually thousands of negligence cases pending in that court and if
21. there is no threshold, I think that it will be unlikely that that...
22. that number of cases will decline. In a large metropolitan area, in
23. my judgement, some threshold, that is a level of dollars or other con-
24. siderations beyond which a suit cannot be brought, is...is essential
25. to a successful No-Fault Bill. So, I think we have reached a...a good
26. compromise on this, and by the addition of Amendment 5 to the Bill,
27. which allows any individual who truly has a permanent injury as was
28. brought out in the dialogue between Senators Vadalabene and Harris,
29. allows that person a cause of action, preserves the right of anyone
30. truly injured seriously to bring suit. So, I think it is a good bill.
31. I would urge all the members to support it.

32. PRESIDENT:

33. Senator Lemke.

1. SENATOR LEMKE:

2. Would the sponsor...I have a question of the sponsor.

3. PRESIDENT:

4. He indicates he'll yield.

5. SENATOR LEMKE:

6. In this bill, Senate Bill 1500, what provision is there for
7. future medical? Senator Harris.

8. SENATOR HARRIS:

9. Well, I really don't know what you mean, Senator Lemke, by future
10. medical. Could you amplify it?

11. PRESIDENT:

12. Senator Lemke.

13. SENATOR LEMKE:

14. In certain situations a man receives an injury, better yet, a
15. child receives an injury. She receives a fractured nose, or he re-
16. ceives a fractured nose when they're three or four years old. The
17. plastic surgeon or the doctor will just set the nose and do nothing
18. to it until she becomes eight or nine years old. The initial medical
19. bills for this young lady might be, maybe, two or three hundred dollars.
20. But, when the future medical comes up it could be somewhere between
21. two and three thousand dollars for the plastic surgery work. So, where
22. ...where does this individual set, it seems like all they can recover
23. is their medical bills and that's it. But, what about the future medical
24. which is going to be greater. You have situations where you have an
25. older person, because of a heart condition they don't operate right
26. away, they won't set a bone, and they might postpone it for a few
27. years, and then they have to go in and...and have major surgery, and
28. it could cost them astronomical dollars to...for his medical bills.

29. PRESIDENT:

30. Senator Harris.

31. SENATOR HARRIS:

32. The fact is, Senator Lemke, that under the law in Illinois today
33. for example, and I understand that my example will be just a single

1. instant case, if there is a broken nose say at age three, and the de-
2. cision is made to wait until development of the child, and surgery is
3. performed when the child has matured and facial characteristics have
4. become somewhat more permanent, that under the present law, the Statute
5. of Limitations will have run, that's the case, now. This bill provides
6. for a ten thousand dollar surgical and medical benefits basis, and I
7. believe I do need to confer momentarily, but I believe that the Statute
8. of Limitations has been adjusted in this bill. That's right. There
9. is no affect, there is no affect by means of the enactment of Senate
10. Bill 1500 on the present policy of limitations for the right to initiate
11. individual recovery.

12. PRESIDENT:

13. Senator Lemke.

14. SENATOR LEMKE:

15. I can't see that when you say this doesn't affect future medical
16. that the...the statute runs in future medical, because the statute
17. doesn't run as long as the lawsuit is filed. And when a jury makes a
18. decision they take the future medical in account and they make this in
19. the award of the judgement against the negligent party. And, therefore,
20. the man is protected. Under this bill, this right is taken...away from
21. him. He...There is no provision for future medical recovery in this
22. bill. And this is why I oppose it, and I...I think it's a bad taste
23. when you have to because of doctor's orders you have to wait to get
24. something done. And when the statute runs, you're out of luck. And
25. this is the theory of the insurance companies all the time. When you're
26. out of luck, you're out of luck. There's no...there's no regress,
27. there is no chance to retype law on this case for the hardships it's
28. caused. It's cold cut and dried just like on fire losses when you pro-
29. pose a thousand dollars loss and the insurance adjustor comes out and
30. offers you eight hundred dollars and says - take it or leave it and
31. that's it. You can sue them if you want and it'll cost you three
32. hundred dollars to sue them and you'll end up getting less. And this
33. is why I oppose the bill. There's no remedy for the individual lay-
man, who is not

1. smart enough to handle his own claim, who's not...has not the intelli-
2. gence in insurance matters. He has to go to someone. And when there's
3. no chance of...of...of a recovery on a percentage then he has to come
4. up with the legal fee for this matter, and who is going to take a matter
5. that is minor and minute. That's why we have a small...claims court
6. to handle these minor bills. Well, what's going to happen is to this
7. individual because these...these unscrupulous, unlicensed insurance
8. adjustors are going to go out and...and harass the people as they did
9. in 1929 when they used to go into the death bed of a guy and make a
10. hundred dollar settlement because he needed the money, and this is the
11. same thing that is going to happen here. You don't hide yourself with
12. this thing about the goodie goodie and the insurance industry, because
13. there is no such thing as a goodie goodie. They're out to save their
14. loss ratio, they don't return the premium when you...when you have a
15. good year. They just keep it in their pockets and return it. That's
16. why I'm voting against it. Number one, if I vote for it, I'm a...
17. hypocrit, because my...my insurance company stock is not even going to
18. double like it has in the past, it's going to quadruple maybe eight
19. times more profitable for me to vote for this bill. Therefore, I'm
20. voting no.

21. PRESIDENT:

22. Senator Lane requests a roll call. The question is shall Senate
23. Bill 1500 pass. Those in favor will vote Aye. Opposed will vote Nay.
24. The voting is open. Have all voted who wish? Take the record. On
25. this question the Ayes are 38, the Nays are 15, with 5 Voting Present.
26. Senate Bill 1500 having received a constitutional majority is declared
27. passed. The Chair would like to make an announcement, particularly,
28. for the benefit of those who are gathering in the Galleries. They are
29. wearing badges which indicate an interest in the Equal Rights Amend-
30. ment. That matter was dealt with at the beginning of the Session this
31. morning, and the question will not be debated here today. It has been
32. deferred till the twenty sixth day of June. (Machine cut-off) Senate
33. Bill 1502, Senator Kosinski.....

1. Senate Bill 1503, Senator Nimrod.

2. SECRETARY:

3. Senate Bill 1503.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Nimrod. Senator Nimrod is recognized.

8. SENATOR NIMROD:

9. Mr. President, I ask leave to return the bill to 2nd reading
10. for the purpose of an amendment.

11. PRESIDENT:

12. Is leave granted? Leave is granted. What is the number of
13. the amendment, please?

14. SECRETARY:

15. Amendment No. 1.

16. PRESIDENT:

17. Amendment No. 1, Senator Nimrod.

18. SENATOR NIMROD:

19. Mr. President, fellow Senators, the purpose of this amend-
20. ment was that when that bill was drafted the last two pages were
21. left off and it needed to complete the bill because of the rush.
22. It was a committee bill and I would ask for the adoption of this
23. amendment.

24. PRESIDENT:

25. Any discussion? Senator Bruce.

26. SENATOR BRUCE:

27. ~~It's amazing to me that we have a committee bill on the~~
28. Calendar that is now going to be amended. I thought the purpose
29. of committee bills were that they would be thoroughly analyzed
30. developed as a joint effort from the committee and that way they
31. would not have to go to through our Calendar procedure of not being
32. debated and be considered and now we find a committee bill coming
33. out on the Calendar to be amended. Now if we're going to do that

1 why don't we leave these bills in committee and let them rest
2 there for another four or five months. I thought there was
3 absolute unanimous agreement on these bills.

4 PRESIDENT:

5 Senator Nimrod.

6 SENATOR NIMROD:

7 Senator Bruce, you're absolutely right. As I mentioned in
8 the beginning here there is no change in this bill whatsoever from
9 what was agreed. At the time when we were rushing to get these
10 bills in and the preparation of this particular bill the last two
11 pages were not typed and added on to the bill that was agreed to
12 and all this is doing is including that so it's in form of what we
13 agreed to in committee.

14 PRESIDENT:

15 Senator Rock.

16 SENATOR ROCK:

17 Thank you, Mr. President. I have just had this ten page pro-
18 posed amendment laid upon my desk and...in that respect I
19 would at this time move to re-refer Senate Bill 1503 to the
20 Committee from whence it sprang.

21 PRESIDENT:

22 Senator Rock moves the re-referral of Senate Bill 1503.
23 All in favor say Aye, opposed Nay. A roll call is requested.
24 Senator Bruce, for what purpose do you rise?

25 SENATOR BRUCE:

26 Well, now I have the amendment and I was told by the sponsor
27 that two pages weren't typed. Now how does two pages that are not
28 typed turn into ten pages in the amendment? Now that's what I
29 need to have answered. Now I...I think if it was two pages
30 inadvertently left out that's one thing, and that's what you told
31 me. Now Senator Rock is giving me an amendment which he states
32 to be ten pages which is in fact ten pages, we're striking lines,
33 parenthesis, inserting enumerated, of, sections, new lines,

1 ninety days of receipt, effective dates of this Act, elected,
2 appointed; there's a lot of changes in this amendment just not
3 two pages were inadvertently left out.

4 PRESIDENT:

5 What purpose Senator Clarke rise?

6 SENATOR CLARKE:

7 Well, Mr. President I'd like to speak to this issue before
8 we move ahead because let me just say that, Senator Bruce, that
9 we have been studying this issue for two years and this speaks
10 to, very frankly, the issue of assesment districts trying to
11 reach some qualified level at that...in that area which is a
12 mess at this time and anybody on the joint committee knows that.
13 But the fact of the matter is that it appears that this issue is
14 being kicked around, it's been out on the Floor in the House, it's
15 been back in committee and if this goes back to committee now
16 it will die and we'll won't do anything in this area. We may
17 not do anything anyway but I think we should leave this bill on
18 the Calendar, adopt the amendment, look at it carefully, we
19 won't move it and let's see if we can get some sense out of it but
20 we ought to have a vehicle alive. That's my only thought.

21 PRESIDENT:

22 Senator Hall...Kenneth Hall.

23 SENATOR KENNETH HALL:

24 Would the sponsor yield for a question?

25 PRESIDENT:

26 He indicates he will.

27 SENATOR KENNETH HALL:

28 ~~Senator Nimrod, is there in this amendment to abolish~~
29 the Board of Assessors?

30 PRESIDENT:

31 Senator Nimrod.

32 SENATOR NIMROD:

33 No. Senator Hall, just let me briefly...just...just

1 say something that this bill does, it's one of three major bills
2 that's required by the Tax Study Commission and this one
3 addresses itself to the township assessor situation. The other
4 two bills address themselves to the supervisor assessment and the
5 Tax Commission. But this is one of the three bills that makes
6 up the package which was agreed to by the Tax Study Commission
7 and...and both Revenue Committees in the House and...and the
8 Senate. It does not provide for that. It provides for requirement
9 of training of the assessors and consolidation of assessing areas
10 in the township level. It does not provide for the supervisor
11 assessment area.

12 PRESIDENT:

13 Now...just a moment, now. Just a moment. There is a
14 question pending and the question is, pursuant to a motion made
15 by Senator Rock to re-refer House Bill...Senate Bill 1503 to
16 the Revenue Committee. Now any statements other than on that
17 subject are out of order. Now, Senator Mitchler what purpose
18 do you rise?

19 SENATOR MITCHLER:

20 Yes, Mr. President, just to clarify the statement made by
21 Senator Bruce at the opening debate on this question of referring
22 it back to the committee. When a committee bill comes out of a
23 committee and is placed on 2nd reading or is brought back from
24 3rd reading to 2nd reading for amendments, I do not think or would
25 the Chair please advise me, cannot we have an opportunity to
26 amend a committee bill on the Floor of this Senate? Just because
27 it's a committee bill we're not precluded from offering amend-
28 ments or taking Floor action. Is that not correct, Sir?

29 PRESIDENT:

30 Senator Mitchler, that is not precisely what Senator Bruce
31 said. Senator Bruce did not by his remarks seek to preclude the
32 membership from offering amendments to committee bills. He
33 addressed himself to the question of the committee itself or

1 persons active in the preparation of the bill, then addressing it
2 by way of an amendment on 2nd reading, which are two separate
3 and distinct thoughts and concepts. Senator Mitchler.

4 SENATOR MITCHLER:

5 Well the amendment is being offered by Senator Nimrod and I
6 assume that he is on that committee that the committee bill came
7 out of, but...I still wouldn't feel that it should preclude any
8 member of the committee from which the committee bill came out
9 of from offering an amendment on 2nd or 3rd reading when it's
10 brought back to 2nd.

11 PRESIDENT:

12 The question is shall Senate Bill 1503 be re-referred...
13 recommitted to the Revenue Committee? All in favor will vote
14 Aye. Opposed will vote Nay. The voting is open. It takes 30
15 votes. Have all voted who wish? Take the record. On that
16 question the Ayes are 32, the Nays are 23, with none Voting
17 Present. The motion carries and Senate Bill 1503 is recommitted
18 to the Revenue Committee. 1504, Senator Carroll. House Bills
19 on 3rd reading. House Bill 789, Senator Harris. House Bill
20 796, Senator Netsch. House Bill 803, Senator Bruce. Read the
21 bill.

22 SECRETARY:

23 House Bill 803.

24 (Secretary reads title of bill)

25 3rd reading of the bill.

26 PRESIDENT:

27 Senator Bruce.

28 SENATOR BRUCE:

29 Yes, Mr. President, members of the Senate, 803 is a...an
30 appropriation for the expenses of the State Employees' Retirement
31 System. There are no grants in this proposal. It is exactly as
32 introduced. I know of no objection to the bill.

33 PRESIDENT:

1. Any further discussion? Question is shall House Bill 803
2. pass? Those in favor will vote Aye, opposed will vote Nay. The
3. voting is open. Have all voted who wish? Take the record. On
4. this question the Ayes are 54, the Nays are none, with none
5. Voting Present. House Bill 803 having received the constitutional
6. majority is declared passed. House Bill 809, Senator Vadalabene.
7. Senator, it's on the consent Calendar. I made the announcement
8. that when we missed them, that's the reason. Unless you want it
9. removed so you could have the pleasure of butterflying. Would
10. you prefer that it remain on the consent Calendar? The
11. agreed bill list? Alright. 809, Senator Vadalabene.

12. SECRETARY:

13. House Bill 809.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, thank you, Mr. President and members of the Senate.
20. House Bill 809 was suggested by the Department of Transportation
21. to provide authority to lease right-of-ways including airspace
22. over or under travel ways. Such leases are in existence at
23. present time principally under overhead structures of the Chicago
24. expressway. The Federal Highway Administration's approval is
25. required for such nonhighway use of highway rights-of-way on
26. federally aided highways and the FHWA requires the State to
27. ~~quote or refer to their legal authority to enter into a lease~~
28. agreement. I would appreciate a favorable vote.

29. PRESIDENT:

30. Senator Graham.

31. SENATOR GRAHAM:

32. Thank you, Mr. President. Senator Vadalabene wasn't there
33. some conversation yesterday about an amendment being proposed by

1. DOT, or worked out some sort of an amendment on this bill? It
2. seems to me my information indicates that.

3. PRESIDENT:

4. Senator Vadalabene.

5. SENATOR VADALABENE:

6. I ... I really don't recall. It passed out of the Trans-
7. portation Committee ... Senator Chew, I don't recall that.

8. PRESIDENT:

9. Senator Graham.

10. SENATOR GRAHAM:

11. I think if you recall one of our staff men talked to you
12. yesterday about an amendment, Senator Vadalabene.

13. PRESIDENT:

14. Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes, I do recall it now. I think it was Warnecke who came to
17. me in regard to an amendment on 809. Take it out of the record,
18. Mr. President.

19. PRESIDENT:

20. Take it out of the record. Senate Bill ... House Bill 816,
21. Senator Lane. House Bill 818, Senator Johns.

22. SECRETARY:

23. House Bill 818.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Johns.

28. SENATOR JOHNS:

29. Thank you, Mr. President. Senators, this particular bill,
30. House Bill 818, sponsored by Representative Washington in the
31. House, makes Small Business Purchasing Act less restrictive. It
32. reduces from five million to two and a half million in annual
33. sales as the classification of a wholesale business as a small

1. business. It reduces from one million to a half a million in
2. sales and receipts as a classification of a retail business or
3. a business selling services as a small business. I've aimed this
4. bill, with Representative Washington, at aiding minorities and
5. small business people ... enable them to bid on jobs and increase
6. our employment. The aim of the bill is to make it easier, as
7. I said, to award State contracts to small businessmen by making
8. less restrictive, the definition of a small business and by
9. loosening the bidding requirements. I would appreciate a favor-
10. able roll call.

11. PRESIDENT:

12. Any further discussion? Question is shall House Bill 818
13. pass? Those in favor will vote Aye, opposed Nay. The voting
14. is open. Have all voted who wish? Take the record. On this
15. question the Ayes are 41, the Nays are 4, with 4 Voting Present.
16. House Bill 818 having received the constitutional majority is
17. declared passed. House Bill 820, Senator Vadalabene.

18. SECRETARY:

19. House Bill 820.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Vadalabene.

24. SENATOR VADALABENE:

25. Yes, Mr. President, House Bill 820 and 821 and 822 are ... are
26. all deal with the same substance. It's a package. I would

27. ~~like to have leave to have them all on one roll call. It's a~~

28. house cleaning bill with the Department of Registration and
29. Education.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Graham.

32. SENATOR GRAHAM:

33. Mr. President and Senator Vadalabene, members of the Senate,

1 I think that any proposal that we can make that will help in
2 the area of the qualifications and the abilities of physical
3 therapists to do their job is incumbent upon the members of this
4 Senate. They, in my opinion, are some of the finest, most
5 dedicated people in the world and I have had considerable amount
6 of experience with them, so let's do give careful consideration
7 to these, what I think are very important bills, and help upgrade
8 the field of physical therapy.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Is there further discussion? Question is shall House Bill
11 820 pass? Those in favor vote Aye, those opposed No. Voting
12 is open. Have all those voted who wish? Take the record.
13 On that question the Ayes are 54, the Nays are none, none Voting
14 Present. House Bill 820 having received the constitutional majority
15 is declared passed. House Bill 821, Senator Vadalabene. Read
16 the bill.

17 SECRETARY:

18 House Bill 821.

19 (Secretary reads title of bill)

20 3rd reading of the bill.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 The question is shall House Bill 821 pass? Those in favor
23 vote Aye, those opposed No. The voting is open. Have all those
24 voted who wish? Take the record. On that question the Ayes are 57,
25 the Nays are none, none Voting Present. House Bill 821, having received
26 the constitutional majority is declared passed. 822, read the
27 bill.

28 SECRETARY:

29 House Bill 822.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Question is shall House Bill 822 pass? Those in favor vote

1. Aye, those opposed No. The voting is open. Have all those voted
2. who wish? Take the record. On that question the Ayes are 57,
3. the Nays are none, none Voting Present. House Bill 822 having
4. received the constitutional majority is declared passed. House
5. Bill 825, Senator Bruce. Read the bill.

6. SECRETARY:

7. House Bill 825.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Bruce.

12. SENATOR BRUCE:

13. Thank you, Mr. President and members of the Senate. House
14. Bill 825 incorporates the procedural aspects of the Retailer's
15. Occupation Tax into the Motor Fuel Tax Act and additionally ex-
16. pands the time that records must be kept from two years to three
17. and a half years. We have done this in the past. The procedures
18. set forth in ROT are the best ones. Sets forth the hearing
19. assessment, hearing procedures, issuing of subpoenas, depositions,
20. venue. We've ... we've incorporated these procedural ... plans
21. into the Use Tax Occupational Act ... Tax Act, Service Use Tax,
22. Bingo licensing, Lottery, almost every other Tax Act has these
23. procedures. The Motor Fuel Tax does not and this would incor-
24. porate those procedures into this ... this law.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? Question is ... Senator Morris.

27. SENATOR MORRIS:

28. May I ask the sponsor a question?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. He indicates he'll yield.

31. SENATOR MORRIS:

32. Senator Bruce, who wants this bill?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Bruce.

2. SENATOR BRUCE:

3. Well, Senator Morris, I ... I certainly would want it and
4. the Department of Revenue because I sit on the Revenue Committee
5. gave it to me and that's ... that's the extent of my knowledge
6. of who wants this bill.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further debate? Senator Berning.

9. SENATOR BERNING:

10. Senator Bruce, I perhaps missed your explanation but can you
11. once again inform me as to why on page 2 and page 3, section 6
12. and 7 are deleted which seem to require the filing of reports with
13. the Department under penalty. Now why was this taken out?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Just a moment. Senator Berning, Senator Bruce was unable to
16. hear because of the excessive noise and talk and so on and would
17. you please repeat the question?

18. SENATOR BERNING:

19. Thank you, Mr. President. My question is why were paragraphs
20. 6 and 7 on page 2 and 3 deleted, which sets up penalties for
21. failure to comply with certain requirements?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Bruce.

24. SENATOR BRUCE:

25. Senator, I could not answer that truthfully except I would
26. suppose that the sections as set forth in Section 21 of the legis-
27. ~~lation in which the provisions of the ROT Tax Act are incorporated~~

28. into this particular piece of legislation would contain those
29. sections and it would be superfluous to have it appear in both
30. this chapter and the incorporated section.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Berning.

33. SENATOR BERNING:

1. Well ... I assume that we are safe in proceeding on assumptions
2. but I had hoped that you would have had a ... a concrete answer.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further debate? The question is shall House Bill
5. 825 pass? Those in favor vote Aye, those opposed No. The
6. voting is open. Have all those voted who wish? Take the record.
7. 58 Ayes and 1 Nay. On that ... House Bill 825 having received the
8. constitutional majority is declared passed. House Bill 826,
9. Senator Fawell. House Bill 827, Senator Fawell. House Bill 829,
10. Senator Don Moore. Read the bill.

11. SECRETARY:

12. House Bill 829.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. ... Senator Moore ... Senator Don Moore.

17. SENATOR DON MOORE:

18. Thank you, Mr. President, members of the Senate. House Bill
19. 829 changes the front license plate that we in the members of
20. the General Assembly have, to contain words or abbreviations to
21. indicate the respective House of which the holder is a member.
22. It does not affect the rear license plate. It does not affect
23. the district number. It does not affect the seniority number in
24. the House. The members of the House felt that this was a good
25. idea. I distributed a copy of what the proposed front plate
26. will look like. I know of no objection. I'd appreciate a

27. favorable roll call.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further debate? Senator Howard Mohr.

30. SENATOR HOWARD MOHR:

31. Yes, Mr. President, I rise in opposition to this bill. I
32. would think anybody that might be concerned with law enforcement
33. would have a problem with this bill. They put numbers on plates

1. front and back for a ... a purpose. Now it's a good looking, very
2. attractive front plate that we would all have but it does delete
3. the number and I happen to think the number is important. I
4. think it may have been a better bill if they'd deleted the number
5. on the rear plate for obvious reasons. But ... Senator Moore what
6. does this do to the rear plate? How ... we don't have a photo
7. graph of that or copy of that. What does it do?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Howard Mohr asked the question of Senator Don Moore.
10. Senator Don Moore.

11. SENATOR DON MOORE:

12. I'd be happy to reply to Senator Howard Mohr. It does
13. nothing with the rear plate. The rear plate stays exactly as
14. it is now. In the Senate it would be our Senate district number.
15. The official Senate on each side of it. In the House it would
16. be the seniority number with the official House on each side of
17. it on the rear plate.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Howard Mohr.

20. SENATOR HOWARD MOHR:

21. Well, as I know Senator Don Moore is a long and very strong
22. advocate of law enforcement. I wonder, Senator, if you see any
23. problem with deleting a number from the front plate, insofar as
24. law enforcement might be concerned.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Don Moore.

27. SENATOR DON MOORE:

28. I don't see any problems at all Senator. Everybody in my
29. district knows my car, they know my number, they know me when I'm
30. in it. I'm sure the vast majority of the law enforcement
31. officers in my district also know who I am. I don't see any
32. problems at all.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Howard Mohr.

2. SENATOR HOWARD MOHR:

3. Well, Senator Nimrod just tells me that he might have an
4. amendment for this bill and I wonder if you'd...you'd want to hold it
5. for that amendment? ... It ... it sounds like one of his better
6. ones.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Don Moore.

9. SENATOR DON MOORE:

10. I don't think Senator Nimrod has had many good amendments
11. to any bill. I'd just as soon leave it on 3rd and vote it up or
12. down, Mr. ...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Chew.

15. SENATOR CHEW:

16. Thank you, Mr. President. On the information that Howard
17. Mohr has talked about, there's no agency in State government that
18. opposes this bill. Not one. The Secretary of State's office,
19. okay. The Department of Transportation, okay. The State Police,
20. okay. Now for your information, Howard there aren't any numbers
21. on your plate ... or there shouldn't be if you're in leadership.
22. Leadership doesn't have numbers on his plate. I don't have a
23. number on CCJ that's not a number that's initials. Then I got
24. a plate that say CH 00. That's ... that's not a number, I fixed
25. it that way. You know, you ... you were saying that our State
26. police officers are dumb. That they can't read anything but
27. numbers... They know what lettering is. You know, let's... let's
28. face it you're not against the bill you just want to have some
29. fun. You know how this bill came out of committee and everything
30. else, now quit jivin'.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Harber ... Senator Harber Hall. Senator Howard Mohr,
33. for what purpose do you rise?

1. SENATOR HOWARD MOHR:

2. Yes, well in answer, as long as my name was brought into the
3. discussion by my ... good friend ... CHOOO ... I would just point
4. out to the Senator that only three letters are allowed on the
5. plate, so if he has one that spells out CHOO, he's in violation
6. there's something wrong. Yes ... we're all aware of that and that
7. raises the other an answer to the other point that you raised,
8. I know how it came out of the committee, that's true I do and ...
9. anytime that the Secretary of State or the State Police or the
10. Department of Transportation would appear in that committee and
11. have objections to certain member's bills they might have a problem
12. so sometimes it's better to be quiet. I don't know that the
13. bill has been endorsed ... I just think, Mr. President, that ...
14. we should have a number on the front plate.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. The Chair would note that I already have eight requests for
17. the right to speak on this particular bill and I would also
18. note that we just passed the bill for one billion eight hundred
19. million which took two minutes and this is going to take about
20. a half an hour. The next party that I'm to recognize is Senator
21. Harber Hall.

22. SENATOR HARBER HALL:

23. Mr. President, fellow Senators, I sponsored and we all...most of us
24. voted for a bill that provided special license plates for electric
25. cars that also included in the bill a lower speed limit so that
26. whenever ... a car went below the minimum speed limit they would
27. be recognized and not violated therefore. I wonder if the
28. sponsor of this bill has included with the bill permission
29. for those who show this license plate to exceed the normal speed
30. limit.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Moore.

33. SENATOR DON MOORE:

1. I don't think I understand the question but the mere fact
2. that we have legislative plates does not give us the right
3. to speed. There's nothing in this bill that does give you the
4. right to speed.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Hall, that's it ... next is Senator Mitchler.

7. SENATOR MITCHLER:

8. Mr. President, I'd like to draw the attention of the
9. sponsor of the bill. I'm in favor of the intent but on line
10. 18 to 23 on page 1 you do in fact, alter the rear license plate
11. content because you eliminate the following, quote, "an appro-
12. priate wording or abbreviation indicating that the holder is a
13. member of the Senate". Now the way the bill has been amended
14. now the only thing on the rear plate would be in addition to the
15. designation of the state and the year for which the license was
16. issued, the word official followed by the number of the Sena-
17. torial district or of the member. Now you'd have official, in
18. my case 39, now that would be the same, you'd also have an official
19. 39 for the House not designating the difference between the
20. House and the Senate. Now I think, in fact, you do change the rear
21. plate. I'm ... I'm in favor of this but the language is there.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Don Moore.

24. SENATOR DON MOORE:

25. If you would read down a little further, Senator, to line
26. 26, 27 and 28, that applies to the House of Representatives' rear
27. plates also. That covers it in that particular section.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Mitchler.

30. SENATOR MITCHLER:

31. I'm for your bill, Senator Moore but you eliminate any
32. designation of a Representative or a Senator. Now they have their
33. numbers issued from 1 to 177 according to seniority. We issue

1. them in the Senate by your district, so unless there's a designation
2. on the House number that it's a House and on the Senate there's
3. a Senate ... you're going to have duplicate plates. Now I do
4. not think that that on line 20, 21 and 22 the part that is
5. stricken should be stricken nor on 29, 30, and 31.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Don Moore.

8. SENATOR DON MOORE:

9. Well, I'm ... I'm sure that ... that's not the intent of
10. the House sponsor of this bill and ... I don't ... I don't believe
11. that the Secretary would issue a plate with just numbers on the
12. back with official on it unless there's a House for the House
13. members and the Senate for the Senate members.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator, do you want to take it from the record? Take it
16. from the record.

17. SENATOR DON MOORE:

18. Alright.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. House Bill 833, Senator Knuppel. House Bill 840, Senator
21. Romano. Read the bill.

22. SECRETARY:

23. House Bill 840.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Romano.

28. SENATOR ROMANO:

29. Mr. President, members of the Senate, this is the annual
30. appropriation

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Just, just a minute, Senator. Would the conference back
33. there on the license plates which has been taken from the record

1 disband? Senator Romano.

2 SENATOR ROMANO:

3 This is the annual appropriation to the Medical Center Commission
4 in Chicago. This Commission does a real good job. It manages
5 property owned by the State of Illinois. They collect rent,
6 buy property, and this appropriation has been the same for the
7 last five years that I know of. They haven't asked for a penny
8 more. ...

9 PRESIDIENT OFFICER: (SENATOR DONNEWALD)

10 ...Is there further...

11 SENATOR ROMANO:

12 ...They even turned back money to the General Revenue Fund.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Is there further discussion? On that question...just a
15 moment. All those in favor of House Bill 840 indicate by voting
16 Aye, those opposed No. The voting is open. Have all those
17 voted who wish? Take the record. On that question the Ayes
18 are 51, the Nays are 1. House Bill 840 having received the
19 constitutional majority is declared passed. House Bill 843, Senator
20 Bruce. Read the bill.

21 SECRETARY:

22 House Bill 843.

23 (Secretary reads title of bill)

24 3rd reading of the bill.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Senator Bruce.

27 SENATOR BRUCE:

28 Yes, Mr. President, it's a very simple bill. We create a
29 five county water district. There were no outstanding bonds
30 since it was created on Friday and a lawsuit was filed on Monday.
31 This just says that if we create a water district then we have
32 four years to sell the bonds. It requires that much time to get
33 money from the federal government under the Clean Water Tax.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further debate? Question is shall House Bill 843
3. pass? All those in favor vote Aye, all those opposed No. The
4. voting is open. Have all those voted who wish? Take the record.
5. On that question the Ayes are 53, the Nays are none, 1 Voting
6. Present. House Bill 843 having received the constitutional
7. majority is declared passed. House Bill 846, Senator Bloom.
8. Read the bill.

9. SECRETARY:

10. House Bill 846.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Bloom.

15. SENATOR BLOOM:

16. Thank you very much, Mr. President and fellow Senators. If
17. you check your Calendar it says, "provides for the development
18. of a comprehensive plan to coordinate or centralize communications
19. among state offices". It's been on the Calendar like that all
20. along. It turns out it's a barbering bill. The Calendar ... the
21. only way you're going to coordinate or centralize communications
22. among state office's is probably to lock the Governor and the
23. Lieutenant Governor in the same room for about a week. The bill
24. does exactly what its synopsis says. We previously passed out
25. a bill of Senator Hall's, Senate 196 which does the same thing,
26. in which deletes the requirements that they take a tuberculin
27. test and have their picture on the license. This bill would be
28. a companion to the deletion of the testing requirement. The
29. Department of Registration and Education feels that tuberculosis
30. is not so wide spread a problem at the present time, that this
31. requirement is necessary. I'd answer any questions and urge a
32. favorable roll call.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1 Is there further debate? Senator Kenneth Hall.

2 SENATOR KENNETH HALL:

3 Am I looking right? Does this apply to a Barber's Act in here?
4 Why is that in this bill? Anything applying to that. ...Is that
5 what it is?

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Senator Bloom.

8 SENATOR BLOOM:

9 Yes, it is a barber's bill and as I called your attention, it
10 was misdescribed on the Calendar.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Kenneth Hall.

13 SENATOR KENNETH HALL:

14 Well, the description on the Calendar doesn't apply to that, that's
15 the reason...

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 He...he indicated that in his opening statement, Senator.

18 Is there further debate? The question is shall House Bill 846
19 pass? Those in favor vote Aye, those opposed No. The voting is
20 open. Have all those voted who wish? Take the record. On that
21 question the Ayes are 55, the Nays are 1. House Bill 846 having
22 received the constitutional majority is declared passed. House
23 Bill 850, Senator Schaffer. Read the bill.

24 SECRETARY:

25 House Bill 850.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator Schaffer.

30 SENATOR SCHAFFER:

31 The bill is accurately described in the Calendar. It amends
32 the Dram Shop Act. It provides for probations and dismissal of
33 proceedings for certain violations by first offenders under 21 years
of age. Came out of Judiciary Committee...a most favorable

1 roll call. I'd be happy to answer any questions.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Is there further debate? Senator Buzbee.

4 SENATOR BUZBEE:

5 I have a question of the sponsor. Does this mean that...

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 ...Just a moment. He indicates he'll yield.

8 SENATOR BUZBEE:

9 Does this mean the Dram Shop offenders under age 21 are not
10 subject to the law.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Schaffer.

13 SENATOR SCHAFFER:

14 No, it provides a procedure whereby a judge can, in effect,
15 give them the probation et cetera that normally goes out but
16 it doesn't go on the record as a permanent thing. You know,
17 sometimes...that type of thing ends up on your record adversely
18 affects to your employment in the future years, whether you can get
19 a gun owner's permit. It certainly doesn't remove the court's
20 ability to provide punishment for that type of violation.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Senator Buzbee.

23 SENATOR BUZBEE:

24 Well...for instance, drunk driving if you're 19 years
25 old and they pick you up for drunk driving. Is that what you're
26 referring to?

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Schaffer. He indicates he said no. Senator Buzbee.

29 SENATOR BUZBEE:

30 Well I don't understand the...you know, if we have given them
31 the right and privileges of alcoholic beverages, at least as far
32 as beer and wine is concerned for those between the ages of 19 and
33 21...and it seems to me that there's a certain amount, not only a

1 certain amount but a great deal of responsibility that goes with
2 that right. So I see no reason to...if they're out there
3 and...misbehaving under the influence, why were they ought to
4 be treated any differently than anybody else.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Senator Schaffer.

7 SENATOR BUZBEE:

8 ...If it goes on your permanent record, it goes on your
9 permanent record.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Schaffer.

12 SENATOR SCHAFFER:

13 Well, I would point out, this is an option the judge ex-
14 ercises. He...he can do whatever he wants under the present
15 law. This gives him an additional option. If...if he gets a
16 bunch of kids in that he doesn't feel merit having this type of an
17 offense on their record but he does feel they deserve some sort of
18 judicial punishment, this gives him another option and...I
19 believe the Judiciary Committee meshed this around reasonably
20 well.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Is there further debate? Senator Buzbee.

23 SENATOR BUZBEE:

24 Well I still don't understand the thrust of the bill and not
25 being a member of the Judiciary Committee...I...I still don't
26 understand the reasoning for letting these people off the hook.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Is there further debate? Senator ParTEE.

29 SENATOR PARTEE:

30 Well I would just like to explain to Senator Buzbee, that this
31 is essentially what is now done and it's called supervision. To
32 avoid giving a young person a record a court may under some circum-
33 stances continue the case to a particular point, keeping him under

1. the supervision of the court during that period. This is simply
2. another option to give the judge the right under some circumstances
3. to place him on probation instead so that he can avoid perhaps
4. having a record which, as Senator Schaffer has said, may at a
5. later time cause him problems with employment and other things.
6. It's a good bill I think. It gives the judge the option of dealing
7. with different situations under different circumstances. I don't
8. think it encourages anybody to drink or anything else, it just
9. simply gives the judge an option as to how to handle a case.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Soper.

12. SENATOR SOPER:

13. Yes, Mr. President, I was very interested in what Senator
14. Partee had said. But the judge has that option at this time.
15. If he wants to place any person under supervision, a minor or one
16. under 21, he can do it under any circumstances, especially cir-
17. cumstances like this. What comes to my mind when you make it
18. mandatory on the part then you have to keep certain records and
19. it can't and ... these records have to be brought in or kept by
20. somebody. I was wondering what this is going to cost.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is that a question, Senator Soper ...

23. SENATOR SOPER:

24. That's a ... that's a ...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. ... of the sponsor?

27. SENATOR SOPER:

28. Yes, from the sponsor, please.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Alright. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Well, the ... the cost aspect, I suspect would be minimal
33. because ... if ... if the judge chooses another option there'll

1. be related record keeping costs there, if he chooses this option
2. there'll be record keeping costs. The ... what we're ... what
3. we're addressing here, the problem we had in my district a couple
4. of guys who wanted to get into the military and in their record
5. they had basically been picked up at a beer party and they had
6. some problems on that and we finally went to the judge who
7. sentenced them and got a letter saying this was nothing that
8. should prevent you from going into the military. But the auto-
9. matic procedure that our .. our computers kick in rejected two
10. very eligible people for military service and we didn't feel that
11. that type of thing should automatically go on the record of an
12. individual unless the judge chose to do it. Purely at the discretion
13. of the judge.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Soper.

16. SENATOR SOPER:

17. Yes. Now, by making this mandatory for the first offense,
18. then if he goes to another beer party or maybe he wouldn't have
19. been found guilty of the first one for being drunk or disorderly
20. then the second one's got to go on his record. Then the judge
21. has no option.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Merritt. I'm sorry. Senator Schaffer, did you wish
24. to respond?

25. SENATOR SCHAFFER:

26. Well it's not mandatory. It ... it says the court may, the
27. court may do this or they may completely just disregard it. It's
28. another option. It's purely optional. It's not mandatory.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Merritt.

31. SENATOR MERRITT:

32. Mr. President, members of the Senate. It seems to me like
33. only just a few short years ago the young people were in here

1 demanding their rights for beer, wine and liquor. Well they've
2 been given those rights, now it appears as if they're back and
3 want to be treated as anything but an adult. To me an eighteen year old
4 is an adult today and ought to be treated as such. Now my
5 question of the sponsor, Senator Schaffer, who really, what's the
6 genesis of this bill? Who asked for it?

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Senator Schaffer.

9 SENATOR SCHAFFER:

10 Well I just explained that. Well, I personally am a non-
11 drinker and I have no...never had a problem, but it occurred
12 to me that a lot of people even before we passed the law had
13 arrest records for beer parties and that sort of thing. That type
14 of a record and many times under a situation which is fairly
15 innocent and fairly common, I suspect there isn't a person
16 sitting in this room who at some point didn't violate that law,
17 that's sort of human nature, but some people got caught and
18 some people got elected to the Senate. The...a simple fact of
19 the matter is that that record goes on your record and it will
20 interfere in future years and I think the judge should be allowed
21 if he thinks it is a relatively innocent situation, should be
22 allowed to have this particular extra discretion. And the reason
23 the bill came about was we had some people who had trouble getting
24 into the military that by the way are both in and to the best
25 of my knowledge doing a very admirable job that might not have
26 normally been able to do it if they hadn't had frankly a little
27 clout. And I don't think clout is necessary in a situation like
28 this. It's an option for the judge. I think it's a good one.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Senator Mitchler indicated. You wish to speak on this
31 matter? Senator Mitchler.

32 SENATOR MITCHLER:

33 Very briefly, Mr. President, I believe that Senator Merritt

1 aluded to what I had to say. When we lowered the drinking age
2 down to eighteen, they assumed a responsibility, and I do believe many
3 people think that that's a training period, 18 to 21 when they're
4 adjusting themselves to alcoholism and so forth. So if this
5 is true and you're really concerned about someone that's getting
6 a violation for the first time, I think the age 21 years should
7 be eliminated and like Senator Schaffer, Senator Davidson and
8 Senator Knuppel who I know are complete teetotalers, they may
9 decide they want to take up this art of alcoholism and they'd be
10 in a training period like the eighteen year olds and maybe on their
11 first offense when they started this they should be exempt. The
12 eighteen year olds are full citizens. They vote. They drink. Let
13 them meet the law just like anybody else and the sooner they
14 realize that the better.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 There will be no demonstrations from the gallery. Senator
17 Schaffer, do you wish to close the debate? Senator Schaffer.

18 SENATOR SCHAFFER:

19 Well I think the bill is a good bill. It adds an extra
20 option. Senator Mitchler just pointed out I'm a total nondrinker
21 but I have to admit the debate on this issue is making me con-
22 sider that course of action. I'd appreciate a favorable roll
23 call.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 The question is shall House Bill 850 pass? Those in favor
26 vote Aye, those opposed No. The voting is open. Have all those
27 voted who wish? Have all those voted who wish? Take the record.
28 On that question the Ayes are 20, the Nays are 19, 4 Voting Present.
29 House Bill 850 not having received the constitutional majority
30 is declared lost. House Bill 847, Senator Bruce. Read the
31 bill.

32 SECRETARY:

33 House Bill 847.

1. (Secretary reads title of Bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Bruce.

5. SENATOR BRUCE:

6. The Secretary is exactly correct. It exempts farm chemicals
7. from sales tax. A State Supreme Court opinion was that fertilizers
8. were exempt from sales tax but not farm chemicals. They did not
9. deal with that particular aspect. What we have is that no ... no
10. state that borders Illinois charges sales tax on farm chemicals.
11. I reside in a border district. We border Indiana. My fertilizer
12. dealers and all my farmers buy their products as much as possible
13. in Indiana. It's very simple, they get an automatic 5% reduction in
14. cost. When you're buying hundreds of thousands of dollars of
15. chemicals in a year, 5% is a significant amount. The same occurred
16. with those that border on Missouri, Iowa, Wisconsin. They all
17. go across the border to buy farm chemicals. The State of Illinois
18. loses the income from that. The farmers are traveling great
19. distances. It's only equitable that we join every other state that
20. borders us and do not charge farmers sales tax on chemicals. We
21. don't charge them any sales tax on fertilizers. Additionally, if
22. the farmer does the work himself and goes to the store and buys
23. it, he has to pay the sales tax. If he's smart enough to have
24. someone custom apply it, there is no sales tax since there was no
25. sale at retail. It just does not make good sense to charge
26. farmers sales tax on farm chemicals. This deletes that provision.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Harris.

29. SENATOR HARRIS:

30. I rise to join Senator Bruce in and just restate and em-
31. phasize our border state relationship on this special commodity.
32. This is good legislation and I would hope that an overwhelming
33. majority of the Senate would join us in support of House Bill 847.

1 Good bill.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Davidson.

4 SENATOR DAVIDSON:

5 Mr. President and members of the Senate, I rise in support
6 of this bill cause, Senator Bruce touched on one point that is
7 enacted in this Act as it is now. If the farmer is got the gumption to
8 go in and do the application hisself he's penalized to pay the
9 tax. If he would just bother to have the guy dump that five
10 gallon can and a mixture and bring it out and then he could apply
11 it. He's excluded from the tax. He's penalized from helping
12 hisself and this is good legislation. I urge all of you to vote
13 Aye.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Merritt.

16 SENATOR MERRITT:

17 Yes, Mr. President and members of the senate, I also rise
18 in support of Senator Bruce's bill. You might be interested in
19 knowing that our Commission, Illinois Commission for Economic
20 Development held some public hearings on this matter about a
21 year ago and this was one of the recommendations coming out
22 of those Commission hearings and I would urge all those on this
23 side and other side to support it. This is good legislation.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Senator Wooten.

26 SENATOR WOOTEN:

27 Mr. President and colleagues, there's no doubting that fair
28 is fair and the provisions of this bill are absolutely just, but
29 I think as we vote for it as I think we mostly will, we ought to
30 bear in mind there is a price tag and...Senator Bruce, did you
31 mention that price tag? I did not hear.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Senator Bruce.

1 SENATOR BRUCE:

2 No, I did not mention the price tag.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Senator Wooten.

5 SENATOR WOOTEN:

6 Then I would ask you to mention the price tag very slowly
7 with emphasis.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Senator Bruce.

10 SENATOR BRUCE:

11 Well I happen to have, since our meeting this morning...
12 have in my hand a letter from Robert Alphin...of the Department
13 of Revenue. It says in one of the paragraphs, I'll be glad to read
14 to you the whole letter, it says at this time we have no firm
15 figure as to what the amount of that loss per year might be. I've
16 heard figures from two million to seven million. No one including
17 the Department of Revenue can give us a definite cost estimate.
18 I think that we lose a great deal of money by these purchases
19 being made in other states and employers in this state can't have the
20 employees working because their purchases are made in other states.
21 It would bring employment to the State of Illinois, I believe.

22 PRESIDING OFFICER: (SENATOR DONNEWALD).

23 Senator Wooten.

24 SENATOR WOOTEN:

25 Well I merely wanted to make the point, Senator, that representing
26 a border area I'm probably going to have to go right along with
27 you on this but the price tag is about two million dollars
28 and that means we have to make up that amount somewhere else.

29 Now fair is fair, and justice is justice, and it's true that
30 an individual is taxed and a company is not, although how about
31 making up on retail sales, you know if you have this...you have
32 applications made, don't you pay sales tax then?

HB 853
2nd Reading
Postponed Consideration
6-17-75

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Hickey...oops, excuse me. Senator Bruce, do you
3. wish to respond?
4. SENATOR BRUCE:
5. No. That is a service provided and we have gone through
6. that route constitutionally. We cannot tax the service. Governor
7. Ogilive tried that and was unsuccessful in the courts. The
8. service of providing cannot be taxed. You can only tax a sale at
9. retail and when a distributor puts it on the field it is not a
10. sale at retail, you're buying his services and services cannot
11. be taxed.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Wooten.
14. SENATOR WOOTEN:
15. Well then just to mention the price tag for this just
16. legislation is two million dollars.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Senator Hickey. Is there further discussion? On that
19. question ... the question is shall House Bill 84 ... oh, Senator
20. Graham, I'm sorry.
21. SENATOR GRAHAM:
22. I am kind of amazed at the sudden interest of Senator
23. Bruce with regard to keeping employment in the State of Illinois.
24. That has some contingency with regard to this bill. I was
25. wondering how that squares with his vote on unemployment compen-
26. sation.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. The question is shall House Bill 847 pass? All those in
29. favor vote Aye, those opposed No. The voting is open. Have all
30. those voted who wish? Take the record. On that question the
31. Ayes are 40, the Nays are 12, 3 Voting Present. House Bill 847
32. having received the constitutional majority is declared passed.
33. House Bill 853, Senator Morris. Read the bill.

1. SECRETARY:

2. House Bill 853.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Morris.

7. SENATOR MORRIS:

8. This is a bill which we added several amendments to last
9. week. It came out of the Agriculture Committee on a 9 to 3
10. vote. The people who voted against it in Agriculture Committee
11. had some questions about where this would apply. The amendments
12. were ... were added to deal with those problems. It will provide
13. for townships in urban counties: those two hundred thousand to
14. a million, to initiate open space programs to preserve and con-
15. serve the land. The referendum requirement is in this bill. It
16. would take a referendum before the program could be initiated and
17. they would be allowed to levy up to a 5% tax if the referendum
18. was approved. This is to deal with the urban area such as Lake
19. County where we are quickly losing any open space that we have
20. in an effort to help try to protect that open space to keep the
21. greenery and green belts in our area. I'd be happy to answer
22. any questions.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Partee.

25. SENATOR PARTEE:

26. Mr. President and members of the Senate, I just wanted to

27. ~~point out that this is a House Bill sponsored by Representative~~

28. Matijevich who is the Chairman of Executive. I was over there
29. the other day. He was the Chairman of the Committee and handled
30. House Bill ... Senate Bill 1250. It's an excellent bill. I've
31. talked with him and he's very interested in its passage and I
32. certainly support it.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1 Senator Graham.

2 SENATOR GRAHAM:

3 Mr. President and members of the Senate, I join too with
4 Senator Partee. This bill has created a tremendous amount of
5 interest in Lake, DuPage, McHenry, Kane Counties, those areas,
6 especially the County of Lake. I know that sometimes we have a feeling
7 around here that some of our members ought to get a kick in the
8 pants now and then but I don't think this is the time to do
9 and I support this bill.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Is there further discussion? Question is...oh, Senator
12 Latherow.

13 SENATOR LATHEROW:

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

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 He indicates he will.

17 SENATOR LATHEROW:

18 Is this the bill we put the population amendment on...of
19 two hundred thousand?

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Morris.

22 SENATOR MORRIS:

23 Yes, this is the one we...we after talking with you in
24 committee we...we kept...limited it to the urban counties,
25 two hundred thousand to one million.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Is there further discussion? Question is shall House Bill
28 853 pass? Those in favor vote Aye, those opposed No. The voting
29 is open. Have all those voted who wish? Have all those voted
30 who wish? One more time. Have all those voted who wish? Take
31 the record. On that question the Ayes are 27, the Nays are 11.
32 There's...a request for postponed consideration. Consideration
33 is postponed. House Bill 854, Senator Morris.

1. Read the bill.

2. SECRETARY:

3. House Bill 854.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Morris.

8. SENATOR MORRIS:

9. Since I'm apparently going to be kicked in the pants all

10. day by certain members of the Democratic party, I'll take this

11. from the record.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Take it from the record. House Bill 856. Just a moment.

14. Senator Knuppel, for what purpose so you rise?

15. SENATOR KNUPPEL:

16. 856, I'm the sponsor aren't I?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Read the bill. You're right.

19. SECRETARY:

20. House Bill 856.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. House Bill 856 is designed to amend the statutory law to do

27. just exactly what the Constitution which was enacted in 1970

28. requires. Prior to the 1970 Constitution a person had the right

29. to divide his votes for the Legislature on a 1-2 basis between

30. two candidates. The Constitution provides that ... that a voter

31. may vote for one ... has three votes, may cast three votes for

32. one candidate or distribute them equally among no more than

33. three candidates. The - or distribute them equally, limits how

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1. ... how these votes can be distributed and the statute just
2. requires the same thing so that a person can vote two for one and
3. one for the other.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Well, gentlemen, this bill is
6. on 3rd ...

7. SENATOR KNUPPEL:

8. Well I'm told ... I'm told now that they want to amend it. I
9. haven't seen the amendment. I don't know anything about it. This
10. is the first I knew about it. I'll hold the bill. Take it out
11. of the record.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Take it ... take it from the record. House Bill 858, Senator
14. Mitchler.

15. SECRETARY:

16. House Bill 858.
17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. Mr. President, members of the Senate, House Bill 858 adds
23. a section to the Veterans' Commission Act. ...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just ... just a moment. Senator Bruce for what purpose do you
26. rise? Senator Bruce.

27. SENATOR BRUCE:

28. Yes. I think Senator Hynes may have an amendment for this
29. and I don't notice him on the Floor, perhaps we could hold it
30. until such time as he could be here.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Could we take this for the ... from the record? Take it
33. from the record. House Bill 871, Senator Netsch. Read the bill.

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1 Just a moment. .Is it your desire, Senator Netsch, to procede with
2 the bill?

3 SENATOR NETSCH:

4 Yes, I want to call it back to 2nd reading for purposes of
5 an amendment.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Senator Netsch requests that the House Bill 871 be
8 returned to the order of 2nd reading for the purpose of amendment.
9 Is there leave? Leave is granted. Senator Netsch.

10 SENATOR NETSCH:

11 Mr. President, they...we thought this amendment had been
12 put on in committee but apparently there was some confusion about
13 it. It should have been. What it does is to allow the proficiency
14 testing of clinical labs for doctors and others to be phased in
15 over a period of three years. The amendment was requested by
16 the Illinois State Medical Society and approved by the Department
17 of Public Health. I move its adoption.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Is there further discussion? All those in favor of the
20 adoption of Amendment No. 1 to House Bill 871 indicate by saying
21 Aye, all those opposed No. The Ayes have it. The amendment is
22 adopted. Are there further amendments? 3rd reading. You wish
23 to return to that for passage? House Bill 872, Senator Course.
24 Read the bill.

25 ACTING SECRETARY: (MR. FERNANDES)

26 House Bill 872.

27 (Secretary reads title of bill)

28 3rd reading of the bill.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Senator Course.

31 SENATOR COURSE:

32 Thank you, Mr. President. House Bill 872 amends the Retailer
33 Occupation Tax Act. The purpose of this bill is to give the

1 Department of Revenue more effective and expeditious
2 procedures for levying on property of taxpayers who fail to
3 discharge their tax liability. This would authorize the Department
4 where taxpayers admit the liability or where the liability is
5 established after the taxpayer has had his opportunity for a
6 hearing and for judicial review, to have the sheriff levy the
7 tax on real or personal property for the unpaid tax and sell
8 such property established by the tax debt. In many cases this
9 would have the effect of closing the business so that the tax-
10 payer would not continue to incur and fail to pay additional
11 liabilities. This bill is modeled after the Michigan statutes. We
12 have no way of knowing now how much money this will bring into
13 the State, additional money, and certainly it's needed since the...
14 we heard the Governor's Message the other day. This bill was
15 drafted by Willard Ice of the Department of Revenue and it is a
16 Department bill.... Would appreciate your support.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Senator Fawell.

19 SENATOR FAWELL:

20 Would the Senator yield to a question? I...

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Senator Course indicates he will yield.

23 SENATOR FAWELL:

24 I...I'm not sure if this is a continuation of what the
25 law now states, but as I read the bill it appears as though the
26 Department can send out a notice in regard to a tax that is due
27 and if ten days goes by and there's no reply they can actually
28 make a levy on the property of the taxpayer. That...that seems
29 to me to be a little bit harsh to be able to take that kind of
30 action when ten day notices can be easily missed by taxpayers, to
31 have your...your property levied and...and sold by the sheriff,
32 under those circumstances. Do I read that correctly? Does...is
33 that what it does?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Course.

3. SENATOR COURSE:

4. That is correct, Senator Fawell but first an audit is made by
5. the Department to determine this liability and at the time the
6. audit is made the taxpayer would have knowledge that he owes the
7. money. So I think ten days is adequate time. If he doesn't
8. respond in that length of time the State should sell the
9. property.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Fawell.

12. SENATOR FAWELL:

13. Yes, my only ... my feeling would be that the State like
14. anybody else ought to bring an action against the man in court
15. and obtain a judgement against him. It's awfully hard to come
16. back sometimes the autocracy of the arbitrary attitudes of bureaus
17. and it seems to me that with only, nevertheless audit or not,
18. it's going to be all one sided up until the time the notice
19. goes out and ... then in effect that notice is the same thing
20. as a judgement in a court of law and immediately they're out
21. levying and taking the property. I think recently we've been
22. aware of the abuses under the Internal Revenue Code of the IRS
23. being able to have a power like this and, Senator with all due
24. respect, I at least ... I ... I would rise in opposition to this
25. type of power being granted to the Department of Revenue.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. ~~Senator Harber Hall.~~

28. SENATOR HARBER HALL:

29. I rise to support House Bill 872, Mr. President. This bill
30. is very much needed by the State of Illinois, Department of
31. Revenue, inasmuch as because of the bureaucracy that Senator
32. Fawell related to ...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1 Just...just a moment, Senator. Now the noise level has
2 risen appreciably. Would the members please be in their seats and
3 disperse with the conferences all over the Floor. Proceed.

4 SENATOR HARBER HALL:

5 Thank you, Mr. President. The Department Personnel have
6 found it very cumbersome to ever collect much money that
7 is owed and the State is losing millions of dollars that could
8 otherwise be collected from forceful procedures that are provided
9 in this bill. What I'm saying is that individual members who
10 are...individual employees we have the responsibility for
11 finally collecting tax monies that have been long overdue...
12 their procedures are just not forceful enough to get the job
13 done. when we bring the county sheriff into it we can finally
14 come to a fair equalling out in the payment of taxes or the
15 taking of property that is just due to the State of Illinois.
16 I...I think it's a very good bill. The ten days that Senator
17 Fawell referred to as being perhaps too short of time actually
18 comes much later after much administrative attempt from...from
19 the State of collect these and the notifications have long been
20 sent before that, so there's been ample warning and I solicit
21 your wholehearted support for this much needed bill.

22 PRESIDING OFFICER: (SENATOR DONNEWALD).

23 Is there further discussion? The question is shall I use
24 Bill 872 pass? Those in favor vote Aye, those opposed No. The
25 voting is open. Have all those voted who wish? Take the record. On
26 that question the Ayes are 53, the Nays are 1. House Bill
27 872 having received the constitutional majority is declared passed.
28 Senator Welsh, for what purpose do you rise?

29 SENATOR WELSH:

30 Mr. President, I rise on a point of personal privilege.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 State your point.

33 SENATOR WELSH:

1. Seated in the President's Gallery, Mr. President, members
2. of the Senate, are members of the Dan Dougherty family. I'd
3. like to present Brian Dougherty, his wife Kay Beth and their
4. two lovely daughters, Bridget and Bella.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Would they please rise and be recognized. House Bill 876,
7. Senator Palmer. Read the bill.

8. ACTING SECRETARY: (MR. FERNANDES)

9. House Bill 876.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Palmer.

14. SENATOR PALMER:

15. Mr. President and members of the Senate, House Bill 876
16. allows the Constitutional Convention delegates who are now serving
17. in the General Assembly or are judges, to purchase service credit
18. for the time they served as delegates. Now our pension program ...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Just ... just a minute, Senator. Proceed.

21. SENATOR PALMER:

22. Our pension program should and does recognize public service.
23. The service for the Constitutional Convention was certainly a
24. public service and if the individual chose to continue working
25. for the public, his pension should be based on all his public
26. service. Now this bill does require him to purchase same. In
27. other words, he has to pay into the pension and also pay ... pay
28. in interest of 4% as provided in the bill. It applies to a small
29. amount of people and it's not very costly. Now to be very
30. clear, to answer some of the questions this only ... only applies
31. to those that are elected and do serve in the Legislature or
32. elected to the judgeship. It does not apply to any other Con-Con
33. delegate. To give you an accurate statistic, there are four

1. Senators now serving in your Chamber now who are ... would be
2. entitled to this pension and there are nine Representatives
3. who have previously served as Con-Con delegates who are now
4. serving in the Legislature. This is who it applies to and one
5. judge. So the number is very small and the cost is small and we
6. are following our procedures and recognizing their service.
7. I move for a favorable roll call.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any discussion? Senator Nimrod.

10. SENATOR NIMROD:

11. Yes, one ... one question ... of the sponsor.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Indicates he will yield.

14. SENATOR NIMROD:

15. Senator Palmer, is ... is there any ... any of the Legislative
16. members who were serving at that time as Legislators and delegates?
17. Would they ... would this bill give them a double credit or
18. would there just be a single credit like ... the only way you
19. can apply now?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Palmer.

22. SENATOR PALMER:

23. Senator Nimrod, this bill absolutely excludes double credit.
24. Absolutely excludes those who are ... have a combined service.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. I might add that there's only one such individual living
29. today anyway and that would have been ... that would be Judge
30. Elward and he's excluded. I want to declare my conflict, I'm
31. going to vote anyway.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Bruce.

1 SENATOR BRUCE:

2 I rise in support of this bill. We have thirteen ex-cons walking
3 around this legislative chambers. Nine in the House, four in
4 the Senate. Any type of rehabilitation that will help them, I think
5 we ought to support.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Any further discussion? Senator Clarke.

8 SENATOR CLARKE:

9 (Machine cut off) by that figure because when we were dis-
10 cussing the legislation implementing the Constitutional Convention
11 why some Senators were very worried about the fact that all the
12 Con-Con delegates would run for the Legislature. And I got
13 figures from Michigan that shows that only about 15% did and
14 that's about what's happened here in Illinois. Senator Collins
15 was the most worried.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Harris.

18 SENATOR HARRIS:

19 Would Senator Bruce yield to a question?

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Bruce indicates he will yield. Senator Harris.

22 SENATOR HARRIS:

23 Does the same circumstance apply to ex-cons as applies to
24 Senators in that once a Senator, always a Senator? Is the same
25 circumstance applicable once an ex-con always an ex-con?

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Bruce.

28 SENATOR BRUCE:

29 Well in this year of rehabilitation where we have the drunks
30 having their records expunged under Senator Schaffer's and the
31 drug addicts. I think we ought to expunge their records. There's
32 a lot of movement around here to expunge some of the ex-cons too
33 I might add.

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1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any further discussion? The question is shall House Bill
3. 876 pass? Those in favor will vote Aye, those opposed will vote
4. Nay. The voting is open. Have all voted who wish? Take the
5. record. On that question the Ayes are 41, the Nays are 5, 4
6. Voting Present. House Bill 876 having received the constitutional
7. majority is declared passed. Senator Howard Mohr for what pur-
8. pose do you rise?

9. SENATOR HOWARD MOHR:
10. Yes, I'm looking at that roll call, Mr. President and perhaps
11. I should have offered my amendment.

12. PRESIDING OFFICER: (SENATOR ROCK)
13. Think that wouldn't ... that would be a fair idea. (Machine
14. cut off) 71, Senator Netsch are you Senator Nudelman for
15. what purpose do you rise?

16. SENATOR NUDELMAN:
17. Personal comment, Mr. President. On behalf of my wife,
18. my son and my soon to be, not soon but someday to be grandchildren,
19. we all thank you.

20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Netsch, are you ready on 871? House Bill 871, Mr.
22. Secretary.

23. SECRETARY:
24. House Bill 871.
25. (Secretary reads title of bill)
26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)
28. Senator Netsch.

29. SENATOR NETSCH:
30. Mr. President, House Bill 871 is an amendment to the
31. Clinical Lab Act which requires proficiency or authorizes pro-
32. ficiency testing on the part of all of those who are excluded
33. from the licensing and regulatory provisions of the Act. In the

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1. purpose of drawing the Act and in the purpose of amending it
2. this Session, we have carved out a number of exceptions to the
3. coverage of the licensing provisions. It was recognized at the
4. time that there ought to be some device for testing the standards
5. being performed by those who are excluded. This is the bill that
6. resulted. With the amendment that I just placed on, it has the
7. approval of the Department of Public Health, the Illinois State
8. Medical Society and was reported favorably by the Committee on
9. Public Health, Welfare and Corrections by a vote of 9 to 0.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any discussion? Senator Schaffer.

12. SENATOR SCHAFFER:

13. Mr. President and members of the Senate, I rise in support
14. of House Bill 871. I promised Senator Netsch that I always
15. would support her good bills and she finally got one. As amended
16. the Medical Society does support this bill. I think it's a
17. resonable bill that can be implemented effectively by the Public
18. Health Department. It deserves to be passed and I don't expect
19. to up on too many of Senator Netsch's bills in favor of them, so
20. I wanted to let her know that I was with her once.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Senator Partee.

23. SENATOR PARTEE:

24. I just had one question and that was to whom does the
25. physician or the doctor demonstrate his proficiency and under
26. what circumstances?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Netsch.

29. SENATOR NETSCH:

30. To the Department of Public Health.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any further discussion? The question is shall House Bill
33. 871 as amended pass? Those in favor will vote Aye, those opposed

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- 1. will vote Nay.. The voting is open. Have all voted who wish?
- 2. Take the record. On that question the Ayes are 49, the Nays are
- 3. 1, none Voting Present. House Bill 871 having ... as amended
- 4. having received the constitutional majority is declared passed.
- 5. Senator Egan. 883, on the order of House Bills 3rd reading,
- 6. House Bill 883, Mr. Secretary.

7. SECRETARY:

8. House Bill 883.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Egan.

13. SENATOR EGAN:

14. Thank you, Mr. President, members of the Senate. House Bill
15. or Senate...correction, House Bill 883 extends for four years
16. an exemption for improvements to residential property from tax
17. assessment, that amount which would be no greater than fifteen
18. thousand dollars. It's an incentive bill which excludes from
19. further taxation improvements on homes, improvements on residential
20. property. It has the support of the assessor in Cook County
21. and also the world's greatest newspaper and I would commend it
22. to your expection and ask for a favorable roll call.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Is there any discussion? Senator Nimrod.

25. SENATOR NIMROD:

26. Senator Egan, I think in committee we discussed the one
27. problem that existed at ... where a person could get separate
28. numbers for condominium units. I think it's a good concept but
29. there is that loophole that still exists and I thought we were
30. going to attempt to do that because in fact someone could take
31. a hundred apartments and get fifteen thousand each once the
32. numbers are assigned and have a hundred and fifty thousand
33. dollar exemption and I ... I know that's not our intent but that

1 could happen and I just...I wouldn't like to have a good bill
2 have that kind of loophole in it.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Egan.

5 SENATOR EGAN:

6 Yes, and...and each apartment would be limited to fifteen
7 thousand dollar improvement. Now if...if that isn't good...
8 that's...that's what the it allows. But the whole idea is to
9 provide incentive for improvement of existing structures and...
10 in that direction I think that the concept is good.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Senator Schaffer.

13 SENATOR SCHAFFER:

14 I rise in support of this bill. I think it's an excellent
15 concept. It seems that people that care of their houses the
16 first person that comes over to congratulate him for fixing their
17 house up is the friendly assessor who also tells them they're going to
18 get zapped. Somebody lets their house run down and...and look
19 like a junkyard he gets away free on taxes. I think it's a good
20 bill. I have to admit I have a conflict because I'm sponsoring
21 House Bill that does the same thing for downstate and I...I'd
22 like to see this bill and the other one passed.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator Carroll. No. Senator Buzbee.

25 SENATOR BUZBEE:

26 Well perhaps Senator Schaffer's last comment addresses
27 itself to my question. Why is this restricted to just certain
28 counties? Are we going to do this for all counties? I certainly
29 agree with...to the sponsor, I'm asking the question who is now
30 in conversation with another member of the Senate, obviously
31 doesn't hear my question.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Senator Egan indicates he will answer your question. The

1 question, Senator Egan, is why is it restricted to one county?

2 SENATOR EGAN:

3 Well it's not. As a matter of fact, Senator, and I'm sorry
4 I should have pointed that out in my deliberation but it...it
5 is limited to counties with two hundred thousand people or more
6 which classify real property. And that amendment was put on
7 at the request of one of the members of the committee.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Senator Buzbee.

10 SENATOR BUZBEE:

11 Well I would point out to you that the seven counties that
12 make up my legislative district would barely meet the two
13 hundred thousand together so I...I'm in agreement with the
14 intent of your bill. It seemed to me for a long time that it's a
15 real shame that as Senator Schaffer pointed out there about people
16 letting their property run down. I have a gentleman in my
17 district who's extremely wealthy, who has not painted his house
18 since 1929 because he thinks it's going to cost him more property
19 taxes if he does and I think that's kind of stupid. So why can't
20 we do it for all counties, is my question.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senator Egan.

23 SENATOR EGAN:

24 Well Senator Schaffer has a bill in that will provide and
25 it...this is really a mutual effort.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Any further discussion? Senator Fawell.

28 SENATOR FAWELL:

29 Senator Egan, I again in reading this bill for the first time
30 ...it...it appears to me that it applies to more than just a
31 single homeowner's homestead. The way the bill is worded if I
32 read correctly it says - an annual homestead improvement exemption
33 limited to a maximum of fifteen thousand in actual value when the

1. property is owned and used exclusively for a residential pur-
2. pose. Would this... would this include for instance if you were
3. to improve property or improve a given structure so that it became
4. a rather large apartment structure or something of this sort,
5. all of which is course is for a residential classification that
6. apparently the assesso would be limited to only a fifteen thousand
7. dollar increased assessment. Is that right?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Egan.

10. SENATOR EGAN:

11. Yes, that's correct. It does apply only to residential
12. property.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Fawell.

15. SENATOR FAWELL:

16. Yes, well in other words ... to put it in another way, it does
17. apply to apartment structures and it ... it would apply to ...
18. well let's say even a large apartment structure, a hundred, two
19. hundred apartments for instance, as long as it is an improvement
20. to an existing structure.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Egan.

23. SENATOR EGAN:

24. As long as it is owned and used as a homestead.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Fawell.

27. SENATOR FAWELL:

28. Well now I ... I would, as one lawyer to another, it doesn't
29. really say that. What it does say is as long as it is owned and
30. used exclusively for a residential purpose, so that if I owned a
31. very large apartment structure ... or say a very small apartment
32. structure but I wanted to build a couple of million dollar add-
33. ition to it, I would have a tremendous tax break because it is

1 being used for a residential purpose and it...it seems to me
2 that...now...when before you said this was only Cook County
3 I wasn't too concerned because I guess you can do what you want
4 to in Cook County as you folks see fit, but now I understand it
5 does apply to DuPage County too and it seems to me that an awful
6 lot of assessed evaluation could be lost and some very good tax
7 breaks given. I'll stop right there, Senator Egan.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Senator Egan.

10 SENATOR EGAN:

11 Senator, when you began I tried to get the President's
12 attention so that I could correct the error basically that you
13 have been befallen with and that is that you have the original
14 bill. It's been amended substantially to improve the language
15 and the new language says that the structure is owned and used
16 as a homestead so that does delimit it somewhat more and it does,
17 I think, satisfy Senator Nimrod and it should satisfy you that
18 a big and large developer must then own and use it as a homestead
19 before he is to partake of the benefit.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 I think Senator Carroll is ready to point out it does not
22 apply to DuPage County. Senator Nimrod.

23 SENATOR NIMROD:

24 Yes, just one further clarification as a result of our
25 meetings, Senator Fawell I had the same feeling about this bill.
26 However, if you'll read the bill closely it means, it can't be
27 fifteen thousand every year, it's a total amount of money at any
28 time. In other words in four years you cannot exceed fifteen
29 thousand dollars and I think that will simplify and clarify what
30 the problem is. It's not a cumulative kind of a thing, it's
31 just a one time total amount that's allowed not to exceed fifteen
32 thousand and that particular concern I think should be relieved
33 and it does...is a good bill at this time.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? Senator Hickey.

3. SENATOR HICKEY:

4. I think one of the biggest problems as all of us know who
5. live in counties over two hundred thousand, is the deterioration
6. of the areas around the urban centers and it seems to me that
7. this is a great bill to ... to help that problem and I support
8. it and hope everyone else will also.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any further discussion? Senator Egan may close the debate.

11. SENATOR EGAN:

12. Roll call.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. The question is shall House Bill 883 as amended pass? Those
15. in favor will vote Aye, those opposed will vote Nay. The voting
16. is open. Have all voted who wish? Take the record. On that
17. question the Ayes are 52, the Nays are 2, none Voting Present.
18. House Bill 883 as amended having received the constitutional
19. majority is declared passed. On the order of House Bills 3rd
20. reading, House Bill 886, Mr. Secretary.

21. SECRETARY:

22. House Bill 886.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. May we have some order? Will those not entitled to the Floor,

27. not you, Lieutenant Governor, you're always welcome, those not

28. entitled to the Floor please vacate. Senator Schaffer.

29. SENATOR SCHAFFER:

30. This bill authorizes the downstate counties to enact a tax
31. levy for a one time authorization for a working cash fund to
32. establish working cash funds so they can meet their bills without
33. going into tax anticipation warrants. Provides for a ... a two

1 year levy of a .025 levy. I think those of you are familiar with
2 the what that'll...that type of a levy will work up in a local
3 county. It's a very small amount. I'm trying to think...
4 it would be a relatively small amount particularly in the smaller
5 counties. As you've heard me say many times, county governments
6 are hurting for money. They're having a hard time meeting their
7 bills. They're into tax anticipation warrants. I think this
8 is needed and justifiable. Schools, park districts, other levels
9 of government do have this working cash fund and I'd appreciate
10 a favorable roll call. I'd be happy to answer Senator Nimrod but
11 I will accept no amendments from him.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Any discussion? Senator Nimrod.

14 SENATOR NIMROD:

15 Senator Schaffer, this was brought to my attention as the
16 minority spokesman from Revenue, I was just concerned as to why
17 this cash fund is coming up again. This was done in '66 or '67
18 to set it up and here we are doing it again in '74 and '75. Is
19 that fund been depleted and this is being replaced or...I know
20 this is a taxation without a referendum and I know it's through the
21 funds but this was done once before and...and we are doing it
22 again. Is there some reason for that?

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator Schaffer.

25 SENATOR SCHAFFER:

26 Well I think you'll recall it was the 1970 Constitution that
27 dealt the knockout blow to counties. So naturally in '66 and '67
28 many of the counties, most of the counties didn't feel the need
29 to levy the working cash fund, consequently they didn't do it.
30 I haven't got the statistics but I am told that less than a dozen
31 counties primarily in Southern Illinois used the working cash fund
32 at that point. Now the counties are between a rock and a hard
33 place and they need it. The...reference to referendum is very

1. simple there. I suspect in a large number of counties it would
2. probably cost more to run a referendum than it would the tax to
3. generate. I don't happen to like tax increases without referendum
4. but on the other hand, to have a referendum that might in effect
5. cost more money than it would generate seems to be a little guilty.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Nimrod.

8. SENATOR NIMROD:

9. Yes, Senator Schaffer, I ... I think you've explained it by
10. mentioning that they did not do it except for that time when there
11. was only twelve counties and I think that's a very satisfactory
12. explanation and I think we can support the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any further discussion? Senator Berning.

15. SENATOR BERNING:

16. Mr. President, I would just like to emphasize that the prior
17. actions of this Body in increasing the obligations of counties
18. to furnish services is probably the main justification for this
19. bill that's before us right now. There are of course one or two
20. things that distress me about it. As you can see, we are changing
21. dates, years. This will occur in the future with very little
22. effort and be changed to the next two years. And in passing, I
23. think it might be of some interest to you to know that the County
24. of Lake had as its total, corporate, operating rate .025 for
25. all the years after the Hodge-Butler Act. We, as an entire county
26. function with that as a corporate levy only because we had the
27. income from the service fees that the county was able to charge.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any further discussion? Senator Schaffer may close the
30. debate.

31. SENATOR SCHAFFER:

32. It's a good bill. It's necessary. Appreciate a favorable
33. roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. The question is shall House Bill 886 as amended pass? Those
3. in favor will vote Aye, those opposed will vote Nay. The voting
4. is open. Have all voted who wish? Take the record. On that
5. question the Ayes are 37, the Nays are 10; 1 Voting Present. House
6. Bill 886 as amended having received the constitutional majority
7. is declared passed. On the order of House Bills on 3rd reading,
8. House Bill 903, Mr. Secretary.

9. SECRETARY:

10. House Bill 903.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Davidson.

15. SENATOR DAVIDSON:

16. Mr. President, members of the Senate, the bill does exactly
17. what it says on the Calendar. It is reappropriation of Federal
18. road fund to the railroad relocation. I'll answer any questions.
19. ... Appreciate a favorable roll call.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Buzbee.

22. SENATOR BUZBEE:

23. I have a question. Senator Davidson, is that authority now
24. operational and are you in fact beginning to start to do something
25. about the track system in the City of Springfield?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Davidson:

28. SENATOR DAVIDSON:

29. Yes, we are. The authority is in operation. The court
30. hearings have been held. They're now in procedure with this
31. money with the other monies involved. Can start buying the
32. right-of-way to start putting together the ... the removal of the
33. tracks from downtown.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Buzbee.
3. SENATOR BUZBEE:
4. Are you getting then ... continuing to get cooperation from
5. the Federal DOT?
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Davidson.
8. SENATOR DAVIDSON:
9. Yes, we are. They furnish 90% of the money.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Buzbee.
12. SENATOR BUZBEE:
13. The reason for my question is, in my town we're about two or
14. three years behind you on a similar project and we seem to be
15. having one whale of a lot of problems with the Federal Department
16. of Transportation and I was wondering what happened with yours.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Davidson.
19. SENATOR DAVIDSON:
20. Well ... I can't give you the answer Senator Graham recommended
21. but the only thing I can tell you is Senator ... I mean Congress-
22. man Finley and Senator Percy and Senator Stevenson, we are in the
23. Federal DOT funds for the coming year.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Further discussion? Senator Schaffer.
26. SENATOR SCHAFFER:
27. Senator, you've had about a year to work on this. Has my
28. suggestion of last year met with any ... any kind of, you recall
29. last year I suggested leaving the tracks where they are and re-
30. locating Springfield say around Dwight or Joliet? Is that thought
31. met any popular success down here, I mean those of us who drive
32. from the Wisconsin line are just wondering about that.
33. PRESIDING OFFICER: (SENATOR ROCK)

1 Senator Davidson.

2 SENATOR DAVIDSON:

3 None whatsoever.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Any further discussion? Senator Mitchler.

6 SENATOR MITCHLER:

7 Well, Mr. President, Senator Davidson, I'm not as concerned
8 about relocating all of the railroads in Springfield as I am in
9 having those grade crossings where people take their cars and
10 they go humpa, humpa, humpa over all the railroad crossings that
11 are now exist. And I'd say that the City of Springfield...
12 the State's Capitol, has probably the worst railroad crossings,
13 grade crossings of any city in the State. And I would think that
14 the Governor and the Illinois Commerce Commission would heed to
15 the pleas of yourself and your colleagues from the House and
16 Commissioner Madonia and get those fixed. Because people that
17 come to Springfield and have to drive their cars over those
18 grade crossings that...why it's just unbelievable that the
19 Governor would allow such a thing.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Davidson, do you wish to reply to that rhetorical
22 question? Senator Davidson.

23 SENATOR DAVIDSON:

24 Yes, Senator Mitchler, as you're well aware the Commerce
25 Commission held a hearing and as you know starting last week and
26 they've started constructing this week to repair 27 of the grade
27 ...grade crossings you speak of when we get to...relocation
28 authority done and a track smooth we will eliminate a hundred fifty-
29 nine of those crossings.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Any further discussion? The question is shall House Bill
32 903 pass? Those in favor will vote Aye, those opposed will vote
33 Nay. The voting is open. Have all those voted who wish?

1 Take the record. On that question the Ayes are 46, the Nays are
2 none, 1 Voting Present. House Bill 903 having received the
3 constitutional majority is declared passed. Senator Berning do
4 you wish 909? On the order of House Bills on 3rd reading, House
5 Bill 909, Mr. Secretary.

6 SECRETARY:

7 House Bill 909.

8 (Secretary reads title of bill)

9 3rd reading of the bill.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Senator Berning.

12 SENATOR BERNING:

13 Thank you, Mr. President and members of the Senate. 909 does
14 just exactly what the Calendar says it does and by way of further
15 elaboration let me point out that so far as I know this applies
16 only to one park district which is in Lake County. It is a
17 park district and yet the park is almost identical with an unin-
18 corporated subdivision. The boundaries are almost identical. They
19 have a recreation center in their little community and at the
20 present time according to the interpretation of the statutes
21 they cannot serve any alcoholic beverages for any of their community
22 affairs. This bill seeks to correct that deficiency so that this
23 community can have its little parties. If there are any questions
24 I'll attempt to answer, otherwise I know of no reason to be
25 opposed and I would appreciate a favorable roll call.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Any discussion? Senator Fawell.

28 SENATOR FAWELL:

29 Well, Senator, I...I don't as I read this bill I don't see
30 why...park districts right now have the right to sell liquor only
31 if they're operating a golf course and then only during periods
32 of time that they're serving meals. There are several bills that
33 I would concur in that would give some extension there so that

1 one could buy a beer for instance without necessarily having to
2 buy a meal. But I don't understand why simply because a park
3 district isn't within a municipality, why they should be able to
4 start dispensing liquor at all of the recreational centers of
5 the park district. I...I don't know of any park district that
6 wants that type of legislation and it is something that I think
7 a lot of us if we were aware of what's in this bill, would not
8 want it. I...I just can't see, although you've indicated apparently
9 it only applies to one park district, I wouldn't be in favor
10 of any park district being able to just go ahead and dispense
11 liquor at all of its recreational outlets. I just can't believe
12 that that is the principle that we want to inculcate into our
13 statutes.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Berning.

16 SENATOR BERNING:

17 As I said, this is very likely a completely unique situation.
18 We have a subdivision in an unincorporated area, the total con-
19 fines of which are also the park district. There is no muni-
20 cipality. There is no municipality near it, which is one reason
21 that these...it is stated therein that if any park district within
22 the boundaries of which there is no municipality. As I said, this
23 little community which is essentially a subdivision in an unin-
24 corporated area has a recreational hall, they do have parties and
25 community affairs there. Under the present construction of the
26 statute or the interpretations they cannot serve any alcoholic
27 liquors at any of their functions. This will resolve that part-
28 icular dilemma for this one group and so far as I know it is the
29 only place it would be applicable.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Fawell.

32 SENATOR FAWELL:

33 Well...Senator, the point I'm trying to make is that there

1 isn't a park district in the entire State of Illinois perhaps in
2 the nation that has that kind of authority or wants that kind
3 of authority and simply because you're not within a municipality
4 is I think irrelevant. If you wanted a liquor license of course
5 you'd go to the county and/or to the State and under a pending legis-
6 lation simply go to the State commission, but...I don't think
7 there's any justification whether you're in a city or not within a city
8 to say that the legislature is now going to commence with
9 authorization for the sale of liquor at all the recreational
10 outlets of our park district. We have gone a long way in this
11 Session doing a number of unique things and as you say this is
12 very unique, I'll agree with you. But I don't think it's any-
13 thing that we in the Legislature want to condone.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Any further discussion? Senator Berning, you may close the
16 debate.

17 SENATOR BERNING:

18 Mr. President, I think I've explained it as adequately as
19 I can. It is a unique situation. These people ought to be en-
20 titled to have the benefit of a party in their own recreational
21 center. As an alternative, I suppose they could incorporate and I
22 don't think that's necessarily more desirable. I would appreciate
23 a favorable roll call. These people deserve this consideration.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 The question is shall House Bill 909 pass? Those in favor
26 will vote Aye, those opposed will vote Nay. The voting is open.

27 Have all voted who wish? Take the record. On that question the
28 Ayes are 35, the Nays are 8, 2 Voting Present. House Bill 909
29 having received the constitutional majority is declared passed.

30 Senator Knuppel, do you wish to call 911? No. Okay, let's hold
31 that one. 912, Senator Vadalabene. On the order of House Bills
32 3rd reading. House Bill 912, Mr. Secretary.

33 SECRETARY:

1. House Bill 912.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Vadalabene.

6. SENATOR VADALABENE:

7. Thank you, Mr. President and members of the Senate. House
8. Bill 912 makes a minor change to the St. Louis Metropolitan Area
9. Authority Fiscal 1975 appropriation, which I am the sponsor. It
10. makes available to use two hundred thousand dollars already
11. appropriated but restricted to matching federal funds for buying
12. land. But since an environment impact statement must be com-
13. pleted before the authority buys land, they must take this two
14. hundred thousand dollars available for completing this environ-
15. mental impact statement so the authority can begin purchasing
16. the property and I would appreciate a favorable vote.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any discussion? The question is shall House Bill 912
19. pass? Those in favor will vote Aye, those opposed will vote Nay.
20. The voting is open. Have all voted who wish? Take the record.
21. On that question the Ayes are 48, the Nays are none, none
22. Voting Present. House Bill 912 having received the constitutional
23. majority is declared passed. On the order of House Bills 3rd
24. reading, House Bill 919, 919, Mr. Secretary.

25. SECRETARY:

26. House Bill 919.

27. (Secretary reads title of bill).

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Lemke.

31. SENATOR LEMKE:

32. 919, House Bill 919 ... provides a widow's annuity of 40%
33. and it allows for the ... to increase the widow's annuity from

1. four hundred to five hundred dollars. It has been amended and its
2. agreed to by all parties.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any further discussion? The question is shall House Bill
5. 919 as amended pass? Those in favor will vote Aye, those opposed
6. will vote Nay. The voting is open. Have all voted who
7. wish? Take the record. On that question the Ayes are 51, the
8. Nays are none, none Voting Present. House Bill 919 as amended
9. having received the constitutional majority is declared passed.
10. 92 ... Senator ... yes. On the order of House Bills 3rd reading,
11. House Bill 922, Mr. Secretary.

12. SECRETARY:

13. House Bill 922.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Mr. President and members of the Body, 922 does exactly
20. for junior college teachers what we heretofore done with respect
21. to primary and secondary teachers. Upon written request the
22. teacher can have his professional dues withheld by the school and
23. paid in on his behalf. This legislation brings into focus and
24. into accord the same rules with respect to junior college teachers
25. that exist, with respect as I say to primary and secondary
26. teachers. I'd appreciate a favorable roll call.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any discussion? Senator Glass.

29. SENATOR GLASS:

30. Will the sponsor yield for a question?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Indicates he will yield. Senator Glass.

33. SENATOR GLASS:

1 Senator Knuppel, does this include the deduction of political
2 contributions?

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Knuppel.

5 SENATOR KNUPPEL:

6 I don't know what you mean by that, but it...it specifies
7 professional dues and the membership dues to any professional
8 teacher's organization. I assume it does not include those...
9 but I have no way of knowing. It says membership dues.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Senator Glass.

12 SENATOR GLASS:

13 Well I suppose if these were membership dues to a...an
14 organization that then use the dues for political purposes, it
15 would involve the deduction of those. Is that correct?

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Knuppel.

18 SENATOR KNUPPEL:

19 I assume that...if part of their membership dues is for
20 professional...is for other than professional purposes it would.
21 But I...I don't so construe it. It says - to withhold from the
22 compensation of teachers, the membership dues of such teacher, payable
23 to any specified professional teacher's organization.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Senator Glass.

26 SENATOR GLASS:

27 Now just so I...I'm sorry I didn't understand the first
28 part of the bill, but did you say this was for the community
29 colleges only or that this was for elementary and secondary?

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Knuppel.

32 SENATOR KNUPPEL:

33 It corresponds to what already is the law which was passed

1. here in the last Session with respect to primary and secondary. And
2. whatever exists with respect to them would be the same as to
3. this.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further discussion? The question is shall House Bill
6. 922 pass? Those in favor will vote Aye, those opposed will vote
7. Nay. The voting is open. Have all voted who wish? Take the
8. record. On that question the Ayes are 42, the Nays are 8, none
9. Voting Present. House Bill 922 having received the constitutional
10. majority is declared passed. Senator Lemke on the Floor? 932,
11. do you wish that called? 932. On the order of House Bill 3rd
12. reading, House Bill 932, Mr. Secretary.

13. SECRETARY:

14. House Bill 932.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Lemke.

19. SENATOR LEMKE:

20. House Bill 932 is a bill that amends the Workmen's Compensa-
21. tion Occupational Disease, Act relative to the liability for a
22. franchise or a distributor. This extends the statute which is
23. now presently making general contractors liable. What this bill
24. does is make sure that the...in the franchise agreements there a
25. clause that insurance is bought to protect the employees who may
26. be injured ... at these particular businesses. Since the
27. franchisors, in the agreements would say what kind of napkins you
28. cal. buy and everything else, I don't think it's too much to ask
29. of them to require them to require the franchisee to buy Workmen's
30. Compensation Occupational Disease Insurance to protect the
31. injured party. I ask for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? Senator Harris.

1 SENATOR HARRIS:

2 Well as an employer of the minimum covered number of employees
3 under Workmen's Comp, would not such an employer be required to
4 provide Workmen's Comp. coverage whether they are an independent
5 operator or small businessman or a franchisee or not?

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Lemke.

8 SENATOR LEMKE:

9 That is true but we're running into a situation where the
10 franchisor are carrying insurance and the companies are refusing
11 to pay the employees when the franchisee goes broke and the
12 franchisor is sitting with a nest egg of...of money that they
13 take as a down payment and the franchisee forfeits all his money.
14 So all we're asking for is a requirement to make sure before they
15 start business and before they keep this business open that there
16 is Workmen's Compensation Insurance and...and it's easy for
17 everybody to be protected because of a certificate of insurance.
18 Right now they do it under liability insurance, fire insurance
19 but it seems like the franchisors don't care about the employees
20 even though they send them to big schools and institutes for
21 training but when it comes down to paying benefits to the employees
22 they forget about that.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator Harris.

25 SENATOR HARRIS:

26 Well, once again it just seems to me you're going beyond
27 where really the responsibility should lie. There is an obliga-
28 tion of the employer whether they are a franchisee or whether
29 they're just an independent employer to meet the requirements of
30 the Workmen's Comp Act. I ...I just don't see the sense of
31 the public policy of Illinois to clutter up the franchising
32 statute for what is obviously a statutory responsibility of the
33 independent employer whether that employer is a franchisee or

1 something other than a franchisee. They've got the obligation to
2 meet the requirements of the Workmen's Comp Act. I don't think
3 this bill is necessary at all.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Any further discussion? Senator Glass.

6 SENATOR GLASS:

7 Well thank you, Mr. President. I would just like to echo
8 for a minute Senator Harris' remarks. I hope the Body realizes
9 what this bill does if an individual in Illinois purchases
10 a franchise to sell carpeting or whatever, he is in business for
11 himself and as such he ought to have Workmen's Compensation
12 Insurance. I don't know why we should go further and make the
13 national franchising agency or whoever happens to be, carry that
14 insurance. I...I just can't see, Senator Lemke, why you're
15 concerned about this. I agree the law now requires these business-
16 men to carry Workmen's Comp but it just imposes a require-
17 ment on someone who is not even the employer to carry that
18 coverage and so I...I would hope the bill would be defeated.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Further discussion? Senator Graham.

21 SENATOR GRAHAM:

22 For the life of me, I just can't understand this Session.
23 When we had a message from His Nibs last week regarding the
24 financial flight of Illinois', when we have done everything that
25 we possibly can this year to discourage further business in
26 Illinois', when we've done everything possible to penalize those
27 that are here, I wonder when we get down to the end of this road
28 on which we're traveling now, who in the devil is going to pay
29 the bill? That's what I'm wondering about.

30 PRESIDING OFFICER: (SENATOR ROCK)

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

32 SENATOR LEMKE:

33 I ask for a favorable roll call. As far as this thing

1. requiring, there's a question as to who the employer is because
2. the franchisor exercises all control over the franchisee and
3. his employees. He trains them. He puts them to work. He tells
4. them how much they can be paid. And as far as hurting the fran-
5. chise business we have about a hundred and forty different
6. franchises in the State of Illinois and very few of them are
7. based in the State of Illinois. And I have yet to see any fran-
8. chisor refuse to open a franchise in my area, Cook County or in
9. the rest of the State of Illinois. All we do is see these quick
10. service franchisors come in and open up and we see them go
11. bankrupt. We see the franchisee get his money wasted but they
12. walk away with this big fat balance of forty thousand dollars or
13. whatever they require as a down payment and I think it's not
14. too much to ask for them to pick up if ... if ... if they refuse
15. to have the insurance boughten by their franchisee to have them
16. pick up the tab for this thing. Otherwise, these injured employees
17. who usually are maimed and shot have no recourse except to the
18. State and we as the State pick it up for somebody that's from
19. outside doing business in our State. And it is no requirement,
20. it costs very little money because as I said the franchisors in
21. certain states are carrying this insurance.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. The question is shall House Bill 932 pass? Those in favor
24. will vote Aye, those opposed will vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish? Take the
26. record. Sponsor's requested that House Bill 932 be placed
27. on the order of Postponed Consideration. SO ordered. Senator
28. Palmer do you wish 934? Okay. On the order of House Bills 3rd
29. reading, House Bill 934, Mr. Secretary.

30. SECRETARY:

31. House Bill 934.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Palmer.

3. SENATOR PALMER:

4. Mr. President and members of the Senate, House Bill 934
5. provides that a lessor who holds security deposits from tenants
6. on residential property shall pay interest, the rate of 5%. He
7. presently pays 4%. This bill applies only to the City of Chicago.
8. I ask for a favorable roll call.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any discussion? Senator Course.

11. SENATOR COURSE:

12. Will he ... will the sponsor yield to a question?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Indicates he will yield. Senator Course.

15. SENATOR COURSE:

16. Senator Palmer, how many unit complex does this apply to?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Palmer.

19. SENATOR PALMER:

20. This bill applies only to apartment buildings that have
21. twenty-five units or more and only in the City of Chicago.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Course.

24. SENATOR COURSE:

25. Well these would be the buildings in the rental range of say
26. seven hundred and fifty to fifteen hundred dollars a month per

27. apartment?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Palmer.

30. SENATOR PALMER:

31. Senator, that is correct. This applies to buildings where
32. the ... the rental security deposit for one month would be large
33. deposit and and the landlords receive a great amount of money

1 on the high-rise properties in units that of course are twenty-
2 five or more and they do deposit them and...and also invest
3 them where they receive greater amount of interest at 5% and
4 I think this is an equitable bill. I ask for a favorable roll call.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Harber Hall.

7 SENATOR HARBER HALL:

8 Briefly, I just oppose this bill. It's harassment of busi-
9 nessmen. We imposed the 4% cost to them before and a small apart-
10 ment owner, 25, 30, 40 units has an awful time as it is. Now
11 we're going to increase the...his work by changing the law on him
12 all of a sudden for 1% interest.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator Merritt.

15 SENATOR MERRITT:

16 Yes, Mr. President, I wonder if the sponsor would yield to
17 a question?

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Indicates he will yield. Senator Merritt.

20 SENATOR MERRITT:

21 I'm well aware of this bill, Senator Palmer, being in our
22 Finance Committee. How...how often is this...

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator indicates...the Senator indicates he's having
25 trouble hearing you. Can you pull your mike up?

26 SENATOR MERRITT:

27 How often is this interest payable?

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Senator Palmer.

30 SENATOR PALMER:

31 Annually.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Senator Merritt.

1. SENATOR MERRITT:

2. Now in most instances that security deposit on an average,
3. would be what, per month?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Palmer.

6. SENATOR PALMER:

7. They range from one month to two months.

8. SENATOR MERRITT:

9. Well on an average one month would be what? A hundred and
10. fifty dollars? Two hundred?

11. SENATOR PALMER:

12. I ... I would say more, Senator. It would probably be from
13. two hundred ranging from two hundred to four hundred or even five
14. hundred a month.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Merritt.

17. SENATOR MERRITT:

18. Well even taking a figure of three bucks ... three
19. hundred dollars even on an average, all you're doing is, Senator
20. Hall has pointed out, is just making further bookkeeping, further
21. harassment for what amounts to three dollars a year. That's
22. exactly what it ... what it is and I certainly oppose it.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Palmer.

25. SENATOR PALMER:

26. Senator, just an answer. They're already paying for it.

27. They're already in the process of the bookkeeping. They're already
28. doing it. They're ... it's working out very fine. I ask for
29. a favorable roll call.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Further discussion? Question is shall ... shall House Bill
32. 934 pass? Those in favor will vote Aye, those opposed will vote
33. Nay. The voting is open. Have all voted who wish? Take the

1 record. On that question the Ayes are 50, the Nays are 3, 4
2 Voting Present. House Bill 934 having received the constitutional
3 majority is declared passed. 939, Senator...Senator Demuzio
4 on the Floor? 952, Senator Carroll is next on the order of
5 business. On the order of House Bills 3rd reading, House Bill
6 952, Mr. Secretary.

7 SECRETARY:

8 House Bill 952.

9 (Secretary reads title of bill)

10 3rd reading of the bill.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Senator Carroll.

13 SENATOR CARROLL:

14 Thank you, Mr. President and members of the Senate. House
15 Bill 952 is an Act to create a Banking Study Commission made up
16 of sixteen members, four Legislators from each Chamber and four public
17 members appointed by the leadership of each Chamber for a total
18 of sixteen. It would be the function of this commission to review
19 all of the laws dealing with banking and other finance institutions
20 because of all the myriad of problems that have focused them-
21 selves to out attention each and every Session of the General
22 Assembly. I think this is a sensible approach to many of the
23 problems we have faced. It provides for eighteen months of
24 study and a reporting date in time for the legislature to act
25 on all of the issues that involve banking. I would ask for a
26 favorable roll call.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Any discussion? Senator Wooten.

29 SENATOR WOOTEN:

30 Mr. President and colleagues. This may be cutting it just
31 a little too fine, but it seems to me that the...the net result
32 of this is going to be by indirection, I'll admit, Senator. It's
33

1. going to be our choosing up sides between IBA and AMB. I just
2. think in the natural course of events that this will be an IBA
3. dominated commission and I think that the major issues which
4. are drawn between those two, it's regrettable that we're caught
5. in that as we are in the currency exchange situation. But I'm
6. afraid that the commission will kind of institutionalize us by
7. inadvertence in one position as against the other. The ETS,
8. that is something that should be studied but I'm afraid that this
9. commission is going to serve the purpose of blocking any further
10. treatment of branch banking and some of those questions which have
11. been before us. I just ... I just think that because of that
12. I ... I would oppose the formation of this commission.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any further discussion? Question is shall House Bill 952
15. as amended pass? Those in favor will vote Aye, the opposed will
16. vote Nay. The voting is open. Have all voted who wish?
17. Take the record. On that question the Ayes are 39, the Nays
18. are 11, 2 Voting Present. House Bill 952 as amended having
19. received the constitutional majority is declared passed. Senator
20. Johns, are you going to hold 55 and 56? You're not going to
21. hold. Alright. On the order of House Bills 3rd reading, House
22. Bill 955.

23. SECRETARY:

24. House Bill 955.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Johns.

29. SENATOR JOHNS:

30. Thank you, Mr. President. House Bill 955 is an Act in relation
31. to State payments to counties in which substantial areas of the
32. State and federal lands are located. It provides for State
33. payments to counties at the rate of one dollar per acre, for every

1. acre taken by State and federal lands in such counties, if the
2. following prerequisites are made; (a) the State and federal
3. lands must occupy an area equal to 20% or more of the total area
4. of the counties (b) that after 1977 the counties must have an
5. assessed valuation of 33 1/3% of the fair cash value. The
6. amount of the grants must be certified by the State comptroller
7. who issues the warrants. The funds must be expended for general
8. corporate purposes of the county. This will provide relief for
9. counties that have a substantial amount of real estate held by
10. the federal and State governments, which is exempt as you know
11. from property taxation, which as you're well aware causes a
12. severe drain on the revenue and the loss of that revenue in those
13. counties. I would be most honest in telling you that the annual
14. cost to the State on this basis would be around a hundred and
15. forty-seven thousand dollars. I would appreciate a favorable
16. roll call.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Soper.

19. SENATOR SOPER:

20. I think ... thank you, Mr. President. Senator, was this
21. the bill we heard in Local Government and wasn't this the bill we
22. asked about other recreational areas like the sixty-five
23. thousand acres in Cook County and the forest preserve. We'd
24. like to get some money too you know. We got people pay a lot of
25. taxes there and I'd like to toss that in for ... for a starter.
26. I think there are other counties that have recreational areas
27. and these are really ... really recreational areas that are not
28. owned by the federal government. These are ... these are owned
29. by the a ... by the people in the county, and we pay all the
30. taxes and we have people coming from other counties and from
31. other parts of the State and they enjoy the sixty-five thousand
32. acres that we have to maintain. We maintain roads. We maintain
33. all the recreational areas there, the ponds, the fishing ponds,

1. all the benches and everything that goes with it. The wells. Now
2. you've got federal property in here, federal lands. Have you
3. approached the Federal government to take care of your ... take
4. care of your needs in the county? That's one question. Before
5. you answer that I want to say a few other things. Now ... how
6. about ... could I see the ... somebody on the Floor I think I've
7. had a little ... I think that Transportation Department got a
8. bus in front of me. Senator, now when you have the recreational
9. areas you have people coming into your area and the State of
10. course finances the parks in the State area. You get the benefit
11. of the sales tax in that ... in that district or in the county?
12. You get the benefit of other taxes that come through and the
13. business people there make money. They pay income tax to this
14. State on their ... on their money. I don't see how you can ask
15. the whole State of Illinois to pay, you say a hundred and twenty-
16. seven thousand dollars, to your little county or whatever county
17. you've got. If you ... if you'd want to put that amendment on that
18. I suggested and have the State pay for all of Cook County, I
19. know of all the gentlemen that sit here and the ladies from
20. Cook County would be happy to go along with your bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. I take it that was a question. Senator Johns.

23. SENATOR JOHNS:

24. Well, Mr. President, he asked several questions ... can you
25. give me a little more volume over there? The federal action at
26. this time is that we receive in that county 17¢ per acre from
27. the Federal government for lands occupied. This amounts to
28. about fourteen thousand dollars a year which is hardly a sneeze
29. in today's economy. And these are distributed to the school
30. and road funds. None of these monies are distributed to the
31. county corporate funds. Now on your other question, what federal
32. action? Well our new Congressman, Paul Simon, is trying to work
33. through a law in the Federal government that would aid us in

1. this endeavor. I know not what the status is at this time,
2. however I do feel that with some assurance he will be successful
3. in gaining some sort of federal recovery, but there's nothing to
4. go on. Now as far as a recreational area you're talking about
5. one specific county that has thirty-four hundred people in it, in
6. that whole county. They're not able at this time and they never
7. will be, there's no question about that, to pick up the tab on
8. all the loss of revenue from lands taken by federal and State
9. governments. Because they're already acquired, they have no means
10. of ... of alleviating this problem.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Gentlemen, five members have requested recognition so just
13. be patient. Senator Bell. Senator Bell passes. Senator Regner.

14. SENATOR REGNER:

15. Just a quick question for the sponsor. He did indicate that
16. the cost would be about a hundred and forty-seven thousand dollars.
17. Is that correct?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Johns.

20. SENATOR JOHNS:

21. I can't hear, Mr. President. I had a Page here with a
22. message for me. Can you give me the question again?

23. PRESIDING OFFICER (SENATOR ROCK)

24. Alright, hold on a minute. Can we have some order here
25. please? Senator Regner, will you restate the question?

26. SENATOR REGNER:

27. Senator Johns, you indicated that the cost would be about
28. a hundred and forty-seven thousand dollars. Is that correct?

29. SENATOR JOHNS:

30. That's ... that's correct, Senator.

31. SENATOR REGNER:

32. Do you ... do you have any indication from the man on the
33. second floor as to where this hundred and forty-seven thousand

1. dollars will come from?

2. SENATOR JOHNS:

3. I do not, Senator Regner. I do not.

4. SENATOR REGNER:

5. In other ... in other words we're ... we're junking this
6. concept we've had for the last week of some fiscal conservative
7. and starting a new program here.

8. SENATOR JOHNS:

9. Senator Regner, like yourself and like every member on this
10. side of the aisle and that side of the aisle and this General
11. Assembly and this Senate, I'm handling a bill proposed in the
12. House that felt it would meet the demands, the crisis that now
13. exists in those counties. I do not have all the answers. I
14. do not say that I can find them. But I'm seeking a means to a
15. problem..a solution to a problem that is very dear to me, that
16. county.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Regner.

19. SENATOR REGNER:

20. Senator Johns, your lack of enthusiasm impresses me and I will
21. not support the bill.

22. SENATOR JOHNS:

23. I can understand that. That ... that particular county rock-
24. ribbed Republican has been practicing political conservatism for
25. hundreds of years.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. ... Senator Wooten.

28. SENATOR WOOTEN:

29. Mr. President and colleagues. Senator Johns, I understand
30. the problem you're trying to address in this bill and the next.
31. My question is, why should the State pay a bounty or I'm not
32. sure exactly what you would call this ... Senator Johns, I'm not
33. sure exactly what you would call this kind of payment. I'd like

1. to hear that, but I'd also like know why we should pay a bounty
2. or whatever it is for federal lands. Why should the State assume
3. that obligation?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Johns.

6. SENATOR JOHNS:

7. Your questions are most valid and they are painful. The
8. fact that I have no answer why the State should pick up Federal
9. lands entrenchment and encroachment and ... they continue to
10. pursue to pick up land there. I would only tell you that I'm
11. going to be hounding my Congressmen to tell them that if they
12. continue to want lands and these are very beautiful lands, the
13. wilderness area, that there should be some remuneration. I
14. don't have all the answers. I wish that I did. Thank you,
15. Senator Wooten.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Wooten.

18. SENTAOR WOOTEN:

19. Well, Senator Johns, you may not thank me entirely because I'm
20. not sure I can support the bill. In part, I think because we get
21. past this what I would call a bounty, then we're going to move
22. to the property tax and I have great deal of difficulty with the
23. State assuming that. There's no question, but we need some kind
24. of assistance for those counties particularly in the southern
25. part of the State where we have so much land occupied for federal
26. and State purposes and I'm willing to address that, but I'm just
27. not prepared, certainly not the bill subsequent to this one, I
28. can't buy that one and it just seems to me this one including
29. the provision for federal lands as well, it's ... it's not fair
30. to the State.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Graham, did you wish recognition? You were up before.

33. Senator Graham.

1 SENATOR GRAHAM:

2 I only wanted to do an important thing around here for a
3 change. I wanted to introduce at this point in time with your
4 leave, Mrs. Kay Reardon in the gallery just behind the Senate,
5 one of my real good former precinct workers and a good friend.
6 And there's one thing I'm not going to do, I'm not going to tell
7 Harber Hall she lives in Bloomington because I don't want him
8 bothering her to work for him.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Will our guest please stand and be recognized. Senator
11 Mitchler.

12 SENATOR MITCHLER:

13 Mr. President, I'd ask leave of the Senate to return to
14 House Bill 89...

15 PRESIDING OFFICER: (SENATOR ROCK)

16 No...no...no...I thought you were up on this bill. I
17 beg your pardon. I've got that note. We'll get back to that.
18 Okay. Senator Nimrod.

19 SENATOR NIMROD:

20 Mr. President, Senator Johns, I might point out that there's
21 one additional problem with this. This is tied into a county peg-
22 ging their assessment at thirty-three and a third percent and we're
23 fixing it to a figure that we haven't even passed in the Legislature.
24 And I just think that could be a problem because when we amend the
25 Revenue Act again and we set this at a different level at anytime
26 we'll never go back to this to correct it so it's a bad kind of a
27 tie in as far as revenue is concerned.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Senator Fawell.

30 SENATOR FAWELL:

31 Pass.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Senator Hickey.

1. SENATOR HICKEY:

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

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Indicates he will yield. Senator Hickey.

5. SENATOR HICKEY:

6. Senator Johns, would you be willing to consider changing
7. this simply to cover State owned lands and there ... and then
8. of course also the percentage of acreage in the county?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Johns.

11. SENATOR JOHNS:

12. We in southern Illinois have always had to work about twice
13. as hard to get any place as the northern section. We've always
14. been told by former Secretary of State, Paul Powell, that if you
15. couldn't get a whole loaf, you took a half of loaf, you couldn't
16. get a half of loaf, you took a slice. Yes, I'd take anything
17. just about rather than nothing as I can foresee might happen
18. right here today.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Hickey.

21. SENATOR HICKEY:

22. Well then, Senator Johns, would you think of ... of bring-
23. ing this back to 2nd and amending it to cover just State lands
24. and changing the percentage so that since do you have some hopes
25. of getting some relief from the federal government... for their
26. land.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Johns.

29. SENATOR JOHNS:

30. Mr. Rock ... Senator Rock ... Mr. President, I think you
31. gave me a hint before I started

32. PRESIDING OFFICER: (SENATOR ROCK)

33. ... I tried to tell you to hold it ...

1. SENATOR JOHNS:

2. ... you said you wanted me to hold this bill. I will now
3. postpone consideration on this bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. ... Take it out of the record.

6. SENATOR JOHNS:

7. ... Take it out of the record.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Okay. You want to hold 956 too? That's a boy. Senator
10. Demuzio on the Floor, 959? Oh yeah. Senator Mitchler has asked
11. leave that we return to House Bills on 3rd reading to the order
12. of House Bill 858. Was indicated that Senator Hynes did have an
13. amendment. Senator Hynes was off the Floor at the time. I'm
14. reliably informed that Senator Hynes has withdrawn his proposed
15. amendment. On the order of House Bills 3rd reading, House Bill
16. 858, Mr. Secretary.

17. SECRETARY:

18. House Bill 858.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Mitchler.

23. SENATOR MITCHLER:

24. Mr. President and members of the Senate, House Bill 858
25. adds a section to the Illinois Veterans' Commission Act to pro-
26. vide for the Illinois Veterans Scholarships. It transfers from
27. the Illinois State Scholarship Commission the responsibility
28. for administering the Illinois Veterans' Scholarships. It also
29. extends the period from 4 years to 12 years that a veteran can
30. use the Veteran Scholarship. And this is required and necessary
31. because many of the veterans are going to the community colleges
32. and the State colleges and they're working, actually they're
33. going to school part time and it requires more than the 4 year

1. period to obtain their degree. This has the support of the
2. Illinois Veterans' Commission. It's a move in the right direction
3. because the Illinois Veterans' Commission is called upon to
4. administer this at all times whenever there's an application and
5. that is because the veteran really has earned the scholarship.
6. The scholarship goes to him. It doesn't have to be valued or
7. on the basis of need or ... or income. It's something that he's
8. deserving by virtue of having served in the military and I would
9. ask for a favorable roll call.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Well first of all, I have a question of the sponsor. Did
14. I understand you to say that we now are going to increase from ...
15. for the time that a veteran can receive an Illinois Military
16. Scholarship, time from 4 years to 12 years.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. This is the period that he can use his scholarship. Yes.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. In other words, if I decide to go back to college as a
25. veteran that I will be able to get a scholarship for 12 years.
26. I can go to undergraduate, get my master's degree, my doctorate
27. my then go to law school, then go to medical school and get all
28. that paid. Is that right.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. No, Senator. You would only be eligible for the amount of
33. schooling that you would be eligible for under the present Act.

1. This would not give you any more. Would extend the period of
2. time that you could use the scholarship.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Well, I would point out that we passed a bill out of here
7. some few weeks ago which increased the Illinois Military Scholar-
8. ship from 4 to 5 years saying that those people who are in five-year
9. programs can get an Illinois Military Scholarship for 5 years
10. which brings us in line with the federal GI Bill of Rights which
11. now says 5 years. I ... really don't understand the reason for
12. our taking these scholarships away from the Scholarship Commission
13. and giving them to ... giving them to the Veterans' Commission,
14. because they are people who are dealing with veteran's problems
15. and veteran's affairs and I don't really think they have any
16. problem rather any business being in the scholarship business.
17. Now we have a commission that's in the scholarship business, not
18. too well run I don't think, but perhaps as years go on and we
19. make those people directly reportable to the General Assembly
20. that perhaps we can straighten some of their problems out, but
21. I really don't understand the reason for our wanting to take the
22. military scholarship portion piecemeal at this point away from
23. the ... from the Scholarship Commission and put it in the Veterans'
24. Commission. But what we need to do is to get the Scholarship
25. Commission squared away to start with and keep all the scholar-
26. ships in the State of Illinois running through one agency.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any further discussion? Senator Bruce.

29. SENATOR BRUCE:

30. Well, Senator Buzbee asked the question I wanted to ask but
31. I would like to have the sponsor answer it, that is why is
32. the Scholarship Commission not more qualified to make an
33. evaluation of a person than is the Illinois Veterans' Commission?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. Well in response to that, Senator Buzbee and Senator Bruce,
5. the Illinois Veterans' Commission is in fact in the scholarship
6. business because the Illinois State Scholarship Commission checks
7. and verifies the eligibility of a veteran to receive a scholar-
8. ship with the Illinois Veterans' Commission and they are doing
9. all of the handling of it now. This would cut down on the red
10. tape and I might say in many instances that I have received many
11. contacts by veterans who have problems either in getting their
12. veteran scholarship through the college in which they're
13. applying or the Illinois State Scholarship Commission and ulti-
14. mately I have to go to the IVC and they're the ones that straighten
15. it out and they could administer this right from the start. Now
16. the reason that the IVC is in this is because the scholarship of
17. a war veteran is something that according to the statutes, he
18. has earned. It doesn't mean that you have to evaluate whether
19. he has the type of income or he comes from this or that or the
20. other thing. He's earned it. If he has made the service, he
21. has the proper discharge, he's eligible and he can walk into any
22. college and sign a paper and say this is it. But they have to
23. go through the paper work through the IVC and they're the ones
24. that should administer.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Bruce.

27. SENATOR BRUCE:

28. First of all, let me thank the sponsor for the very brief
29. answer he gave. Secondly, I wonder, Senator Mitchler, I still have
30. time left and perhaps you could take another three minutes to
31. answer it, how much is this going to cost the State of Illinois?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. There should be no additional cost. They process these
3. now. It's just cutting out the red tape of going through the
4. Illinois State Scholarship Commission and the universities.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Bruce.

7. SENATOR BRUCE:

8. Will you explain to me how when we extend the time from 4
9. years to 12 years how that does not increase the cost to the
10. State of Illinois? If ... if what you say is true however in
11. your opening statement that it makes it available to more
12. veterans, how will it ... if we make it as you state in the first
13. instance more available, how does that not increase the cost?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Mitchler.

16. SENATOR MITCHLER:

17. Well it wouldn't increase the cost because the veteran's
18. only eligible for x-number of hours of study and qualifications
19. but it extends the period of time in which he can apply these
20. courses of study so that he can attain his degree and the reason for
21. that is that we have found that a majority of the veterans sorta
22. go to school part-time because they have to have outside employ-
23. ment in order to exist. They can't be full-time students.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Hickey, do you wish recognition? Senator Hickey.
26. No, okay. Any further discussion? The question is shall House
27. Bill 858 pass? Those in favor will vote Aye, those opposed will
28. vote Nay. The voting is open. Have all voted who wish? Take
29. the record. On that question the Ayes are 30, the Nays are 6,
30. 2 Voting Present. House Bill 858 having received the constitutional
31. majority is declared passed. Senator Buzbee, for what purpose
32. do you rise?

33. SENATOR BUZBEE:

1. Request a verification of the ... positive votes, Mr.
2. President.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Buzbee has requested a verification. Will all the
5. Senators ... will all the members of the Senate please be in their
6. seats? The Secretary will read the affirmative votes.

7. SECRETARY:

8. The following voted in the affirmative: Bell, Berning,
9. Bloom, Davidson, Demuzio, Donnewald, Egan, Graham, Harris, Hynes,
10. Johns, Joyce, Lane, Latherow, McCarthy, Merritt, Mitchler,
11. Howard Mohr, Nimrod, Ozinga, Philip, Regner, Rock, Savickas,
12. Schaffer, Shapiro, Smith, Vadalabene, Weaver, Mr. President.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Senator Demuzio.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Demuzio on the Floor?

19. SENATOR BUZBEE:

20. Senator Hynes.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Hynes is on the Floor. Senator Demuzio is not on
23. the Floor? Strike his name, Mr. Secretary.

24. SENATOR BUZBEE:

25. Senator Savickas.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Savickas ... Senator Savickas is outside the well.

28. Senator Mitchler, what's your pleasure?

29. SENATOR MITCHLER:

30. Consideration postponed.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator has requested that this matter be placed on the order
33. of consideration postponed. So ordered. 959, Senator Demuzio is

1. not on the Floor. 963, Senator Schaffer on... do you wish 9
2. On the order of House Bills 3rd reading, House Bill 963, Mr.
3. Secretary.

4. SECRETARY:

5. House Bill 963.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. This bill came out of Elections Committee. It simply
12. provides for a discovery recount of questions of public policy.
13. We had a mental health referendum in my ... one of the counties
14. in my district and there was some questions on some problems they had
15. and when they wanted to go to a recent they discovered there was
16. no provision in the law for a discovery recount. The cost of
17. the recount would be borne by the individual requesting the recount.
18. I know of no opposition to the bill. Be happy to answer any
19. questions.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any discussion? The question is shall House Bill 963 pass?
22. Those in favor will vote Aye, those opposed will vote Nay. The
23. voting is open. Have all voted who wish? Take the record. On
24. that question the Ayes are 51, the Nays are none, none Voting
25. Present. House Bill 963 having received the constitutional
26. majority is declared passed. 964, Senator Lemke wishes to hold.
27. 968, Senator Moore. On the order of House Bills 3rd reading,
28. House Bill 968, Mr. Secretary.

29. SECRETARY:

30. House Bill 968.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Don Moore.

2. SENATOR DON MOORE:

3. Mr. President, could I have leave to consider 968 and 969
4. in the discussion and also leave for one roll call on the two.
5. They are companion bills.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. We are unable to do one roll call. You may discuss those
8. bills at one time if leave is granted.

9. SENATOR MOORE:

10. Thank you very much.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is leave granted? Leave is granted. Senator Don
13. Moore.

14. SENATOR MOORE:

15. House Bill 968 amends the Military and Naval Code for the
16. State of Illinois. Provides that service in the reserve of the
17. United States Army, Marine Corps, Navy, Air Force or Coast Guard
18. may be counted in determining eligibility of commissioned
19. officers for the retired list and that eligibility to retire with
20. the next higher rank than they held at their time of retirement.
21. House Bill 969 provides that officers of the United States
22. Naval Reserve who are citizens of the State and who have been ...
23. who have received the Distinguished Public Service Award from
24. the Secretary of the Navy shall be appointed to the Illinois Naval
25. Militia Retired List in the rank next higher than they held
26. before. There is ... this particular bill merely says this
27. gentlemen, that if someone is in the Naval Reserve or they
28. at a rank when they retire, they are entitled to go into the
29. militia at the rank next higher. It does not ... there ... they
30. ...no he's opposed to it it does not affect their pension
31. rights. There is no additional cost of money involved. If they
32. are recalled back to active duty, they go back at the rank they
33. had prior to the time they went up to their higher rank. This

1. bill I'm informed is supported by the Illinois Department of the
2. American Legion and also the V.F.W. I'd be happy to answer any
3. questions. If not, I'd ask for a favorable roll call.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Senator Buzbee.

6. SENATOR BUZBEE:

7. Mr. President, in reference to House Bill 968, I would
8. like to..according to the synopsis in the ... in the book, it
9. says that amends the Military and Naval Codes for the State of
10. Illinois. Provides that service in the reserve of the United
11. State Army, Marine Corps, Navy, Air Force, or Coast Guard may
12. be counted in determining eligibility of commissioned officers
13. for the retired list and their eligibility to retire with the
14. next higher rank not held at the time of retirement. Now if
15. I understand this bill correctly, that means that I as a reserve
16. Marine Corps officer could spend twenty-nine years in the...in the
17. Marine Corps Reserve and then transfer to the Illinois National
18. Guard and let's say that ... let's just use an example, let's say
19. that I were a full colonel when I transferred from the Marine
20. Corps to the National Guard and now then the National Guard will
21. retire me as a brigadier general. Is that correct?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Don Moore.

24. SENATOR MOORE:

25. You would receive the title of brigadier general retired.
26. It would not ... you would still retire at the ... at the rank
27. of colonel. Your pension would be based on the rank of colonel
28. and so forth.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Well, I would like to point out that military rank for those
33. people who are on active duty or those people who are in the

1. reserve, is something that is given because of their knowledge
2. and their ability and their capability to perform the tasks
3. assigned commensurate with that rank. And I think it certainly
4. takes away from ... the ... takes away from the rank itself to
5. indiscriminately go around and start handing out these ranks for
6. the purpose of retirement so it looks good on your stationery
7. that you can have on there brigadier general or colonel or
8. whatever the case may be retired, when in fact you did not earn
9. that credit. Now, Mr. President ... Mr. President, may I make
10. a parliamentary inquiry of the Chair?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. State your point.

13. SENATOR BUZBEE:

14. I see your yellow light has gone on. I want to speak on
15. both of these bills. You have agreed to allow both bills to be
16. discussed at once, so does that mean I got twice the time?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. I would think that that would be a rule that would be
19. instituted under that situation.

20. SENATOR BUZBEE:

21. Thank you.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. I would so rule.

24. SENATOR BUZBEE:

25. Thank you. Now, yes, I wonder if we might make this retro-
26. active. There are a lot of people in this Chamber that could
27. use that retired rank I'm sure. But let's go on now to House Bill
28. 969, provides that Naval Reserve awardees of the Distinguished
29. Public Service Award shall be appointed to the Naval Militia
30. Retired List of the rank one grade higher to that held in retire-
31. ment from the Naval Reserve, again without any previous service
32. in the Naval Militia. Now, you know there are a lot of people,
33. some of them serving in this Legislature who are Congressional

1. Medal of Honor winners, Silver and Bronze Star winners, Navy
2. Cross winners and so forth. Why should not those people be
3. eligible for this kind of ... this kind of advancement without
4. any ... without meeting any of the prerequisite qualifications for
5. this particular rank. Now; I would like to say one thing more,
6. Senator Moore, strange that this series of bills comes along
7. now. Some people in this Chamber are aware of my particular
8. involvement with the questioning of the need for the Illinois
9. Naval Militia when that organization has not functioned as an
10. ... as an Illinois Naval Militia since 1935 and we're spending
11. money of the State of Illinois to keep them as Naval Reservists
12. going. I have absolutely no quarrel whatsoever with the Naval
13. Reserve. I'm all for them. They perform a valuable function
14. and those gentlemen and women, if there are any, who are in that
15. organization I think should continue to perform as Naval Reserv-
16. ist. But I do deeply resent, Senator Moore, I deeply resent the
17. fact that this past Monday I received a call from my ex-commanding
18. officer at the Glenview Naval Air Station asking me, why I, as
19. Major Buzbee, was taking after the Naval Reserve, and I informed
20. him that I, as Major Buzbee, was not taking after the Naval
21. Reserve that I, Senator Buzbee, was taking after the Naval Militia
22. and I deeply resent the attitude of these people who are trying
23. to make it look like a silly inner service rivalry which it
24. certainly is not at all. But it happens to be a situation where
25. I think that the State of Illinois is wasting money on something
26. called the Naval Militia. I do not think that the United States
27. government is wasting money on the Naval Reserve and I'm all
28. for them. But for us to ... to degrade the ranks that are earned
29. through actual military or military reserve service is a boon-
30. doggle of the worst sort. And I think these bills ought to be
31. killed summarily, an old military term.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Davidson then I have Senators Schaffer, Sommer,

1. Mitchler, Nudelman.

2. SENATOR DAVIDSON:

3. Would the sponsor yield for a question?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates he will yield.

6. SENATOR DAVIDSON:

7. Senator Moore, if this ... these two bills would become
8. law would we then effect have what's known as Kentucky Colonels
9. and Nebraska Admirals?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Don Moore.

12. SENATOR MOORE:

13. No, I don't think we will, Senator. What you have will be
14. someone who has served his country. Most of these men have been
15. in at least two wars, some of them three. They have attained
16. the rank of colonel or a captain in the Navy and when they re-
17. tire they would merely get to use the next grade higher that
18. they had had when they had retired. This is not something you
19. can give out hither-skither like you can the Kentucky Colonel
20. citations that they use in some of the states of our country.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. Well, Mr. President and members of the Senate, then the
25. individual who is a vice admiral who put out information in
26. opposition to this bill must have been an error, because his
27. description of this bill that we would arrive to that honorary
28. title such as a pass out in Kentucky of Kentucky Colonels and
29. Nebraska for Admirals in the Nebraska Navy which most of you
30. recognize from what it is. I think until this point it's cleared
31. up either these bills need to be defeated or else held until
32. this point can be clarified.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1 Senator Schaffer.

2 SENATOR SCHAFFER:

3 The sponsor yield for a question. Does this list only en-
4 compass officers? Now what about the enlisted men? I happen to
5 be a Sergeant E-5 retired and I'd like to move up to 6, you know
6 that's that extra stripe at the bottom. And...I just wondered
7 why enlisted men, you know there are a lot more enlisted men in
8 this country, in this State and they're voters, and they're tax-
9 payers, and they've got stationery too, and they've fought for
10 their country and why aren't they included in this bill?

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 Senator Don Moore.

13 SENATOR MOORE: -

14 The answer to your question, they're not included in here.
15 This is confined to officers. If you would desire to put in a
16 committee bill to give this privilege to enlisted men I would
17 have no objection to voting for it, Senator. That's your pre-
18 rogative.

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 Senator Schaffer.

21 SENATOR SCHAFFER:

22 Well without enlisted men this is obviously special interest,
23 class legislation and on behalf of the enlisted men of this
24 State, I resist it.

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 Senator Sommer. Senator Mitchler.

27 SENATOR MITCHLER:

28 Well on these matters on...veterans' affairs where it concerns
29 the officers, I know we have Major Jim Bell of Joliet and we got
30 Major Ken Buzbee down at Carbondale, but I'd like to ask Private
31 First Class Vadalabene what he thinks of this bill. Now Private
32 First Class Vadalabene, you are in it. Now you tell us.

33 PRESIDING OFFICER: (SENATOR BRUCE)

1. It's out of order but we'll allow Senator Vadalabene to
2. answer.

3. SENATOR VADALABENE:

4. Yes, thank you very much, Senator Mitchler, and don't forget -
5. remember November. However, I do want to make this statement
6. because as a nonlawyer I provided some of the lawyers some in-
7. formation on a no-fault bill. So I'm kinda glad you called me
8. on this one. I am in total in favor of this legislation and,
9. Major Buzbee, regardless of what you think, I think we have a
10. place for these people also.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nudelman. Senator Nudelman? Senator Nudelman.

13. SENATOR NUDELMAN:

14. General, if you will. I must state now that when I was in
15. the Army I got as far as PFC and for a misdemeanor I got my
16. stripes torn away and I graduated ... I graduated a Private.
17. However, it seems to me that it's so rare that this Body can do
18. something nice to somebody or for somebody without hurting any-
19. body and without it costing the State of Illinois one cent, that
20. it's a shame we have to spend all this time arguing on these
21. bills and I should think they should pass out of here 50 to nothing.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there further debate on 968 and 969? Further debate?
24. The question is shall House Bill 968 pass? Those in favor vote
25. Aye, those opposed vote Nay. The voting is open. Have all voted
26. who wish? Take the record. On that question the Ayes are 32,
27. the Nays are 13, 1 Voting Present. House Bill 968 having received
28. the constitutional majority is declared passed. For what pur-
29. pose, Senator Buzbee rise?

30. SENATOR BUZBEE:

31. Request of verification of the greens, Mr. President.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Buzbee has requested a verification of the affirma-

1. tive votes. Will all Senators be in their seats and the Secretary
2. will read those that voted in the affirmative.

3. SECRETARY:

4. The following voted in the affirmative: Bell, Berning,
5. Bloom, Brady, Carroll, Course, ...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Excuse me, Mr. Secretary, there's been a request to slow
8. down the reading of the affirmatives.

9. SECRETARY:

10. ... Daley, Dougherty, Glass, Graham, Harris, Hynes, Knuppel,
11. Kosinski, Latherow, Lemke, McCarthy, Merritt, Mitchler, Howard
12. Mohr, Don Moore, Nudelman, Ozinga, Palmer, Philip, Rock, Roe,
13. Romano, Savickas, Soper, Vadalabene and Welsh.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Buzbee, do you question the verification? Senator
16. Buzbee.

17. SENATOR BUZBEE:

18. Senator Hynes.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is Senator Hynes on the Floor? The Chair does not see the
21. presence of Senator Hynes. Remove his name from the record.

22. SENATOR BUZBEE:

23. Senator ... Kosinski.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Kosinski on the Floor? He's not on the Floor.
26. Remove his name from the roll call. Senator Buzbee.

27. SENATOR BUZBEE:

28. Senator McCarthy.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator ...

31. SENATOR BUZBEE:

32. Senator Philip.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The roll call has been verified.

2. SENATOR BUZBEE:

3. Senator ... Senator Romano.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Romano. The ... the roll call has been verified.

6. The Ayes are 30, the Nays are 13, 1 Voting Present. House Bill

7. 968 having received the constitutional majority is declared

8. passed. 969. There will not be discussion. The Secretary

9. will take ... the question is shall House Bill 969 pass? Those

10. in favor vote Aye, those opposed vote Nay. For what purpose

11. Senator Don Moore rise?

12. SENATOR MOORE:

13. I don't believe the Secretary has read the bill yet.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Secretary will read the bill a 3rd time.

16. SECRETARY:

17. House Bill 969.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is shall House Bill 969 pass? Those in favor

22. vote Aye, those opposed vote Nay. The voting is open. Have all

23. voted who wish? Have all voted who wish? Take the record. On

24. that question the Ayes are 34, the Nays are 9, 2 Voting Present.

25. House Bill 969 having received the constitutional majority is

26. declared passed. 973, Senator Johns. For what purpose Senator

27. Howard Mohr rise?

28. SENATOR MOHR:

29. Mr. President, I would just rise..I think it's appropriate to

30. mention at this time that the V.F.W. State Convention will be

31. held this weekend in Springfield and they no doubt will be

32. wearing their hats and be visiting us and we should all

33. be on guard.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Thank you, Senator Howard Mohr. House Bill 973 ... for
3. what purpose Senator Dougherty rise?

4. SENATOR DOUGHERTY:

5. I would like to ... thank you. I would like to address a
6. question to Senator Graham. Senator Graham

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Graham. If we could have some order, gentlemen.
9. Senator Dougherty.

10. SENATOR DOUGHERTY:

11. Senator Graham, I believe you will recall that we heard
12. mention here of a couple of majors. I would like to remind you
13. that you are still a colonel on the staff of the Governor of
14. New Mexico as well as myself and Senator Partee. So we out-
15. rank everybody in the House.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Graham, it is pointed out that you and Senator
18. Dougherty both hold the title of Colonel from the State of
19. New Mexico and he wanted it to be known that you were a fuel rank.
20. Senator Graham, it would be nice if the Chair could here what
21. was going on. Senate Bill 988, Senators Rock and Bloom.

22. SECRETARY:

23. House Bill 988.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President, Ladies and Gentlemen of the Senate,
30. House Bill 988, cosponsored by Senator Bloom and myself, is an
31. amendment to the State Employees' Retirement System, that part of
32. the system that concerns itself with the State Police, the State
33. Policemen. What it does is this bill clarifies that a State

1 Policeman may receive retirement annuity at age fifty with twenty-five
2 years of service whether or not he remains in service to age fifty. It
3 also...this matter was before the Pensions Laws Commission some time ago
4 and we on the Commission at that time asked the troopers to poll their
5 membership with respect to the question of increased contribution. This
6 bill doesn't...the membership was favorable. This bill does, in fact,
7 call for an increase in the contribution rate for...from seven and a
8 half to eight percent of salary. It revises the annuity formula to
9 grant two and a half times for the first ten years of service, two and a
10 half percent for second ten years and two and three quarters for the last
11 ten years of service so that the sum total could equal seventy-five per-
12 cent of salary after thirty years of service. There is no known oppo-
13 sition. The Pensions Laws Commission is in favor and I would again point
14 out that there is an increase of a half of a percent of contribution.
15 I seek a favorable roll call.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Is there further debate? The question is shall House Bill
18 988 pass? Those in favor vote Aye, those opposed vote Nay. The
19 voting is open. Have all voted who wish? Take the record. On
20 that question the Ayes are 50, the Nays are 1, none Voting Present.
21 House Bill 988 having received the constitutional majority is
22 declared passed. House Bill 996. I'm sorry, Senator Clarke on
23 990 I skipped that bill. House Bill 990, Senator Clarke.

24 SECRETARY:

25 House Bill 990.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDING OFFICER: (SEANTOR BRUCE)

29 Senator Clarke.

30 SENATOR CLARKE:

31 Mr. President, I'm going to ask that this bill be held. I...
32 Senator Glass has an amendment being prepared by some school
33 people, Senator Partee asked me to hold it and I said I would be

1. more than happy to, but I'd like to have a special dispensation.
2. This is an important issue and when everybody is ready and wants
3. to shoot at it or ... you know, then we'll call it back.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Partee.

6. SENATOR PARTEE:

7. I think what Senator Clarke has requested is very reasonable
8. and there should be a special dispensation made to get back to
9. this bill as soon as all the amendments are in and they've
10. proffered them and he lets me know that he has them all. We'll
11. be ... we'll go back to it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Clarke has asked leave to go out of the ordinary
14. course of business when 990 is ready for consideration. Is
15. there leave? Leave is granted. House Bill 996, Senator Carroll.
16. Read the bill, Mr. Secretary.

17. SECRETARY:

18. House Bill 996.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President. House Bill 996 is allowance to
25. the Chicago Sanitary District for the issuance of short term
26. anticipatory notes. The maturity dates cannot exceed a year.
27. They are at current interest rates. There is a need for the
28. short term interim financing through the anticipatory note
29. method, and I would ask for a favorable roll call.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further debate? The question is shall House Bill
32. 996 pass? Those in favor vote Aye, the opposed vote Nay. The
33. voting is open. Have all voted who wish? Take the record. On

1. that question the Ayes are 47, the Nays are none, none Voting
2. Present. House Bill 996 having received the constitutional
3. majority is declared passed. House Bill 997, Senator Wooten.
4. House Bill 999, Senator Schaffer.

5. SECRETARY:

6. House Bill

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. For what purpose Senator Partee rise?

9. SENATOR PARTEE:

10. I just had an announcement. On your agreed bill list
11. there are three bills for diverse reasons will be coming off of
12. that agreed bill list, they are House Bill 1450, 2202 and 2560
13. ... and 1685 at the request of the sponsor. That's 1450, 1685,
14. 2202 and 2560, off of the agreed list.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator, I would take that that would be in the order of a
17. motion that they be removed from the agreed bill list. Senator
18. Partee has so moved. All in favor say Aye, opposed Nay. Ayes have it. The
19. bills are removed from the agreed bill list. We were on House
20. Bill 999, Senator Schaffer.

21. SECRETARY:

22. House Bill 999.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Schaffer.

27. SENATOR SCHAFFER:

28. Senate Bill ... or pardon me, House Bill 999 does exactly
29. the same thing that House Bill 999 from the last Session did
30. except that it applies it State-wide. The concept involved is
31. having the Department of Local Government apportion taxes and
32. overlapping taxing bounties that overlap county lines. Last
33. year the Department of Local Government came in and indicated

1. that they did not have the staff or personnel to handle it on a
2. State-wide basis, consequently the bill was limited to counties
3. over two hundred thousand. This year they indicate that they are
4. in a position. They were in ... in Committee in support of the
5. bill and it passed out unanimously. I know of no opposition to
6. the bill. I think it's a necessary, needed step which the De-
7. partment can handle.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there further debate? The question is shall House Bill
10. 999 pass? Those in favor vote Aye, those opposed vote Nay. The
11. voting is open. Have all voted who wish? Take the record. On
12. that question the Ayes are 47, the Nays are none, none Voting
13. Present. House Bill 999 having received the constitutional
14. majority is declared passed. The Chair has been asked on several
15. occasions why certain bills are skipped. We would make the
16. announcement again that those bills that are not called are on
17. the agreed bill list and that is why they are not called by the
18. Chair. Next bill would be, House Bill 1038, Senator Kenneth Hall.

19. SECRETARY:

20. House Bill 1038.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Kenneth Hall.

25. SENATOR KENNETH HALL:

26. Thank you, Mr. President and members of the Senate. This
27. is ... reappropriates to State Treasurer, for debt services due
28. prior to July the 1st, 1974 and this is the Treasurer's bill
29. and I'd ask your most favorable support of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further debate? The question is shall House Bill
32. 1038 pass? Those in favor vote Aye, those opposed vote Nay. The
33. voting is open. Have all voted who wish? Take the record. On

1. that question the Ayes are 51, the Nays are none, none Voting
2. Present. House Bill 1038 having received the constitutional
3. majority is declared passed. 1039, Senator Kenneth Hall. For
4. what purpose Senator Hall rise?

5. SENATOR KENNETH HALL:

6. To 1039, I have an amendment from the Bureau of the Budget,
7. so it's been asked that I hold this bill until the staff on
8. both sides get ... this is what the Bureau does everytime in
9. regards to this bill so ... I've agreed to hold this one until
10. both sides get a chance to look at it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Take it from the record. Senator Hall on 1040.

13. SENATOR KENNETH HALL:

14. I will want to remove it at the end back to 2nd reading for
15. the purpose of this amendment, though.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Alright. 1040, Senator Hall.

18. SENATOR KENNETH HALL:

19. Go ahead with 1040.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. House Bill 1040. What purpose does Senator Kenneth Hall rise?

22. SENATOR KENNETH HALL:

23. I understand that the other side has no objection but I
24. haven't heard from my side yet so we'll still follow that order.
25. We'll take 1040.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. 1040.

28. SECRETARY:

29. House Bill 1040.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Kenneth Hall.

1. SENATOR KENNETH HALL:

2. Thank you, Mr. President, members of the Senate. This
3. appropriates one million nine hundred seventy-six thousand for
4. the 1976 Fiscal Year for the ordinary and contingent expenses of the
5. office of State Treasurer. I ask your most favorable support.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there further debate? The question is shall House Bill
8. 1040 pass? Those in favor vote Aye, those opposed vote Nay. The
9. voting is open. Have all voted who wish? Take the record. On
10. that question the Ayes are 59, the Nays are none, none Voting
11. Present. House Bill 1040 having received the constitutional
12. majority is declared passed. There's been a request for a
13. verification. It's withdrawn. House Bill 1041, Senator
14. Kenneth Hall. 1041?

15. SENATOR KENNETH HALL:

16. Yes.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Read the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 1041.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Kenneth Hall.

25. SENATOR KENNETH HALL:

26. Thank you, Mr. President, members of the Senate. This
27. amends the State Finance Act and creates matured bonds and
28. coupon funds as special funds the State Treasurer. I ask your
29. most favorable support.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further debate? The question is shall House Bill
32. 1041 pass? Those in favor vote Aye, those opposed vote Nay.

33. The voting is open. Have all voted who wish? Take the

1. record. On that question the Ayes are 56, the Nays are none,
2. none Voting Present. House Bill 1041 having received the con-
3. stitutional majority is declared passed. 1042, Senator Hall.

4. SECRETARY:

5. House Bill 1042.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Kenneth Hall.

10. SENATOR KENNETH HALL:

11. Thank you, Mr. President, members of the Senate. This
12. appropriates two hundred thousand from matured bonds and coupon
13. funds of the State Treasurer for payment of matured bonds and
14. coupons and I ask your most favorable support.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further debate? The question is shall House Bill
17. 1042 pass? Those in favor vote Aye, those opposed vote Nay.
18. The voting is open. Have all voted who wish? Take the record.
19. On that question the Ayes are 54, the Nays are 1, none Voting
20. Present. House Bill 1042 having received the constitutional
21. majority is declared passed. 1043, Senators Lemke and Brady.
22. Read the bill, Mr. Secretary.

23. SECRETARY:

24. House Bill 1043.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Lemke.

29. SENATOR LEMKE:

30. This is a bill to certify farm labor contracts by the
31. Department of Labor. What it does is ... is try to get at the
32. migrant problem by out-of-state labor contractors who come in
33. here and recruit by the head. Amendments have been put on the

1. bill by ... with agreements from ... the growers and the
2. farm bureau to make the bill pliable so it doesn't affect our
3. farmers here in the State of Illinois and I ask for a favorable
4. roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further debate. The question is shall House Bill
7. 1043 pass? Those in favor vote Aye, those opposed vote Nay. The
8. voting is open. Have all voted who wish? Take the record. On
9. that question the Ayes are 53, the Nays are none, none Voting
10. Present. House Bill 1043 having received the constitutional
11. majority is declared passed. 1044. For what purpose Senator
12. Rock rise?

13. SENATOR ROCK:

14. Thank you, Mr. President. Point of personal privilege.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. State your point.

17. SENATOR ROCK:

18. Thank you, Mr. President, Ladies and Gentlemen of the Senate,
19. the Chamber is graced this afternoon by a bevy of beauties, the
20. likes of which man has never seen. Seated in the gallery behind
21. the right side of the aisle, and I say that literally, are
22. three lovely ladies, Mrs. Thomas Hynes, Mrs. Neil Hartigan and
23. Mrs. Robert Egan. I wish they'd stand and be recognized.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Would they please stand and be recognized by the Senate.

26. House Bill 1040 ... 1044, Mr. Secretary. For what purpose
27. Senator Harris rise?

28. SENATOR HARRIS:

29. A point of personal privilege.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. State your point.

32. SENATOR HARRIS:

33. I have a message for Senator Rock, flattery will get you

1. somewhere.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. House Bill 1044.

4. SECRETARY:

5. House Bill 1044.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Lemke.

10. SENATOR LEMKE:

11. This is a similar bill to 1043 ... to get at the problem of

12. out-of-state crew chiefs who come in Illinois and it's been

13. amended to fit ... so that the farmers and the ... and the growers

14. are protected and ... and are exempt and I ask for a favorable

15. roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? The question is shall House Bill

18. 1044 pass? Those in favor vote Aye, those opposed vote Nay.

19. The voting is open. Have all voted who wish? Take the record.

20. On that question the Ayes are 49, the Nays are 1, none Voting

21. Present. House Bill 1044 having received the constitutional

22. majority is declared passed. House Bill 1045, Senator Lemke.

23. Mr. Secretary, read the bill.

24. SECRETARY:

25. House Bill 1045.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Lemke.

30. SENATOR LEMKE:

31. This is part of the same 1043 and 44. This is the same kind

32. of bill only gets it to private employment agencies and amend-

33. ments have been put on when agreements with the growers and the

1. farmers in the State of Illinois. I ask for a favorable roll call.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further debate? The question is shall House Bill
4. 1045 pass? Those in favor vote Aye, those opposed vote Nay. The
5. voting is open. Have all voted who wish? Have all voted who
6. wish? Take the record. On that question the Ayes are 53, the
7. Nays are none, 3 Voting Present. House Bill 1045 having received
8. the constitutional majority is declared passed. House Bill
9. 1046, Senator Kenneth Hall. Read the bill Mr. Secretary.

10. SECRETARY:

11. House Bill 1046.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Kenneth Hall.

16. SENATOR KENNETH HALL:

17. Thank you, Mr. President and members of the Senate. House
18. Bill 1046 amends the FY 1975 appropriation for the Commission
19. on Human Relation. It transfers ten thousand five hundred and
20. fifty-one dollars between several major objects of appropriation
21. and leaves the agency totally unchanged. That's all the bill
22. does. I'd ask for your most favorable support.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there debate? The question is shall House Bill 1046
25. pass? Those in favor vote Aye, those opposed vote Nay. The
26. voting is open. Have all voted who wish? Take the
27. record. On that question the Ayes are 51, the Nays are none,
28. 2 Voting Present. House Bill 1046 having received the constitu-
29. tional majority is declared passed. House Bill 1047. Read the
30. bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 1047.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Brady.

4. SENATOR BRADY:

5. House Bill 1047 does exactly as what's stated in the synopsis

6. and I ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there debate? The question is shall House Bill 1047

9. pass? Those in favor vote Aye, those opposed vote Nay. The

10. voting is open. Have all voted who wish? Take the record. On

11. that question the Ayes are 49, the Nays are none, 6 Voting Present.

12. House Bill 1047 having received the constitutional majority is

13. declared passed. Senator Brady, the Chair has been asked, is

14. that your first bill to pass?

15. SENATOR BRADY:

16. Yes, it is, Mr. Chairman.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Congratulations, then. Senator Wooten.

19. SENATOR WOOTEN:

20. Mr. President, while we're on that order of business, I

21. would like to call attention of the Body at picnicing in the

22. President's Gallery are Mr. and Mrs. Morris and their son William.

23. I'd like to have them rise and be greeted by the members of the

24. Senate. Mr. and Mrs. Morris.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Asked that they stand and be recognized. For what ... House

27. Bill 1053, Senator Lemke. Sorry, that's on the agreed list.

28. 1055, Senator Rock. Read the bill, Mr. Secretary.

29. SECRETARY:

30. House Bill 1055.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Rock.

2. SENATOR ROCK:

3. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
4. House Bill 1055 sponsored by Representative LaFleur is the
5. amendment to the General Assembly Retirement System and it
6. attempts to clear a problem that we ran into last year and worked
7. long and hard. I wish Senator Shapiro and Berning were on the
8. Floor. We had a conference committee last Session and this
9. was the subject of some concern. We think by virtue of House
10. Bill 1055 we have resolved the problem. It will allow credit
11. in the system, the General Assembly System, by a member for
12. service rendered before 1964 in judicial capacities, to which
13. we added last year the fact that the contribution had to be more
14. than commensurate. The bill as I understand it, now applies to
15. very, very few individuals and has in fact been approved by the
16. Pension Laws Commission because it is so restrictive. I would
17. seek a favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further debate? The question is shall House Bill
20. 1055 pass? Those in favor vote Aye, those opposed vote Nay. The
21. voting is open. Have all voted who wish? Have all voted who
22. wish? Take the record. On that question the Ayes are 52, the
23. Nays are none, 2 Voting Present. House Bill 1055 having received
24. the constitutional majority is declared passed. House Bill 1056,
25. Senator Kosinski. Hold. House Bill 1057, Senator Johns. Read
26. the bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 1057.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Johns.

33. SENATOR JOHNS:

1. Thank you, Mr. President. House Bill 1057 is the updating
2. of a ... of a piece of legislation. It's not a new Act. Essentially
3. the proposed changes in the minimum salary section, 122 para-
4. graph 24-8, are to bring this portion of the law into line with
5. the economic changes which have taken place in the State of
6. Illinois since the last substantial minimum salary revisions in
7. the year 1969. It increases the minimum compensation for be-
8. ginning, inexperienced teachers from the current levels, which
9. are no longer applicable to the current economy considering the
10. dramatic shifts which have taken place in the fiscal climate
11. of the State over the last 6 years. I would be glad to tell
12. you that one should keep in mind that these modest increases
13. in most cases do not, I repeat, do not even approximate the
14. average increased cost of living which has occurred since the
15. last revision of this section of that law back in 1969. I
16. would attempt to answer your questions. I would appreciate a
17. favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further debate? Senator Regner.

20. SENATOR REGNER:

21. Senator Johns, do you have any idea what this is going to
22. cost the local school districts?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Johns.

25. SENATOR JOHNS:

26. I do. It would cost approximately seven million dollars
27. throughout the State.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Regner.

30. SENATOR REGNER:

31. Will they get this money from increased State funds or will
32. they get it from local taxation?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Johns.

2. SENATOR JOHNS:

3. Probably both.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Regner.

6. SENATOR REGNER:

7. We do have problems in this area and especially this week
8. of fiscal conservatism. I realize this is an IEA bill and they're
9. pushing for it, but I think it's a bad proposal and I think it
10. should be defeated.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Glass.

13. SENATOR GLASS:

14. Would the sponsor yield?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates he will yield.

17. SENATOR GLASS:

18. Senator Johns, I think you may recall that I gave you a
19. copy of an amendment and I ... I would request that the bill be
20. taken back to 2nd for purposes of my offering that amendment. I
21. did indicate to Representative Chuck Keller that I would ...
22. would do that and to the superintendent that was here and I
23. would like to explain the problem that the bill creates and seek
24. to amend it.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Johns.

27. SENATOR JOHNS:

28. Well, Senator Glass, you know that I've read your amendment.
29. I've told you that I would resist it. In all fairness to you
30. probably, I should pull it back so that you could explain your
31. amendment, but I would do so only with that understanding clearly
32. that I oppose the amendment at this time.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Johns, are you asking leave to return the bill to
2. the order of 2nd reading?

3. SENATOR JOHNS:

4. Yes, for the purposes of hearing Senator Glass' amendment.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Johns asks leave. Is leave granted? Leave is
7. granted. Bill is on the order of 2nd reading. (Machine cut
8. off) have the amendment? Senate Bill 1057 is on the order of
9. 2nd reading.

10. SECRETARY:

11. Amendment No. 1 offered by Senator Glass.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Glass.

14. SENATOR GLASS:

15. Thank you, Mr. President, and I would like to have the
16. attention of the members. This bill, House Bill 1057, increases
17. the minimum salary for teachers in Illinois and I have no
18. quarrel with the increase at the lower level, that is it would
19. increase the minimum salary to seven thousand a year and
20. what it also does is increase the steps as the teachers advance
21. in salary throughout the schedule. It increases these steps
22. so that the cost really is excessive in some instances as the
23. teachers have moved up to higher levels of ... of the salary
24. schedule. Now, unfortunately this matter did not come to my
25. attention until after the bill had reached 2nd reading, rather
26. 3rd reading and I apologize, Senator Johns, for not knowing it
27. sooner. But let me give you this specific example of one school
28. district and indicate what the amendment does. This happens to
29. be the Effingham Community Unit District No. 40. In that
30. district the salary schedule that was achieved by contract with
31. the teachers is well in excess of the bill that we're now
32. looking at, so that the teachers in that district would receive
33. more compensation than is required under the minimum salary

1. schedule. However, because of the increases that must be given
2. up the line to teachers who are ... who have been teaching for
3. a number of years, the cost of implementing this bill and this
4. is in part in answer to Senator Regner's point, the ... under
5. the salary schedule now in existence, the teachers have approved
6. increases of a hundred and eight thousand dollars. So the
7. district is now prepared to increase those salaries by a hundred
8. and eight thousand. However, adding this minimum salary
9. schedule into the law would ... would increase that by sixty-
10. seven million. So it would be a..sixty-seven thousand, pardon
11. me, so from a hundred and eight thousand the district would
12. have to come up with an additional sixty-seven thousand. I
13. think that is the problem not ... not the minimum but the step
14. increase. So that what the amendment does very simply is ...
15. is change three of the step increases by reducing them from a
16. thousand to seven hundred and fifty in one case, from fifteen
17. hundred down to a thousand, from twenty-one hundred down to
18. sixteen hundred and for a master's degree ... there are changes
19. that are indicated twelve hundred and fifty after 5 years,
20. two thousand step increase after 8 years, twenty-seven fifty
21. after 13 years. It's a more modest level of increase. It
22. is not a lowering of the ... the minimum salary schedule. And
23. I would urge the adoption of this amendment.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further debate? The question is on the adoption
26. of Amendment No. 1 to 1057. Those in favor vote Aye, those
27. opposed vote Nay. The voting is open. The motion is to adopt
28. the amendment of Senator Glass. It is not a motion to Table.
29. It is a motion to adopt. Have all voted who wish? Have all
30. voted who wish? Take the record. On that question the Ayes
31. are 25, the Nays are 24. The amendment having received a
32. majority of those voting is adopted. Are there ... are there
33. further amendments? Senator McCarthy.

1. SENATOR MCCARTHY:

2. How am I recorded, Mr. President?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. There's a request by Senator Johns to verify the roll call.
5. Senator Johns requests a verification. Will all the Senators
6. be in their seats? Secretary will ... will read the affirmative
7. votes, Senator Johns? Affirmative votes.

8. SECRETARY:

9. The following voted in the affirmative: Bell, Berning,
10. Bloom, Chew, Clarke, Fawell, Glass, Graham, Harber Hall, Harris,
11. Hickey, Latherow, Merritt, Mitchler, Howard Mohr, Don Moore,
12. Nimrod, Ozinga, Philip, Regner, Roe, Shapiro, Sommer, Soper
13. and Weaver.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Johns, do you question the verification?

16. SENATOR JOHNS:

17. I do. Yes, I do. Where's Senator Chew?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is Senator Chew on the Floor?

20. SENATOR JOHNS:

21. Shapiro. Is Shapiro here?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Shapiro on the Floor?

24. SENATOR JOHNS:

25. Senator Shapiro's not here.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Shapiro will be removed. Is Senator Chew on the
28. Floor?

29. SENATOR JOHNS:

30. No.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Remove his name from the roll call. On that question ...
33. request for a verification by Senator Soper that the negative

1. votes be verified. Secretary will call ... those who voted in the
2. negative.

3. SECRETARY:

4. The following voted in the negative: Brady, Bruce, Carroll,
5. Course, Davidson, Demuzio, Donnewald, Dougherty, Egan, Kenneth
6. Hall, Hynes, Johns, Knuppel, Lane, Lemke, McCarthy, Morris,
7. Newhouse, Palmer, Rock, Smith, Vadalabene, Wooten, Mr. President.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Soper, do you question the verification? Is ...
10. Senator Carroll is in his seat. Is Senator Palmer on the Floor?
11. Senator Palmer is behind Senator Weaver. Roll call has been
12. verified. The Ayes are 23, the Nays are 24. The motion to
13. adopt fails. Any further amendments? 3rd reading.

14. PRESIDENT:

15. House Bill 1057, Senator Johns. Senator Johns

16. SECRETARY:

17. House Bill 1057.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Question is shall House Bill 1057 pass? Those in favor
22. will vote Aye, opposed Nay. The voting is open.
23. For what purpose does Senator Graham rise?

24. SENATOR GRAHAM:

25. I want to remind the brethren of what they're doing. And I
26. was asking for recognition before you asked for the vote. You
27. are, gentlemen and ladies, perhaps fiscal conservatives getting
28. ready to raise your taxes. You're getting ready to fly in the
29. opposition of the Illinois Association of School Boards and
30. the Illinois Association of School Administrators, the Illinois
31. State Chamber of Commerce, and you're contributing to the further
32. movement towards the abolition of the school boards. If we're
33. not going to let them have any power we ought to abolish them

1. anyway. We're saying that all the fountain of wisdom with
2. regards to schools either rests with the IEA or the Illinois
3. General Assembly and I don't believe that's true.

4. PRESIDENT:

5. Mr. Secretary, erase the board. We'll start over. Erase
6. the board. The question is shall House Bill 1057 pass? Those
7. in favor vote Aye, opposed Nay. The voting is open. Have all
8. voted who wish? Take the record. Senator Johns.

9. SENATOR JOHNS:

10. I move to postpone.

11. PRESIDENT:

12. Postpone Consideration. House Bill 1063, Senator Egan.

13. SECRETARY:

14. House Bill 1063.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Egan.

19. SENATOR EGAN:

20. Thank you, Mr. President, members of the Senate, the ... the
21. Calendar is incorrect insofar as ... it permits the assessor of
22. certain counties to assess real estate property in accordance
23. with the applicable classification ordinance. What it...what it
24. does is it conforms his oath of office. A very simple idea. It's
25. just the oath of office is now requires that ... that he ... he
26. assess property ... according to the old system. Now he ... he
27. assesses property on a classification based on the ordinance, the
28. local ordinance. This merely conforms his oath to the practice
29. established by law and I would seek your favorable consideration.

30. PRESIDENT:

31. Any further discussion? The question is shall House Bill
32. 1063 pass? Those in favor will vote Aye, opposed Nay. The
33. voting is open. Have all voted who wish? Take the record. On

1. that question the Ayes are 49, the Nays are none, with none
2. Voting Present. House Bill 1063 having received the constitu-
3. tional majority is declared passed. House Bill 1070, Senator
4. Savickas. House Bill 1095, Senator Lane.

5. SECRETARY:

6. House Bill 1095.

7. (Secretary reads title of bill)

8. PRESIDENT:

9. For what purpose you rise, Senator?

10. SENATOR LANE:

11. I'd like leave to return House Bill 1095 back to 2nd
12. reading for the purpose of amending.

13. PRESIDENT:

14. Is leave granted. Leave is granted. 1095 is on 2nd reading.

15. The Chair recognizes Senator Lane.

16. SENATOR LANE:

17. I move to reconsider the vote of Amendment No. 1.

18. PRESIDENT:

19. Would you explain that, Senator? Some members will have
20. trouble with that.

21. SENATOR LANE:

22. Yes. There's an amendment on here has to have a technical
23. correction and I want to eliminate the amendment that's on
24. file and submit a corrected amendment.

25. PRESIDENT:

26. Senator Lane moves to reconsider the vote by which Amend-
27. ment No. 1 was adopted. All in favor say Aye, opposed Nay.
28. The amendment is reconsidered. Senator Lane moves to Table
29. Amendment No. 1. All in favor will say Aye, opposed Nay. Amend-
30. ment No. 1 is Tabled. Amendment No. 2, Senator Lane.

31. SENATOR LANE:

32. Yes, Amendment No. 2 has a corrected line numbers on
33. there and that's the extent of the corrected amendment.

1. PRESIDENT:
2. Any discussion? Senator Lane moves the adoption of Amend-
3. ment No. 2 to Senate Bill 1095. All in favor will say Aye,
4. opposed Nay. Amendment No. 2 is adopted. Any further amendments?
5. 3rd reading. House Bill 1097, Senator Don Moore and Senator
6. Soper. House Bill 1098, Senator Welsh. Read the bill.
7. SECRETARY:
8. House Bill 1098.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDENT:
12. Senator Welsh.
13. SENATOR WELSH:
14. Mr. President, I seek leave of the Body to return House
15. Bill 1098 back to the order of 2nd reading for purposes of an
16. amendment.
17. PRESIDENT:
18. Is leave granted. Leave is granted. House Bill 1098 is
19. on the order of 2nd reading. Senator Welsh.
20. SENATOR WELSH:
21. Mr. President, I now yield to Senator Glass.
22. PRESIDENT:
23. Senator Glass is recognized.
24. SENATOR GLASS:
25. Thank you, Mr. President. I spoke to Senator Welsh on
26. this amendment. It would take school districts out of the bill
27. and have it apply to units of local governments and municipalities.
28. There's another bill on the same subject pertaining to school
29. districts. So I would move for adoption of the amendment.
30. PRESIDENT:
31. Any further discussion? Senator Glass moves the adoption of
32. Amendment No. 2 to House Bill 1098. All in favor will say Aye,
33. opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any

1. further amendments? 3rd reading. House Bill 1095, Senator Lane.
2. SECRETARY:
3. House Bill 1095.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDENT:
7. Senator Lane.
8. SENATOR LANE:
9. Yes Sir, Mr. President. This bill would provide the Depart-
10. ment of Public Health with the authority to license, regulate
11. structural pest control operations and certify pest control
12. technicians. I request a favorable roll call.
13. PRESIDENT:
14. Any further discussion? The question is shall House Bill
15. 1095 pass? Those in favor will vote Aye, opposed Nay. The
16. voting is open. Have all voted who wish? Take the record. On
17. this question the Ayes are 42, the Nays are 8, with none Voting
18. Present. House Bill 1095 having received the constitutional
19. majority is declared passed. House Bill 1098, Senator Welsh. For
20. what purpose does Senator Netsch rise?
21. SENATOR NETSCH:
22. Just for the record, I did not hit my no button in time, but
23. that's how I would have voted on 1095.
24. PRESIDENT:
25. The record will so show. House Bill 1098, Senator Welsh.
26. SECRETARY:
27. House Bill 1098.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDENT:
31. Senator Welsh.
32. SENATOR WELSH:
33. Thank you, Mr. President. House Bill 1098 amends an Act ...

1 an ACT relating to transfer of interest and real estate by units
2 of local government. It extends from twenty years to fifty years the
3 maximum term for a lease of real property from for one unit of local
4 government to another. I...I would appreciate a favorable
5 roll call.

6 PRESIDENT:

7 Any further discussion? Question is shall House Bill 1098
8 pass? Those in favor will vote Aye, those opposed Nay. The
9 voting is open. Have all voted who wish? Take the record.
10 On this question the Ayes are 48, the Nays are none, with 3 Voting
11 Present. House Bill 1098 having received the constitutional
12 majority is declared passed. House Bill 1109, Senator Weaver.

13 SECRETARY:

14 House Bill 1109.

15 (Secretary reads title of bill)

16 3rd reading of the bill.

17 PRESIDENT:

18 Senator Weaver.

19 SENATOR WEAVER:

20 Thank you, Mr. President and members of the Senate. This does
21 just as the Calendar states. It's basically a recodification
22 of the old Civil Defense Agency Statute. This is a model bill.
23 It's been adopted by forty-six states in the United States and
24 I'd appreciate a favorable roll call.

25 PRESIDENT:

26 Question is shall House Bill 1109 pass? Those in favor vote
27 Aye, opposed Nay. The voting is open. Have all voted who wish?
28 Take the record. On this question the Ayes are 49, the Nays are
29 none, with none Voting Present. House Bill 1109 having received
30 the constitutional majority is declared passed. House Bill 1097,
31 Senator Don Moore.

32 SECRETARY:

1. House Bill 1097.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Don Moore.

6. SENATOR MOORE:

7. Thank you, Mr. President and members of the Senate. House
8. Bill 1097 relates to public libraries in cities, villages, incor-
9. porated towns and townships and mergers. The present law makes
10. no provision for mergers of two such governmental units when a
11. public library is involved. The bill is required because library
12. property is owned by library boards and bills provide for an
13. orderly merger of two library boards and all the assets and
14. assumption and liabilities. It would not permit any change in the
15. library rate without referendum. It's recommended by the
16. Secretary of State. I'd move for a favorable roll.

17. PRESIDENT:

18. Any discussion? Question is shall House Bill 1097 pass?
19. Those in favor vote Aye, opposed Nay. The voting is open. Have
20. all voted who wish? Take the record. On this question the
21. Ayes are 46, the Nays are none, with none Voting Present. House
22. Bill 1097 having received the constitutional majority is declared
23. passed. House Bill 1112, Senator Vadalabene.

24. SECRETARY:

25. House Bill 1112.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. Yes, House Bill 1112 amends the Illinois Purchasing Act
32. recommended by the Audit Commission and what it does, it provides
33. for trust accounts wherever State contracts call for retainage or

1 of a percentage of a contract until a contract is finally com-
2 pleted and the work is accepted for repair, remodeling, reno-
3 vation or construction of a building or structure or for the
4 construction of a maintenance of a highway and I'd appreciate a
5 favorable vote.

6 PRESIDENT:

7 Any further discussion? Senator Wooten.

8 SENATOR WOOTEN:

9 Senator Vadalabene, does this change the retainage pro-
10 cedure?

11 PRESIDENT:

12 Senator Vadalabene.

13 SENATOR VADALABENE:

14 Yes.

15 PRESIDENT:

16 Senator Wooten.

17 SENATOR WOOTEN:

18 Someone said in regard to this bill, how did such good bills
19 get on the books? The retainage procedure, is I think a wholly
20 proper approach to take when we're dealing with construction in
21 the State and I...I think this alternate approach is inferior
22 in every way to the procedure that we have now and I would urge
23 opposition to this bill. I'd like for the members to look very
24 carefully at what is proposed here and see if you really want
25 to make a change in a law that has been long established and has
26 worked quite well for the State and the people who work for the
27 State. Take a good, hard look at this bill before you vote it
28 out.

29 PRESIDENT:

30 Any further discussion? Senator Vadalabene may close the
31 debate. Senator Bruce, do you desire recognition? Senator
32 Bruce.

33 SENATOR BRUCE:

1. Well, I wonder if the sponsor would yield to a question?

2. PRESIDENT:

3. Senator Vadalabene, will you yield? He indicates he will.

4. Senator Bruce.

5. SENATOR BRUCE:

6. Yes. Are there other agencies of State government in ... in
7. the size of the Department of Transportation involved in such
8. activities presently?

9. PRESIDENT:

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. The Capital Bond Board.

13. PRESIDENT:

14. Senator Bruce.

15. SENATOR BRUCE:

16. But when CDB in ... is ... is constructing a building, there's
17. an ongoing relationship between them and ... and a servicing unit
18. like a junior college, is that not correct...Where they would
19. have some leverage at a later date?

20. PRESIDENT:

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. That is correct.

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. And this bill relates to the Department of Transportation
28. and contracts and completion of those contracts, is that not
29. correct?

30. PRESIDENT:

31. Senator Vadalabene.

32. SENATOR VADALABENE:

33. That is correct.

1. PRESIDENT:

2. Senator Bruce.

3. SENATOR BRUCE:

4. Well, I think that defines the problem that we face in doing
5. away with retainage in DOT contracts. Under the existing agree-
6. ment done with the Capital Development Board, CDB has the
7. authority to ... to sign off the completed bill ... building.
8. The difficulty that arises with this is there's no one that
9. really cares what the completion and the way in which the project
10. is completed. The contractor goes out and builds it. The DOT
11. has some limited amount of authority, but the ... the way that
12. the project is completed properly is a fact that the contractor
13. has not received full compensation. Now the alternative pro-
14. posed is that a trust account be established and the contractor
15. put into that a specified amount. The difficulty with that is
16. is the percentage is low and the interest arrived from that
17. account goes to the contractor. So long as he's drawing 7%
18. interest, a contractor is not going to be enthusiastic about
19. completing. There is no cut off time. We could litigate for
20. a great deal of time all the time the contractor is drawing
21. 7% if the retainage is 10% or less on a small job in a very
22. short time he will get more by letting the ... the suit hang
23. than settling and completing. I think it's a very bad piece
24. of legislation. I hope the membership takes a close look at
25. what's happening here.

26. PRESIDENT:

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
30. It is not at all unusual but I rise in support of House Bill
31. 1112 and would point out to the previous speakers who rose in
32. opposition, that back in 1971 we passed a bill, Senate Bill 782,
33. which allowed the Department of Transportation the option as this

1 bill does to follow exactly this procedure. That bill was
2 approved by the Governor, became effective on September 23, 1971.
3 Since that time forty million dollars in contracts have in fact
4 been effectuated under the similar provisions of this trust
5 account. The idea of a trust account is I think a workable
6 one. It is...another alternative to the present retainage
7 system and one I think that is sorely needed and I would urge
8 a favorable vote.

9 PRESIDENT:

10 Senator Bell.

11 SENATOR BELL:

12 Well, I...thank you, Mr. President. Senator Rock I...my
13 information is that...that really this trust account in refer-
14 ence to the Department of Transportation is really not in the...
15 on the same or comparable consideration because unlike DOT,
16 the Capital Development Board has no revolving funds to draw
17 upon in completing needed or unsatisfactory work and that their
18 only recourse to retainage is through the appropriation process.
19 Senator Rock, do you have any...

20 PRESIDENT:

21 Senator Rock.

22 SENATOR ROCK:

23 Well, just...just in response to that, I think that one
24 of the things that was pointed out in the committee inadequately, I
25 think, was that there was proffered a copy of the current trust
26 agreement under which some of the Department of Transportation
27 contracts currently exists. And I think that it was pointed out
28 that the trust agreement itself, when this trust account is set
29 up, can contain whatever terms the Department wishes to contain
30 and the Department in fact under the existing, this is the DOT,
31 under the existing trust account set up is...

32 PRESIDENT:

33 Senator McCarthy and the triumvirate, please. Senator Rock,

1 SENATOR ROCK: .

2is in fact the sole judge of the return or repayment
3 to the State of the retainage. The bank under the trust account
4 can...can refund the money only at the direction of the person
5 who is so directed under the trust account agreement, which in
6 this case as provided in this bill is the Department. So I
7 think the fears are...are frankly unwarranted and I think the
8 bill deserves our favorable consideration.

9 PRESIDENT:

10 Senator Harris.

11 SENATOR HARRIS:

12 Well, I just want to support Senator Rock and Senator
13 Vadalabene on this matter. I introduced the original legisla-
14 tion. That bill emulates the policy of most of the major states
15 and the federal government. The fact is that while the results
16 are not immediate, there is certainly the very direct ultimate
17 possibility that in the competitive system the fact that con-
18 tractors have available this working assest in connection
19 with their financing they can't use it of course to pay bills,
20 but it's...is constructive in the developement of their
21 financial statement that this in fact does provide an ultimate
22 advantage to the State in the competitive aspects of contract
23 price lowering. Now further, the safeguards as developed by
24 the Department of Transportation in the trust agreement are fully
25 protective of the rights and interest of the State. This is
26 sound, public policy in my judgement and ought to be supported. This
27 broadening legislation to include contractors other than those
28 involved in contracts with the Department of Transportation, is
29 perfectly acceptable and does make sense. I would urge support
30 of House Bill 1112.

31 PRESIDENT:

32 Any further discussion? The question is shall House Bill
33 1112 pass? Those in favor will vote Aye, opposed Nay. The

1 voting is open. Have all voted who wish? Have all voted? Take
2 the record. Senator...Senator Vadalabene...desires Postponed
3 Consideration. Place the bill on Postponed Consideration.

4 House Bill 1039, Senator Kenneth Hall. Senator Hall is recog-
5 nized. Senator Hall moves to recall House Bill 1039 from the
6 order of 3rd reading for the purpose of offering an amendment
7 on 2nd reading. Is there leave? Leave is granted. The bill
8 is on 2nd reading. Senator Kenneth Hall is recognized.

9 SENATOR KENNETH HALL:

10 The bill...simply that this was put by the Bureau of
11 the Budget. It's approved by both sides of the aisle and it
12 amends House Bill 1039 in line with what that is customary for
13 the...Bureau of the Budget to do in this regards and I'd ask
14 that this be adopted.

15 PRESIDENT:

16 Any discussion? Senator Kenneth Hall moves the adoption
17 of Amendment No. 1 to House Bill 1039. All in favor will say
18 Aye, opposed Nay. The Ayes have it. The amendment is adopted.
19 Any further amendments? 3rd reading. House Bill 1122, Senator
20 Savickas. House Bill 1129, Senator Don Moore. Read the bill.

21 SECRETARY:

22 House Bill 1129. ...House Bill 1129.

23 (Secretary reads title of bill)

24 3rd reading of the bill.

25 PRESIDENT:

26 Senator Don Moore.

27 SENATOR MOORE:

28 Thank you, Mr. President, members of the Senate. House Bill
29 1129 changes the law where it comes to expunging a record of
30 someone who is found not guilty or not convicted. It adds this
31 language - that the chief judge of any circuit wherein the charge
32 was brought, and then the new language - or any judge that the
33 circuit designated by the chief judge may upon verified petition

1 of the defendant order the arrest of the defendant be ex-
2 punged. Provides for notice of the State's attorney or prosecutor
3 unless there is an objection filed within thirty days from the date
4 of the notice the court shall enter an order granting or denying
5 the petition. I know...be happy to answer any questions.

6 PRESIDENT:

7 Senator Harber Hall.

8 SENATOR HARBER HALL:

9 Question of the sponsor. Senator Moore...

10 PRESIDENT:

11 Indicates he'll yield.

12 SENATOR HARBER HALL:

13 ...it seems to me that if we expunge the record of anyone
14 arrested and not convicted for the first time, that there'll
15 never be a second time since it will always be the first time.
16 There will be no record and therefore each time he's arrested so
17 long as he's not convicted...he won't have a record and the
18 court will not know that he has a previous record of arrest.

19 PRESIDENT:

20 Senator Don Moore.

21 SENATOR MOORE:

22 That's...that's the whole purpose of the bill. You can
23 be arrested and you're still innocent until you're proven
24 guilty. Once you are proven not guilty then...then the record
25 or if you are acquitted, then the record can be expunged and
26 rightfully so.

27 SENATOR HARBER HALL:

28 Well, I...I don't...I don't think the law enforcement
29 officials would say rightly so if you extend it to the proposition
30 that a person often times cannot be proven guilty, but the very
31 fact that he's been arrested on a number of occasions even though
32 that he was found not guilty or couldn't be proven guilty, it's
33 valuable I think for law enforcement officials to know that

1 someone has been arrested for certain offenses and I don't see
2 of any particular harm to the defendant.

3 PRESIDENT:

4 Senator Moore.

5 SENATOR MOORE:

6 Thank you, Mr. President. In court arrests are not considered
7 by the judge in fixing bail. They're not considered by...they
8 can't be introduced in evidence. You could be arrested ten times
9 and unless there's a conviction, why there is no record. I mean
10 I think this is one of the principles of justice that that
11 we have in this country that you're innocent until you're
12 proven guilty. If you're proven guilty you should have a record.
13 If you're proven not guilty or if you're acquitted, then you should
14 have the right to have that record expunged and what this bill
15 does is to give the chief judge the authority to designate
16 someone else besides himself. It also gives more than adequate
17 notice to the State's attorney who can come in and object, at
18 which time there's a hearing and the judge will go up or down
19 in granting the motion or not.

20 PRESIDENT:

21 Any further discussion? The question is shall House Bill
22 1129 pass? Those in favor will vote Aye, opposed Nay. The
23 voting is open. Have all voted who wish? Take the record. On
24 this question the Ayes are 55, the Nays are 1, with none Voting
25 Present. House Bill 1129 having received the constitutional
26 majority is declared passed. House Bill 1039, Senator Kenneth
27 Hall.

28 SECRETARY:

29 House Bill 1039.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDENT:

33 Senator Hall.

1 SENATOR KENNETH HALL:

2 Thank you, Mr. President, members of the Senate. Now this
3 is a bill in the Treasurer's package that we held for the pur-
4 pose of an amendment recommended by the Bureau of the Budget.
5 It's customary that they do this and the amendment is based on
6 the current sales estimate of seventy-five million of the capital
7 development bonds, fifty million of the anti-pollution bonds and one
8 of the major transportation bonds. It's necessary tht this goes
9 on at this time. I'd ask your most favorable support of this
10 bill.

11 PRESIDENT:

12 The question is shall House Bill 1039 pass? Those in favor
13 will vote Aye, opposed Nay. The voting is open. Have all
14 voted who wish? Take the record. On this question the Ayes
15 are 50, the Nays are none, with 2 Voting Present. House Bill
16 1039 having received the constitutional majority is declared
17 passed. House Bill 1133, Senator Brady. Read.

18 SECRETARY:

19 House Bill 1133.

20 (Secretary reads title of bill)

21 3rd reading of the bill.

22 PRESIDENT:

23 Senator Brady.

24 SENATOR BRADY:

25 As stated in the synopsis, this amends the Public Community
26 College Act to raise the flat grant minimum, but it doesn't raise
27 it to twenty-one seventy it only...there are three flat grant
28 levels, the highest of which is twenty-one seventy. The other
29 two are seventeen sixty-one for general students and nineteen
30 twenty for developmental review students. The establishment of
31 the three flat grant rate recognizes the differential program
32 costs for the various courses. I urge a favorable roll call.

33 PRESIDENT:

1. Senator Bruce.

2. SENATOR BRUCE:

3. Yes, Mr. President, I rise in support of House Bill 1133.
4. It is identical in form and cost to Senate Bills 471 and 472. The
5. amendment that was adopted puts the bill in the identical form
6. to the appropriation bills that floated out of here would add no addi-
7. tional cost at twenty-one seventy and nineteen sixty and a
8. seventeen sixty are all identical form to the appropriation bill
9. that has already passed out.

10. PRESIDENT:

11. Any further discussion? The question is shall House Bill
12. 1133 pass? Those in favor will vote Aye, opposed Nay. The
13. voting is open. Have all voted who wish? Take the record. On
14. this question the Ayes are 55, the Nays are none, with 1 Voting
15. Present. House Bill 1133 having received the constitutional
16. majority is declared passed. House Bill 1144, Senator Lemke.

17. SECRETARY:

18. House Bill 1144.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Lemke.

23. SENATOR LEMKE:

24. House Bill 1144 specifies changes of the law that specify
25. that the operators insurance policy is enough to establish proof
26. of financial responsibility. I ask for a favorable roll call.

27. PRESIDENT:

28. The question is ... any further discussion? The question is
29. shall House Bill 1144 pass? Those in favor will vote Aye, opposed
30. Nay. The voting is open. Have all voted who wish? Take the
31. record. On this question the Ayes are 48, the Nays are 4, with
32. 2 Voting Present. House Bill 1144 having received the constitu-
33. tional majority is declared passed. House Bill 1146, Senator

1. Harber Hall. Is the amendment ready? 1146, read the bill.

2. Senator Hall is recognized.

3. SENATOR HARBER HALL:

4. Leave of the Senate to have this bill returned to the order
5. of 2nd for purpose of an amendment.

6. PRESIDENT:

7. Is leave granted? Leave is granted. 1146 is on the order
8. of 2nd reading. Senator Harber Hall is recognized.

9. SENATOR HARBER HALL:

10. Mr. President, Senators, this amendment applies to the
11. Inheritance Tax Bill of Representative Yourell. This is the bill
12. that provides a 10% be retained in each county proceeds of the
13. Inheritance Tax. This amendment simply changes the procedure
14. for getting that 10% back to the counties by having the county
15. treasurer hold 10% out and send the balance, the 90% balance,
16. to the State. It conforms with another bill that was already
17. passed regarding the same matter. I move for adoption of the
18. amendment.

19. PRESIDENT:

20. Senator Hall, Harber Hall moves the adoption of Amendment
21. No. 1 to House Bill 1146. All in favor will say Aye, opposed
22. Nay. The Ayes have it. Amendment No. 1 is adopted. Any further
23. amendments? 3rd reading. House Bill 1156, Senator McCarthy.
24. Read the bill.

25. SECRETARY:

26. House Bill 1156.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator McCarthy.

31. SENATOR MCCARTHY:

32. Yes, Mr. President and members of the Body, this bill redefines
33. the affiliate under the Illinois Banking Act, and it prescribes the

1. support. I simply am curious as to what the cost will be in
2. revenue for the State.

3. PRESIDENT:

4. Senator Harber Hall.

5. SENATOR HARBER HALL:

6. I ... I'm thinking, Senator Wooten, it's a ... it's roughly
7. six million dollars ... probably closer to seven.

8. PRESIDENT:

9. Senator Wooten.

10. SENATOR WOOTEN:

11. Once again, there's nothing wrong with doing things that are
12. fair and just as we did a little bit earlier today but I think we
13. ought to be fully conscious of the price tag and know that we
14. must make up the money somewhere else.

15. PRESIDENT:

16. Senator Netsch.

17. SENATOR NETSCH:

18. Have ... a question of the sponsor, Senator Hall.

19. PRESIDENT:

20. He indicates he'll yield.

21. SENATOR NETSCH:

22. Is ... are you suggesting that this does have a relationship
23. to the cost of collection. That is that it is a direct reimburse-
24. ment for expenditures out of pocket?

25. PRESIDENT:

26. Senator Hall.

27. SENATOR NETSCH:

28. ... Or is it a money making measure for the counties?

29. PRESIDENT:

30. Senator Hall.

31. SENATOR HALL:

32. I certainly do not suggest that. There's no relationship
33. in the cost of collection. I say that it's a morally right bill

1 percentage limitation for which apparent bank can have the limit-
2 ation in...affiliate under the Bank Holding Act. This bill is
3 a administration bill supported by the Commissioner of Banks and
4 Trusts. Passed on the consent Calendar in the House, unanimous
5 in the committee.

6 PRESIDENT:

7 Any further discussion? The question is shall House Bill
8 1156 pass? Those in favor will vote Aye, opposed Nay. The voting
9 is open. Have all voted who wish? Take the record. On this
10 question the Ayes are 48, the Nays are none, with none Voting
11 Present. House Bill 1156 having received the constitutional
12 majority is declared passed. House Bill 1146, Senator Harber Hall.

13 SECRETARY:

14 House Bill 1146.

15 (Secretary reads title of bill)

16 3rd reading of the bill.

17 PRESIDENT:

18 Senator Harber Hall.

19 SENATOR HARBER HALL:

20 Mr. President, this is an Inheritance Tax Bill for counties
21 that would provide that each county collector would retain ten percent
22 of the total amount collected on Inheritance Tax, sending the
23 balance to the State of Illinois. This has never been done before.
24 Previously four percent was held out as a fee of the office. While
25 I don't think ten percent is sufficient, I agreed to sponsor the bill
26 with the House sponsor inasmuch as I had a similar bill that would provi
27 twenty-five percent to be retained in the counties. I believe this is
28 a good bill, if the other one isn't passed and signed by the Governor,
29 and I solicit your support for it.

30 PRESIDENT:

31 Any further discussion? Senator Wooten.

32 SENATOR WOOTEN:

33 This is another one of those measures which I would like to

1. the concept of retaining some of the Inheritance Taxes in the
2. county, 10% isn't sufficient but it's something. We have nothing
3. right now.

4. PRESIDENT:

5. Senator Netsch.

6. SENATOR NETSCH:

7. Do you happen to know what percentage would reimburse directly
8. the costs of collection? And this is the question...I'm really
9. asking for information on this.

10. PRESIDENT:

11. Senator Harber Hall.

12. SENATOR HARBER HALL:

13. Yes, a maximum of 1 1/2%.

14. PRESIDENT:

15. Senator Netsch.

16. SENATOR NETSCH:

17. 1 1/2% would reimburse. Well, I think the point is that as you
18. freely acknowledge, it is a means of putting money back into the
19. hands of the counties which is not immoral, I think it's simply
20. a question of timing and at the present time it very likely is not
21. the best time. We are faced with what now seems to be unanimously
22. agreed by all of our State elected officials, is a rather critical
23. time in terms of State revenue. They are beginning to show signs
24. of the recession which many people thought would happen. Some
25. expenditures simply cannot be cut back. We've been asked to make
26. reductions and I suspect we're probably going to throw it back
27. on the Governor to figure out a way himself to make it, and it
28. seems to me that to give away and I don't mean that give away in
29. an unkind sense, but to take out of the State Treasury right now
30. another six million dollars is probably not a very sound procedure.

31. PRESIDENT:

32. Any further discussion? Senator Harber Hall.

33. SENATOR HARBER HALL:

1. Is there any further discussion? I'll close.

2. PRESIDENT:

3. Senator Berning is recognized.

4. SENATOR BERNING:

5. Thank you, Mr. President. I just rise in support of this
6. measure. All too frequently we have been imposing burdens on the
7. counties without giving them the necessary operating funds. Here
8. is one small step we can take to provide some funds for the counties.

9. PRESIDENT:

10. Any further discussion? Senator Harber Hall may close the
11. debate.

12. SENATOR HARBER HALL:

13. Well, Mr. President, I share the concern and respect of the
14. fiscal situation that we find ourselves in in the State of Illinois
15. now, just a few years after passage of a rather lucrative Income
16. Tax. But in this case I have for years been advocating on a
17. moral principle that the counties are being deprived of money that on
18. any measure of equity they should be entitled to and I, at one
19. time suggested that 25% was a pretty small share of the Inheritance
20. Tax to be retained in the counties but I'd go along with it, so I
21. had a bill of 25% and in the committee hearing I said that I
22. would not, despite the fact that Governor Walker had indicated
23. that he would go for 10% and not 25% that I would not willing to
24. amend my own bill back to 10% because it was just wrong it was
25. so small. This is not my bill. I'm the Senate sponsor of it.
26. I'll do as ... as the House sponsor wants and asks to have it
27. supported at ... 10% rate. It's too small and ... but it should
28. be passed if the Governor's indicated that he would sign it, if
29. he still...if we haven't made the 6% across the board tax reductions
30. in the appropriations in the budget and he doesn't have the money
31. he can veto this but he's already indicated that he would sign
32. it. I solicit your support and hope the bill passes.

33. PRESIDENT:

1. The question is shall House Bill 1146 pass? Those in favor
2. vote Aye, opposed Nay. The voting in open. Have all voted who
3. wish? Take the record. On this question the Ayes are 38, the
4. Nays are 13, with 1 Voting Present. House Bill 1146 having
5. received the constitutional majority is declared passed. House
6. Bill 1160. The Chair recognizes Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
9. I ask leave to bring House Bill 1160 back to the order of 2nd
10. reading for the purpose of an amendment.

11. PRESIDENT:

12. Is there leave? Leave is ... leave is granted. House Bill
13. 1160 is now on the order of 2nd reading. Senator Rock.

14. SENATOR ROCK:

15. I think there's an amendment been placed on the Secretary's
16. Desk. It will be offered and explained by Senator Donnewald.

17. PRESIDENT:

18. Senator Donnewald.

19. SENATOR DONNEWALD:

20. Yes, Mr. President. This amendment is needed to protect the...

21. PRESIDENT:

22. ... Just a moment, Senator. The adrenalin is running a
23. little high, Senator. Just hold it a minute until we can get back
24. in our places. Senator Donnewald.

25. SENATOR DONNEWALD:

26. Yes, Mr. President, I think this has been cleared on the
27. other side. What it does, it's needed to protect those persons
28. now special agents in the IBI who cannot benefit under the provisions
29. of the bill as it is now drawn, because they will not have the
30. necessary service. They need this to continue to have coordinated
31. benefits under Social Security and will remain under the existing
32. State employee benefit formula at their option. This is a one
33. time option to employees nonservice. I would request that the

1. amendment be adopted.

2. PRESIDENT:

3. Senator Donnewald moves the adoption of Amendment No. 2 to
4. House Bill 1160. All in favor say Aye, opposed Nay. Amendment
5. is adopted. Any further amendments? 3rd reading. House Bill
6. 1164, Senator Buzbee.

7. SECRETARY:

8. House Bill 1164.

9. (Secretary reads title of bill)

✓ 10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Mr. President, this bill deals with the disposition of funds
15. derived from sale or lease of land by the Department of Conservation.
16. Funds from the sale or lease of Department of Conservation lands
17. shall be deposited in the State Parks Fund except that funds from
18. lands managed and operated principally as wildlife or fisheries
19. areas shall be placed in the Game and Fish Fund. The reason for
20. the bill is that currently all funds, all such funds are placed
21. in the Game and Fish Fund. What we want to do now is saying that
22. funds from lands managed and operated as wildlife or fisheries
23. shall be placed in Game and Fish, but other land leased or sold by
24. the Department of Conservation shall be deposited in the State
25. Parks Fund and I would ask for a favorable roll call.

26. PRESIDENT:

27. Any further discussion? The question is shall House Bill
28. 1164 pass? Those in favor vote Aye, opposed Nay. The voting
29. is open. Have all voted who wish? Take the record. On this
30. question the Ayes are 49, the Nays are none, with none Voting
31. Present. House Bill 1164 having received the constitutional
32. majority is declared passed. House Bill 1160, Senator Rock.

33. SECRETARY:

1. House Bill 1160.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

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

8. House Bill 1160 is also an amendment to the State Employees'

9. Retirement System. It concerns those provisions that concern

10. themselves with the sworn personnel, the sworn officers of the

11. Illinois Bureau of Investigation. This ... these provisions are

12. now identical to those which we passed a short time ago by a

13. score of 50 to 1 with respect to the Illinois State Police.

14. This bill also provides for increased contribution on the part

15. of the membership. I would solicit your favorable vote.

16. PRESIDENT:

17. The question is shall House Bill 1160 pass? Those in favor

18. vote Aye, opposed Nay. The voting is open. Have all

19. voted who wish? Take the record. On this question the Ayes

20. are 55, the Nays are none, with none Voting Present. House Bill

21. 1160 having received the constitutional majority is declared passed.

22. House Bill 1170, Senator Bruce.

23. SECRETARY:

24. House Bill 1170.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

✓ 30. Yes, Mr. President, members of the Senate I'm sorry,

31. would you take this out of the record for one moment?

32. PRESIDENT:

33. Take it out of the record. House Bill 1177, Senator Glass.

1. SECRETARY:

2. House Bill 1177.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Glass.

7. SENATOR GLASS:

8. Thank you, Mr. President, Senators. The bill does pretty
9. much what the synopsis indicates, prescribing a fee for filing of
10. plan for acquisition of a domestic insurance company in the amount
11. a hundred dollars. Ask for a favorable roll call.

12. PRESIDENT:

13. The question is shall House Bill 1177 pass? Those in favor
14. vote Aye, opposed Nay. The voting is open. Have all
15. voted who wish? Take the record. On this question the Ayes are
16. 53, the Nays are none, with none Voting Present. House Bill 1177
17. having received the constitutional majority is declared passed.
18. House Bill 1179, Senator Kosinski.

19. SECRETARY:

20. House Bill 1179.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Kosinski.

25. SENATOR KOSINKSI:

26. Mr. President and members of the Senate, House Bill 1179
27. increases the per diem for members of the State Police Merit Board
28. which is one of the finest in the country. I seek your favorable
29. roll call.

30. PRESIDENT:

31. Any discussion? Question is shall House Bill 1179 pass?
32. Those in favor will vote Aye, opposed Nay. The voting is open.
33. Have all voted who wish? Take the record. On this question the

1. Ayes are 48, the Nays are 1, with 1 Voting Present. House Bill
2. 1179 having received the constitutional majority is declared
3. passed. House Bill 1207, Senator Knuppel.
4. SECRETARY:
5. House Bill 1207.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDENT:
9. Senator Knuppel.
10. SENATOR KNUPPEL:
11. All 1207 does is goes through the Act, Mine Inspection Act
12. and change the language where it says - men, to provide the language
13. individuals. I move or I would appreciate a favorable roll call.
14. PRESIDENT:
15. Question is shall House Bill 1207 pass? All in favor will
16. vote Aye, those opposed will vote No ... Nay. The voting is open.
17. Have all voted who wish? Take the record. On this question the
18. Ayes are 37, the Nays are 4, with none Voting Present. House
19. Bill 1207 having received the constitutional majority is declared
20. passed. House Bill 1244, Senator Knuppel.
21. SECRETARY:
22. House Bill 1244.
23. (Secretary reads title of bill)
24. PRESIDENT:
25. Take it out of the record. House Bill 1257, Senator Knuppel.
26. House Bill 1275, Senator Hickey. Read the bill. For what pur-
27. pose does Senator Bruce rise?
28. SENATOR BRUCE:
29. Well you called House Bill 1170 a moment ago and I now ... I
30. could not find the amendment that's why I did not call it. I'm
31. informed by the Secretary that the Calendar is in error. I wonder
32. if we might have leave to go back to that in a moment or two.
33. PRESIDENT:

1. Yes, we will. Senator Hickey. Read the bill first.

2. SECRETARY:

3. House Bill 1275.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Hickey.

8. SENATOR HICKEY:

9. Thank you, Mr. President. 1275 requires a registration

10. certificate from the Department of Labor by anyone who employees

11. minors in sale of property or services or distribution of ad-

12. vertising. It does not apply to newspaper carriers or persons

13. working for nonprofit organizations of which they are ... their

14. families are members. The fiscal note from the Bureau of the

15. Budget says that it could be that we would realize the revenue

16. of about ten thousand dollars from this Street Trades Act. I'll

17. answer any questions and I'd ask for a favorable roll call.

18. PRESIDENT:

19. Any further discussion? Question is ... Senator Regner.

20. SENATOR REGNER:

21. Senator Hickey, I did ask a fiscal note on this and you did

22. supply it to me, however I can't find it right now. Would you

23. just state what this is going to cost to implement.

24. SENATOR HICKEY:

25. As I just said, the Bureau of the Budget estimates that there

26. may be a revenue to the State realized at ten thousand dollars

27. annually from this.

28. PRESIDENT:

29. The question is shall House Bill 1275 pass? Oh, Senator

30. Soper is recognized.

31. SENATOR SOPER:

32. Yes, I was just wondering, Senator Hickey, you say that there

33. ... are provides for exemptions. Does this exempt newsboys and

1. so forth?

2. PRESIDENT:

3. Senator Hickey.

4. SENATOR HICKEY:

5. It exempts newsboys and it also exempts people who sell things
6. for organizations for which, charitable organizations for which
7. they and their family are members.

8. PRESIDENT:

9. Newsboys and girls. Newspersons. Senator Bloom. Pardon
10. me, had you finished Senator Soper? I'm sorry. Senator Soper.

11. SENATOR SOPER:

12. I'm trying to collect my thoughts but it sounds like we got
13. a menagerie here you can't You say that be seventy-four
14. thousand dollars this will cost the Department?

15. PRESIDENT:

16. Senator Hickey may explain that again.

17. SENATOR HICKEY:

18. The Department estimates that seventy-four thousand dollars
19. would be required in Fiscal 1976 for the operations expenses of
20. such a program, but enactment of the Illinois Street Trades Law
21. and Operation of a program to enforce the law would generate
22. revenue to the State and as I said, it is estimated that ten
23. thousand dollars in revenue could accrue to the State from this.

24. PRESIDENT:

25. Senator Graham.

26. SENATOR GRAHAM:

27. I still have some problems with this as I told Senator
28. Hickey. The illustrations that she so generously provided us
29. with regard to the bad treatment of youngsters certainly

30. PRESIDENT:

31. Just a moment. Just a moment. Will the Sergeant-At-Arms
32. remove the people from the aisles and may we have some order. I
33. think one of the problems is we, in speaking to each other, speak

1 so loudly that when it gets in the maelstrom of the whole thing it's
2 just unbearable. I have some people coming here tomorrow from the Bell
3 Tone Hearing Aid Company. It'll probably help some of you. Now
4 let's just have some...let's have some order please and speak
5 in less decibels to your neighbors. Senator Hickey.

6 SENATOR HICKEY:

7 I...I think I just said that I couldn't hear what Senator
8 Graham was saying.

9 PRESIDENT:

10 Senator Graham would you repeat it please.

11 SENATOR GRAHAM:

12 Yes, I'd be very happy to...for the lady from Rockford. I
13 said I had indicated to her that the general concept embodied in
14 your bill, Senator Hickey, is good. The illustrations that
15 you provide us in committee were good. They were forthright and
16 they represent Mrs. Hickey from Rockford, with the experience
17 that's been related to you and the honesty and sincerity that
18 you bring with you to your seat in the Senate. I just wonder if
19 the cost of registration...all the things that have to go through
20 for the few violations that have been had in this area will not...
21 will support the possibility of nonhiring of some individuals
22 that probably do need a job. I certainly don't...not want to
23 be expected to support those who take advantage of youngsters.
24 I don't even support those that take advantage of grown up
25 people, but this serves to protect minors who are employed on
26 the street trade. This fifty dollar registration fee or whatever,
27 the Class C misdemeanor in all of those things, I just wonder if
28 this case if the cure which has been given to us might be more
29 than the economy or more than the experiences have indicated that
30 we hould do and further more we once again are saying that we
31 are supposed to legislate morality, responsibility, love for our
32 fellow men. I wonder if we can get that done to our expectations.
33 I have a little problem with it and it and I certainly do respect your

1. right to support your feelings in this, Senator Hickey.

2. PRESIDENT:

3. Senator Lemke.

4. SENATOR LEMKE:

5. My only problem would be, is how would this reflect on a
6. ... a newsboy? This have any bearing?

7. PRESIDENT:

8. Senator Hickey.

9. SENATOR HICKEY:

10. Newsboys are exempt from this.

11. PRESIDENT:

12. Senator Lemke.

13. SENATOR LEMKE:

14. The other problem I have is how would this apply to shoe-
15. shine boys? I used to be a shoeshine boy, that's how I got
16. started in politics.

17. SENATOR HICKEY:

18. This refers to people who employ minors, not to people
19. who are individually working for themselves. If you work for
20. yourself that's okay, but this refers to people who employ minors.
21. The reason that this came up is that apparently there are places
22. where adults employ minors, transport them to other parts of
23. town, give them candy bars to sell, never bother to pick them
24. up and take them back, sometimes don't pay them anything for
25. for what they do for them unless they sell the whole thing and
26. they're really being taken advantage of very badly and we do
27. need this in order to protect the children. Now ... as I said
28. the fiscal note says that the State could realize money from this
29. instead of it costing the State any money. And I do think that
30. we do need to try to protect these children.

31. PRESIDENT:

32. Senator Ozinga.

33. SENATOR OZINGA:

1. Would the sponsor yield to a question?

2. PRESIDENT:

3. Indicates she will.

4. SENATOR OZINGA:

5. Is this a whole new Act regulating minors to do business,
6. now?

7. PRESIDENT:

8. Senator Hickey.

9. SENATOR HICKEY:

10. It is a new Act called the Street Trades Act but not to ...
11. not to regulate the minors, it's to regulate the people who
12. employ the minors. They're the ones that have to get a certificate
13. from the Department of Labor, then they issue permits to the
14. minors whom they employ. Policemen then can ask to see the permit
15. from any youngster who has been employed by a minor and if he
16. doesn't have one the fellow who's employed him is in trouble.

17. PRESIDENT:

18. Senator Ozinga. Just a moment. Just a moment. What's
19. going on over here? Just a minute. Senator Ozinga.

20. SENATOR OZINGA:

21. What trades are included in here?

22. PRESIDENT:

23. Senator Hickey.

24. SENATOR HICKEY:

25. Any ... any minor, except for news carriers and minors work-
26. ing for nonprofit organizations, it employs ... it covers any
27. adult who employs a minor to do any selling or distributing on
28. the streets.

29. PRESIDENT:

30. Senator Ozinga.

31. SENATOR HICKEY:

32. Principally it's been ... it's been candy

33. SENATOR OZINGA:

1. In other ... in other words, if I have a couple of orphans
2. or youngsters in my territory that want to make a living and they're
3. on their own, they've got their own pony and cart or they've
4. got their little wagon and they want fill it with vegetables and
5. want to peddle in the neighborhood they've got to pay out fifty
6. bucks first to buy a certificate. If they want to take a shoe-
7. box and go shine somebody's shoes they've got to get a certificate.
8. If they want to do anything at all they've got to get a certifi-
9. cate. They're self-employed. You said that they covered every-
10. body and they have to have a certificate. Now this Act the way
11. it reads now, covers the poor kid that's got to go out and get a
12. certificate whether he is employed or not. As long as we're
13. going to cover it, I think this bill is just no good.

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Mr. President, Senator Ozinga's statement of this bill is
18. so wrong it's almost hilarious. What we're facing with ... what
19. we're faced with here in Illinois is the growth of about a
20. million dollar industry which uses very young children in violation
21. of the Child Labor Law and what we're attempting to do is to find
22. a means to get hold of those people, to see if we can't stop this
23. traffic in children. This bill is strongly endorsed by the
24. Commission on Children and I must say it is apparently an activity
25. about which there is very little knowledge. It's happened in my
26. home. Several Legislators certainly have witnessed this, a
27. youngster comes to your house late at night selling a candy bar
28. not for any particular organization. The kid is out working on
29. his own. If you'll look into that you'll find there are people
30. who go across the straight ... across the State recruiting very
31. young kids and I mean they're seven, eight, nine years old. They tell
32. them this is your way to earn money for a bike. They load them
33. up in a station wagon, drive them somewhere across town where

1. they cannot easily get home. You get out and sell those candy
2. bars and when you're done you come back, we'll pay you the money,
3. we'll take you home. They don't always do that. And I'm tell-
4. ing you it is a thoroughly rotten situation and this legislation
5. gives us an arm to put on those people who are engaging in essen-
6. tially illegal traffic. It will not affect youngsters who are
7. self-employed in the regular avenues of commerce where we tradition-
8. ally have youngsters working. That's no threat at all and to
9. represent it as such is completely to misstate the bill. It's a
10. thoroughly good piece of legislation.

11. PRESIDENT:

12. Any further discussion? Senator Howard Mohr.

13. SENATOR MOHR:

14. Well, a lot has been said, Mr. President, about newsboys
15. and I wondered if we're going to protect people I think we should
16. protect them all. I wonder, Senator Hickey, why we are not
17. including the newsboys. I know in my area, a number of young
18. boys and girls are talked to by questionable people in that
19. line to sell subscriptions and you know their various incentive is
20. to get them involved. I wonder why we don't include everybody.

21. PRESIDENT:

22. Senator Hickey. Just a moment. Just a moment. One moment.
23. One moment. One moment. Senator Mohr is right here on the mike,
24. can't hear? I'm sure Senator Hickey can't. Senator Hickey,
25. please.

26. SENATOR HICKEY:

27. Senator Mohr, I don't think that news, the classification
28. of newsboys is the same as people who...that doesn't cover
29. people who sell subscriptions. And I think that there is...there
30. hasn't been found to be any mistreatment of newsboys in the same
31. way that there have been...that are regulated by newspapers
32. that there have been in these other instances and that's why
33. they're not included. I'd like a chance to speak to, I guess

1. I'll just add that at the end, to Senator Ozinga too, who obviously
2. doesn't understand the bill.

3. PRESIDENT:

4. Senator Howard Mohr.

5. SENATOR MOHR:

6. I wondered, Senator, I haven't heard anything about some of
7. these examples. Do you have a list of those that might be
8. available that we could look at?

9. PRESIDENT:

10. Senator Hickey.

11. SENATOR HICKEY:

12. I can't give you a long list. I'm telling you principally
13. the problem is with the sale of candy bars. That...that's the
14. principal problem and I think that one reason that it has been
15. abused is because candy bars have been used by charitable organiza-
16. tions which are also not covered here, and so people who haven't
17. anything to do with charitable organizations have taken advantage
18. of peoples...of being accustomed to buying candy bars at the door.
19. And that's...that's...that's the roughest thing. The Commission
20. on Children is very anxious to have this legislation to protect
21. children. Somebody just got through saying to me, you know if
22. we'd had this legislation, Oliver Twist would never have gotten
23. started because Fagan would have been put out of business.

24. PRESIDENT:

25. Senator Howard Mohr.

26. SENATOR MOHR:

27. Well, Mr. President, I have in my district and in my village
28. a candy company. I'm glad you brought that up, Senator, that
29. does an awful lot of work with children and for various organ-
30. izations, various fund raisers. Now would all of these people
31. have to register?

32. PRESIDENT:

33. Senator Hickey.

1. SENATOR HICKEY:
2. No, Senator Mohr. As I said, charitable organizations to
3. which either the salesman or any member of this family belongs,
4. is exempt...are exempt, sorry.
5. PRESIDENT:
6. Senator Howard Mohr.
7. SENATOR MOHR:
8. Well, I think the definition, charitable organizations,...
9. would you define Little League as a charitable organization?
10. Is it so defined in the Act?
11. PRESIDENT:
12. Senator Hickey.
13. SENATOR HICKEY:
14. I don't know the legislation about the Little Leagues,
15. I'm sorry.
16. PRESIDENT:
17. Senator Howard Mohr.
18. SENATOR MOHR:
19. That's just one example. There are many others that I can
20. think of. They make this candy, by the way in Bloomington, I
21. think that Senator Hall might be interested in that. I would
22. think if we're going to cover a certain segment I think that's
23. wrong. I think that everybody should be covered or nobody
24. should be covered. Would you be agreeable, Senator, to include
25. newsboys in this? Magazine type...
26. PRESIDENT:
27. Senator Hickey.
28. SENATOR HICKEY:
29. No, Sir, I would not. I'm not in favor of enacting legisla-
30. tion which is absolutely unnecessary.
31. PRESIDENT:
32. Senator Howard Mohr.
33. SENATOR MOHR:

1. I guess that answers my question, Mr. President. It's a
2. question of whether you think it's necessary or not and I think
3. this legislation is unnecessary.

4. PRESIDENT:

5. Senator Wooten did you desire to be...okay. Any further
6. discussion? Question is shall House Bill 1275 pass? Senator
7. Harris.

8. SENATOR HARRIS:

9. Well, I just want to comment that I think the circumstance
10. that Senator Wooten described clearly convinces me that the kind
11. of reprehensible person he has laid before us will not be deterred,
12. restricted or impressed by the long arm of the State of Illinois
13. reaching out and enhancing once again regulatory powers over
14. what very well may be a series...serious minimal occurrence
15. situation. But it just doesn't seem to me that we have to
16. react in every one of these instances by further restricting the
17. lives and further regulating the lives of the people of Illinois.
18. I'm just not persuaded.

19.
20. (Continued on next page)
21.
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33.

1. PRESIDENT:

2. Any further discussion? Senator Hickey desire to close
3. the debate? The question is shall House Bill 1275, pass?
4. Those in favor will vote Aye. Opposed Nay. The voting is
5. open. Have all voted who wish? Take the record. Postponed
6. Consideration has been requested. For what purpose does
7. Senator Davidson rise?

8. SENATOR DAVIDSON:

9. Personal privilege.

10. PRESIDENT:

11. State your point.

12. SENATOR DAVIDSON:

13. I'd like to present to yourself and members of the Gallery,
14. a distinguished colleague from the Osteopathic College in Chicago,
15. who is here being part of the Educational Program the Illinois
16. Osteopathic physicians here in Springfield. I'd like to present
17. to the people, Dr. Tollis Allen, who's now the outstanding internist
18. in the Osteopathic Field in the United States, Dr. Allen.

19. PRESIDENT:

20. House Bill 1281, pardon me. Yes, House Bill 1170, Senator
21. Bruce.

22. SECRETARY:

23. House Bill 1170.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you, Mr. President, and members of the Senate, there
30. is not an amendment to 1170. The Republican Staff has now asked
31. if there will be one, there will not be one. It is an error on
32. the Calendar, that's why I was confused. House Bill 1170, merely
33. extends for one month the filing due for retailers who has a...

1. who have a five thousand dollar or more sales tax liability.
2. The Department of Revenue introduced this bill and it as
3. drafted by Willard Ice. They find it impossible to go over
4. returns that are due monthly and prepare any kind of sensible
5. examination of those. They would like to have the option
6. of extending them for one month. The money is still deposited
7. on a average of the prior month liability and the Department draws
8. the interest. They are supportive of the bill as is the Illinois
9. Retail Merchants Association. Bureau of the Budget states that
10. there will be little, if any, fiscal impact. I would ask for
11. a favorable roll call.
12.

13. PRESIDENT:

14. The question is shall House Bill 1170, pass? Those in
15. favor will vote Aye. Opposed Nay. The voting is open.
16. Have all voted who wish? Take the record. On this question
17. the Ayes are 55, the Nays are none, with none Voting Present.
18. House Bill 1170 having received the constitutional majority
19. is declared passed. For what purpose does Senator Nudelman
20. rise?

21. SENATOR NUDELMAN:

22. Thank you, Mr. President, if it's not too late I'd like
23. to be shown as cosponsor with Senator Lemke and I have his
24. permission, of House Bills 1043, 1044 and 1045 which were
25. passed a few moments ago.

26. PRESIDENT:

27. Is leave granted? Leave is granted.

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. House Bill 1257, Senator Knuppel. On the order of 3rd
30. reading, Mr. Secretary, House Bill 1257. 1281, Senator
31. Fawell. On the order of 3rd reading, Mr. Secretary, House
32. Bill 1281.

33. SECRETARY:

1. House Bill 1281.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR CARROLL)

5. Senator Fawell.

6. SENATOR FAWELL:

7. Mr. President, members of the Senate, the present
8. provisions of the Park District Code, provide that a two and
9. a half cent tax can be authorized when a park district has
10. full-time policemen and when those policemen have undergone
11. training under the Illinois Police Training Act, prior to
12. July 1st, 1973, this simply deletes the reference to 1973,
13. and opens up the provision for the two and a half cent tax
14. levy for all park districts. The reason the park district
15. so badly needs this is that the parks of our State are not
16. covered by any police protection either from the municipality
17. or from the county. And I'd appreciate a favorable roll call.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Is there any discussion? Senator Mitchler.

20. SENATOR MITCHLER:

21. Mr. President, I'd like to ask the sponsor, does this
22. have a referendum or is this just a new tax of .025 that the
23. park district can levy?

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. Senator Fawell.

26. SENATOR FAWELL:

27. Senator, it's an existing tax that's on the books right
28. now. The...the point I tried to make is that any park district
29. that has full-time policemen and has entered into a training
30. program, with the Illinois Police Training Board, prior to
31. July 1st, 1973, is authorized to levy this tax, and actually
32. I think it's probably unconstitutional in that there's an
33. arbitrary discrimination against those park districts which

1. did not go into the police training program prior to July
2. 1st, 1973. But what the parks are finding out is that many
3. young people and thugs and others are in our parks and the
4. people who want to take advantage of going out into the parks
5. and enjoying themselves find that there's no police protection
6. that exists hardly at all in the various parks districts,
7. in the recreational and open space areas, simply because
8. the city has been advised by their attorneys that they
9. do not have jurisdiction, the county does not have jurisdiction,
10. and these parks in the growing areas, especially in areas around
11. Chicago land, simply don't have the authority, many of them
12. because they didn't have their full-time police force be trained
13. under the Illinois Police Training Act, prior to July 1st of 1973.
14. So we're simply deleting the...date.

15. PRESIDING OFFICER: (SENATOR CARROLL)

16. Does that answer your question, Senator Mitchler? Senator
17. Mitchler.

18. SENATOR MITCHLER:

19. No, I understand exactly and I'm all and for the police
20. protection, but doesn't this, in fact, allow a park district
21. that is participating prior to July 1, '73, from levying an
22. additional tax of .025 without referendum?

23. PRESIDING OFFICER: (SENATOR CARROLL)

24. Senator Fawell.

25. SENATOR FAWELL:

26. Senator, it doesn't insofar as the park district which
27. had full-time police officers and those officers had undergone
28. training prior to July 1st. It's only in regard to those
29. park districts which had full-time policemen but had not had
30. them undergo training prior to July 1st. Those park districts
31. do not now have the authority to levy the tax, so that in
32. regard to those park districts you're correct in saying that
33. there is a nonreferendum tax, yes, but my point is, of course,

1. that there's...there's no rational basis for distinguishing
2. between park districts that had their policemen under
3. this training program prior to July 1st, 1973, and those
4. which do not or which did not have their full-time police,
5. park policemen under that training program.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Senator Mitchler, your short question and answer period
8. is up. Would you conclude any comments you have, please?

9. SENATOR MITCHLER:

10. Let me...let me wind up. Then those after that go into
11. this training after July 1, '73, Senator, do they have to have
12. a referendum, yes or no?

13. PRESIDING OFFICER: (SENATOR CARROLL)

14. He has answered to the Chair, no.

15. SENATOR MITCHLER:

16. They don't say no. But the ones prior to it do have to have
17. a referendum?

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. He will explain on the close of debate. Senator Nimrod.

20. SENATOR NIMROD:

21. Mr. President, I just wanted to ask a question, then make
22. a comment from Senator Fawell. Is this the same bill as Senate
23. Bill 886 which we had here?

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. Senator Fawell.

26. SENATOR FAWELL:

27. Yes it is, Senator.

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Well, in that case, then we did make some comments about
32. this and I think Senator Mitchler is right. My notes are that
33. we did discuss this issue and it was...in '73 it was provided
34. and passed to take care of five particular counties or park

1. districts within the area and that's been removed and what
2. we are doing is adding a two and a half percent tax without
3. referendum for all of the park districts. Now, this original
4. bill which you passed shows it was three thirteen and now you're
5. taking out the referendum provision. I think that if they need
6. these monies and they should do it, it ought to be by referen-
7. dum. We are adding a tax and according to my notes, I think
8. it should suffer the same fate as Senate Bill 886, which we
9. did not pass.

10. PRESIDING OFFICER: (SENATOR CARROLL)

11. Senator Philip.

12. SENATOR PHILIP:

13. Thank you, Mr. President, Ladies and Gentlemen of the
14. Senate. I'm very happy to support Senator Fawell in House
15. Bill 1281 and obviously it isn't clear to some of our
16. fellow Senators. If a park district had police powers prior
17. to July 1, 1973, they could and can without referendum issue
18. a levy of .025 now for the purpose of police. All we're doing
19. is eliminating the date and allowing the other park districts
20. to participate. And I might just say this, that I'm rather
21. aware of the problem that park districts have. I live
22. in Elmhurst, Illinois. We have a very good park system. Right
23. across from our park is Elmhurst College. It's a small Liberal
24. Arts College of about fifteen hundred students. Well, during
25. the school year, the students like to come over to the park
26. and have their beer busts and all their other carrying on
27. and very honestly we need park police. They're an asset
28. to us to keep our parks with a little law and order, and I
29. certainly would encourage a favorable vote for House Bill
30. 1281.

31. PRESIDING OFFICER: (SENATOR CARROLL)

32. Senator Harris.

33. SENATOR HARRIS:

1. Senator Fawell, isn't this bill identical to Senate Bill
2. 886?

3. PRESIDING OFFICER: (SENATOR CARROLL)

4. Senator Fawell.

5. SENATOR FAWELL:

6. Yes, I've already stated that, Senator, yes.

7. PRESIDING OFFICER: (SENATOR CARROLL)

8. Senator Harris.

9. SENATOR HARRIS:

10. Yes, I was diverted in some of the debate here with other
11. people communicating to me other things. I would call attention
12. to the membership that, that bill received affirmative votes
13. of fourteen from this Body and twenty voted No. It would be
14. my determination that the provision eliminating the date, in
15. effect, then does eliminate the referendum requirement. It is
16. taxation without referendum. Our attitude was to reject
17. this principle as provided in Senate Bill 886, and I would
18. presume that our attitude would remain consistent, which I
19. think was sound at the time.

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Is there any further debate? Senator Harris may wish to
22. close...Harris Fawell may wish to close the debate.

23. SENATOR FAWELL:

24. Well, let me make one thing perfectly clear. All of those
25. park districts which are now levying the tax simply because
26. they had full-time policemen who went to school before July 1st,
27. 1973, had no referendum whatsoever. And as Senator Philip has
28. pointed out and this was not pointed out in the previous debates,
29. if we are interested in law and order we have to look to these
30. park areas which have no police protection whatsoever right
31. now, because your city does not have jurisdiction, your county
32. doesn't have jurisdiction, and we have previously seen fit
33. not to grant to the park districts any type of State Aid.

1. We've already made that clear, and then to say to them that
2. for a relatively modest tax here that they should have to
3. go through the referendum when those park districts which
4. simply by sending somebody down to school prior to July 1st,
5. 1973, don't have to go through it, it really makes not a
6. great deal of sense. I think it is sound legislation and
7. I think we ought to be able to correct the mistake we
8. made when we did not see fit to approve it before. I do
9. submit the bill and I hope we can have a majority vote.
10. Thank you.

11. PRESIDING OFFICER: (SENATOR CARROLL)

12. The question is shall House Bill 1281 pass? Those voting
13. in favor shall vote Aye. Those opposed vote Nay. The voting
14. is open. Have all voted who wish? Take the record. On that
15. question the Ayes are 23, the Nays are 6, with 2 Voting Present,
16. and House Bill 1281 having failed to receive a constitutional
17. majority is hereby declared lost. Next bill, Mr. Secretary,
18. from the agreed list. House Bill 1287, Senator Course
19. asks leave to...return that bill to the order of 2nd reading
20. for purpose of an amendment. Is there leave? Leave having
21. been granted, the bill is now on the order of 2nd reading.
22. Mr. Secretary, do you have an amendment? 1287. While he's
23. attempting to locate the amendment, Senator Course. Senator
24. Course.

25. SENATOR COURSE:

26. Mr. President, leave it on 2nd reading and I'll have
27. amendments prepared. I think they were mislaid somewhere
28. along the line here.

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. We'll return it to the order of 3rd reading and we will
31. recall it when that amendment has been found. We'll take
32. the action out of the record. House Bill 1289, Senator Bruce.
33. House Bill 1291, Senator Bruce. House Bill 1299, Senator Knuppel.

1. You want that called, Senator? House Bill...on the order of
2. 3rd reading House Bill 1299.

3. SECRETARY:

4. House Bill 1299.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR CARROLL)

8. Oh, I'm sorry, Senator Knuppel, I think...had Senator Rock
9. talked to you about this?

10. SENATOR KNUPPEL:

11. No, all this bill does is extend the life of the reporting
12. date by one year and I didn't know Senator Rock wanted to
13. talk to me. Did he want to talk to me about it? Well I'll
14. take it out of the record, I mean with the provision that when
15. he gets back I can come back to it.

16. PRESIDING OFFICER: (SENATOR CARROLL)

17. There's some type of a note here. I'm not sure if it
18. deals with your bill or not. Would you mind taking it out
19. of the record for the time?

20. SENATOR KNUPPEL:

21. Well, I'll take it out of the record with leave to come
22. back to it if I may.

23. PRESIDING OFFICER: (SENATOR CARROLL)

24. Okay. If we may revert back to, with leave of the Body,
25. to House Bill 1287. Is there leave? Leave having been
26. granted. House Bill 1287, we asked leave to return it to
27. the order of 2nd reading for purpose of an amendment. Is
28. there leave? Hearing no objection, leave has been granted.
29. Senator Course, there is an amendment now on the Secretary's
30. Desk that is Amendment No. 2. House Bill 1287, on the order of
31. 2nd reading, Senator Course.

32. SENATOR COURSE:

33. Thank you, Mr. President, Amendment No. 2 to House Bill
34. 1287, reduces...amends the Reduced Transit Fare for Students

1. Act. It brings into the Act, Ladies and Gentlemen, persons
2. who are drawing unemployed compensation. I would appreciate
3. the adoption of this bill.

4. PRESIDING OFFICER: (SENATOR CARROLL)

5. Is there any discussion? The question is on the adoption
6. of Amendment No. 2 to House Bill 1287. Those in favor indicate
7. by saying Aye. Oop...oop, Senator Harris, for what purpose do
8. you rise?

9. SENATOR HARRIS:

10. Well, I've just looked at this amendment. I'm not quite
11. through looking at it but as I, on a very cursory basis, conclude
12. that this authorizes free transportation for unemployed persons,
13. now how that can be administered is absolutely beyond me and I
14. just think the membership of this Body ought to be aware of
15. what's involved in this amendment. It states that the General
16. Assembly finds that it is in the best interest to the people
17. of the State of Illinois to reimburse mass transportation
18. operators that provide free transportation to unemployed persons.
19. Now I just tell you this is an open-ended, unlimited possibility
20. of commitment for State responsibility to operate mass trans-
21. portation and how you would administer this, I just don't
22. know, and I think the sponsor ought to make some careful expla-
23. nation of how this can be administered and further, what kind
24. of cost projections have been developed.

25. PRESIDING OFFICER: (SENATOR CARROLL)

26. Senator Course.

27. SENATOR COURSE:

28. Senator Harris, this applies to persons who are drawing
29. unemployed compensation only.

30. PRESIDING OFFICER: (SENATOR CARROLL)

31. Senator Harris.

32. SENATOR HARRIS:

33. Well, I understand that. How...how does the motorman or

1. the conductor or whomever or the driver of the bus make an
2. identification? I just...

3. PRESIDING OFFICER: (SENATOR CARROLL)

4. Senator Course.

5. SENATOR HARRIS:

6. No matter how...

7. SENATOR COURSE:

8. The same way a motorman does for the...an aged person.
9. They will be supplied with a certificate.

10. PRESIDING OFFICER: (SENATOR CARROLL)

11. Senator Harris.

12. SENATOR HARRIS:

13. Well, that is not a consistent explanation, Senator, at
14. all. The Medicaid card suffices for identification of the
15. elderly. The...the opportunity for untold numbers to qualify
16. falsely is inherent in this it seems to me, and the opportunity
17. for tremendous expenses involved.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Senator Course.

20. SENATOR COURSE:

21. Senator Harris, when you receive unemployed compensation,
22. you do have a green card, I believe, that you have to present and
23. the clerk or the hearing officer signs that when you do go to
24. the office of unemployed compensation. And they could use this
25. card. And Ladies and Gentlemen these people aren't going to...
26. assist these people in...to try and find work. This is the im-
27. portant thing, and when they do find work it's not going to
28. be a program that's going to be continuing. When they find em-
29. ployment they will automatically go off this here, they will no
30. longer need this here, free transportation.

31. PRESIDING OFFICER: (SENATOR CARROLL)

32. Senator Demuzio.

33. SENATOR DEMUZIO:

1. Will the sponsor of the amendment yield to a question?

2. PRESIDING OFFICER: (SENATOR CARROLL)

3. He indicates that he will yield.

4. SENATOR DEMUZIO:

5. First page of the amendment says that the General Assembly
6. finds that it is in the best interest of the people of the
7. State of Illinois to reimburse mass transportation operators
8. that provide free transportation to unemployed persons. I was
9. wondering, how much is this going to cost? Is there an
10. estimated or projected cost?

11. PRESIDING OFFICER: (SENATOR CARROLL)

12. Senator Course.

13. SENATOR COURSE:

14. Well, they have...no, Senator Demuzio, they don't have
15. any real projected cost because people are going on and off
16. of...of compensation, therefore they can't project it. They
17. figure that...it will be around a million dollars.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Senator Demuzio.

20. SENATOR DEMUZIO:

21. I was thinking that perhaps it may be more in the area
22. of twelve million dollars.

23. PRESIDING OFFICER: (SENATOR CARROLL)

24. There seems to be a difference in computation. Senator
25. Morris.

26. SENATOR MORRIS:

27. Will the sponsor yield?

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. He indicates he will.

30. SENATOR MORRIS:

31. Was this amendment distributed?

32. PRESIDING OFFICER: (SENATOR CARROLL)

33. Senator Course.

1. SENATOR COURSE:

2. It was distributed...it was distributed this morning,
3. Senator Morris. I don't know if there...a lot of them have
4. been...they've disappeared off of desks. I know they - many
5. of the amendments have disappeared off of my desk.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Senator Morris.

8. SENATOR MORRIS:

9. I'd like another copy of this before I vote on it. I won-
10. der if it would be all right if this would be held for a
11. few minutes until we can get copies of this.

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. I'm sure that the Senator will make...Senator Course will
14. provide you with an additional copy. Senator Wooten.

15. SENATOR WOOTEN:

16. No, I think Senator Demuzio raised the exact point I
17. was going to.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Senator Moore.

20. SENATOR MOORE:

21. Mr. President, I was going to ask that this bill be held
22. because if there were amendments distributed mine is not on the
23. desk either. There's broad concern here with the dollars involved.
24. This looks like another plan to...or another incentive to have
25. people remain on the unemployed rolls. Now, they can ride for
26. nothing on their way to the movies or whatever. I think that
27. we'd like to ask Senator Course to hold this and give us a copy
28. of the amendment so we can digest.

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. Senator Course.

31. SENATOR COURSE:

32. Well, I will consent to hold, I'll hold the bill on 3rd
33. reading and then we can advance it to the order of 3rd reading...

1.
2. PRESIDING OFFICER: (SENATOR CARROLL)

3. ...Take it out of the record and that puts the bill back
4. on the order of 3rd. Next bill on our list, Senator Johns,
5. House Bill 1313. On the order of 3rd reading, Mr. Secretary,
6. 1313. Senator Johns, you wanted leave to bring that back
7. for purpose of amendment? One moment, Senator Wooten, for what
8. purpose do you rise?

9. SENATOR WOOTEN:

10. The bill we've been discussing is on the agreed bill list.

11. PRESIDING OFFICER: (SENATOR CARROLL)

12. I'm sorry we're on House Bill 1313.

13. SENATOR WOOTEN:

14. Point of inquiry. The bill that we were just discussing,
15. 1287, was on the agreed bill list. Do I take it that it will
16. come off that for if we're going to amend it? What is the
17. process here?

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. For right now it is back on the order of 3rd reading. If
20. it is brought back again for purposes of an amendment, then
21. the amendment is successful it will then be determined by
22. Leadership whether or not it is on the agreed list.

23. SENATOR WOOTEN:

24. All right.

25. PRESIDING OFFICER: (SENATOR CARROLL)

26. Senator Johns ask leave to return the order, House Bill
27. 1313 to the order of 2nd reading for purposes of an amendment.
28. Is there leave? Leave having been granted, the bill is now on
29. the order of 2nd reading. Senator Johns.

30. SECRETARY:

31. ...Amendment No. 1 by Senator Harris.

32. PRESIDING OFFICER: (SENATOR CARROLL)

33. Senator Harris.

1. SENATOR HARRIS:

2. What we do here is make certain that the language for this
3. broadening of these funds squares consistently with the language
4. of the new Federal Act. I would move the adoption of the
5. amendment. The bill in its original form was just too broad

6. PRESIDENT:

7. Is there any discussion? Senator Buzbee.

8. SENATOR BUZBEE:

9. I have a question of the sponsor of the amendment.

10. PRESIDENT:

11. He indicates he will yield. Senator Buzbee.

12. SENATOR BUZBEE:

13. It's my understanding, Senator Harris, is this correct,
14. that the Federal Department, the new Federal Act will allow
15. Federal funds to be expended on highways that are not a part
16. of the Federal Aid System, is that correct?

17. PRESIDENT:

18. Senator Harris.

19. SENATOR HARRIS:

20. That's correct. The amendment says that the Federal Aid
21. System being approved under the Federal Aid Pavement Marking and
22. Safer Roads Demonstration Programs pursuant and then we set
23. forth the Sections in the Highway Safety Act of 1973, and then
24. off roads, off system roads pursuant and then we sight the Section
25. 122 of the Federal Aid Highway Amendments of 1974. What we do
26. here is have some language that tightens this up consistent with
27. what are already restrictions and provisions under those two
28. Acts. It...we do, of course, continue this new authority but
29. limited by the provisions of those existing regulations. Just
30. seems to me that the way the bill was considered before the
31. consideration of this amendment, it was quite broad and in local
32. situations we might see the use of these funds for purposes that
33. really the department might be powerless to limit.

34. PRESIDENT:

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. Will this have any effect, the bill as amended, the bill
4. is not amended for that matter, will it have any effect on the
5. Supplemental Freeway System Funds?

6. PRESIDENT:

7. Senator Harris.

8. SENATOR HARRIS:

9. No...

10. PRESIDENT:

11. Senator Buzbee. Senator Johns.

12. SENATOR HARRIS:

13. The department has agreed, as I think Senator Johns stated,
14. has agreed to this amendment.

15. PRESIDENT:

16. Senator Johns.

17. SENATOR JOHNS:

18. Well I was just going to state just what Senator Harris
19. has just told you. We went through this bill. I wasn't going
20. to take all your time but I understand the need for refreshment.
21. But the DOT has approved this amendment and we worked this out
22. with the other side to make sure that we tightened this bill up.
23. So now I think it deserves a favorable roll call.

24. PRESIDENT:

25. Is there any further discussion on the adoption of the
26. amendment? All those in favor of adopting the amendment will
27. indicate by saying Aye. The opposed Nay. The Ayes have it
28. and the amendment is adopted. 3rd reading. Whoa...whoa...whoa
29. ...it's still on...are there further amendments?

30. SECRETARY:

31. Amendment No. 2 offered by Senator Johns.

32. PRESIDING OFFICER: (SENATOR CARROLL)

33. Senator Johns.

1. SENATOR JOHNS:

2. Well, I think this is an identical amendment and it's an
3. error on my part to have submitted it, but I wanted to be sure
4. that it was there. I think I submitted it earlier.

5. PRESIDING OFFICER: (SENATOR CARROLL)

6. Senator Johns moves to withdraw the amendment. Are there
7. any further...is there leave? Hearing leave, the amendment is
8. withdrawn. Is there any further amendments from the Floor?
9. 3rd reading. Senator Morris, for what purpose do you rise?

10. SENATOR MORRIS:

11. A point of inquiry.

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. State your point.

14. SENATOR MORRIS:

15. I would like to know how we go about removing Senate...or
16. House Bill 1297, from the agreed bill list? We've just had
17. a considerable amount of discussion on that bill and I think,
18. I would like to know how we get it off that list.

19. PRESIDING OFFICER: (SENATOR CARROLL)

20. Senator Harris.

21. SENATOR HARRIS:

22. Senator Morris, if the amendment is adopted you can rest
23. assured that the Leadership from this side of the aisle will
24. remove it from the agreed bill list. If it is...if the amendment
25. does not prevail, then I...the bill has been scrutinized in its
26. existing form and there is no problem with it, but, of course,
27. the amendment would change that determination.

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. Further, Senator Morris, if there are twelve people indicating
30. so, then it is automatically under our rules taken off the
31. agreed bill list. House Bill 1337, Senator Davidson. On the
32. order of 3rd reading, House Bill 1337. Senator Course...

33. SECRETARY:

1. House Bill 1337.

2. PRESIDING OFFICER: (SENATOR CARROLL)

3. ...For what purpose does Senator Course rise?

4. SENATOR COURSE:

5. Well, Mr. President, for the benefit of Senator Morris.

6. I'm not going to cry over the bill, I'm not that kind of a

7. person and if the bill, if the amendment is put on the bill

8. you can rest assured that it's going to go on 3rd reading and

9. I will not consent to have it put on the agreed bill list.

10. PRESIDING OFFICER: (SENATOR CARROLL)

11. Thank you, Senator Course. Mr. Secretary, will you read

12. 1337, please?

13. SECRETARY:

14. House Bill 1337.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR CARROLL)

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. Mr. President, and members of the Senate, this bill does
21. exactly what it says on the Calendar. This was requested by the

22. Comptroller's Office to put final legality on what the Auditor,

23. Michael Howlett, did when he was Auditor and what the Comptroller

24. is doing now in relation to the withholding. I know of no

25. opposition to this bill. I request a favorable roll call.

26. PRESIDING OFFICER: (SENATOR CARROLL)

27. Is there any discussion? The question is shall House Bill

28. 1337 pass? All those in favor will vote Aye. The opposed Nay.

29. And the voting is open. Have all voted who wish? Take the

30. record. On that question the Ayes are 50, the Nays are none,

31. and none Voting Present and House Bill 1337 having received the

32. constitutional majority is hereby declared passed. We may now

33. revert to House Bill 1313. Senator...Senator Johns.

1. SENATOR JOHNS:

2. Well, Mr. President, I think there's no other questions...

3. PRESIDING OFFICER: (SENATOR CARROLL)

4. One second, Senator, I think it still has to read again by
5. the Secretary.

6. SECRETARY:

7. House Bill 1313.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR CARROLL)

11. Senator Johns.

12. SENATOR JOHNS:

13. ...Any further questions from the members, I will be glad
14. to answer them, otherwise I ask for a favorable roll call.

15. PRESIDING OFFICER: (SENATOR CARROLL)

16. Is there any further discussion? The question is shall
17. House Bill 1313 pass. Those in favor vote Aye. Those opposed
18. Nay. The voting is open. Have all voted who wish? Take the
19. record. On that question the Ayes are 44, the Nays are 6, and
20. none Voting Present. House Bill 1313 having received the con-
21. stitutional majority is hereby declared passed. House Bill 1338,
22. Senator Weaver. Mr. Secretary, if you would call House Bill 1338.

23. SECRETARY:

24. House Bill 1338.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR CARROLL)

28. Senator Weaver.

29. SENATOR WEAVER.

30. Thank you, Mr. President, and members of the Senate, this
31. bill amends the Inheritance Tax Act, to delete the present require-
32. ment that the Attorney General and the State Treasurer receive at
33. least ten days notice that a lock box is going to be opened and

1. inventoried. It provides instead that when a lock box is open
2. a copy of the inventory must be sent to the Attorney General
3. and the State Treasurer. I think basically this just makes
4. legal what's basically being done today and I would ask for a
5. favorable roll call.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Is there any discussion? Senator Glass.

8. SENATOR GLASS:

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

10. PRESIDING OFFICER: (SENATOR CARROLL)

11. He indicates he will yield. He indicates...

12. SENATOR GLASS:

13. Under this bill, Senator Weaver, does the Attorney General's
14. representative appear at the opening of the...lock box or is
15. that eliminated?

16. PRESIDING OFFICER: (SENATOR CARROLL)

17. Was that lox box or lock box? Senator Glass.

18. SENATOR GLASS:

19. That's l-o-c-k, Senator, not l-o-x.

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Thank you. Senator Weaver.

22. SENATOR WEAVER:

23. Senator Glass, downstate they call the Attorney General and
24. they usually designate one of the officers of the bank to be
25. the representative of the Attorney General for that purpose.

26. PRESIDING OFFICER: (SENATOR CARROLL)

27. Senator Glass, any further questions? Senator Glass.

28. SENATOR GLASS:

29. You indicate there's no opposition by the Attorney General
30. of this.

31. PRESIDING OFFICER: (SENATOR CARROLL)

32. Any further debate? The question is shall House Bill 1338
33. pass. Those in favor vote Aye. Those opposed Nay. The voting

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3rd Reading
June 11, 1976

1. is open. Senator Course. Have all voted who wish? Take the
2. record. On that question the Ayes are 47, the Nays are none,
3. none Voting Present. House Bill 1338 having received the
4. constitutional majority is hereby declared passed. House Bill
5. 1340, Senator Latherow. Do you want that bill? Mr. Secretary,
6. if you would call 1340.

7. SECRETARY:

8. House Bill 1340.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR CARROLL)

12. Senator Latherow.

13. SENATOR LATHEROW:

14. Thank you, Mr. President, this bill has been amended. It's
15. struck most of what was considered verbage in it to tell about
16. performances and so on and the only thing it does is require on
17. the sticker that has a price on, the miles per gallon this vehicle
18. will give, that's on vehicles from 1976 on. I think in all pro-
19. bability, the Federal effective date on this particular issue
20. will probably supersede this.

21. PRESIDING OFFICER: (SENATOR CARROLL).

22. Is there any discussion? The question is shall House Bill
23. 1340 pass? Those in favor vote Aye. Those opposed Nay. The
24. voting is open. Have all voted who wish? Have all voted who
25. wish? Take the record. On that question the Ayes are 46, the Nays
26. are 2, with 1 Voting Present. House Bill 1340 having received
27. the constitutional majority is hereby declared passed. House
28. Bill 1343, Senator Palmer. House Bill 1348, Senator Weaver.
29. Mr. Secretary, House Bill 1348.

30. SECRETARY:

31. House Bill 1348.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR CARROLL)

2. Senator Weaver.

3. SENATOR WEAVER:

4. Thank you, Mr. President, this bill, let me say presently
5. the Illinois Purchasing Act prohibits and voids contracts made
6. with firms in which State Officers, Legislators and employees
7. hold an interest of more than seven and a half percent. Such
8. contracts may exist, however, if it was entered into prior to
9. that individual's election or employment as an officer of the
10. State, and it can be completed within six months after such employ-
11. ment or election. This bill...this bill would eliminate the
12. immediately aforementioned contingency and it would also add
13. a new Section giving exemption to the General Prohibition in
14. the case where the contract was subject to competitive bidding
15. and the firm so bidding had been awarded a State Contract
16. during the preceding five years. Contracts would continue to
17. be voided if any relative of such person was involved in the
18. preparation of the contract's specifications. That's the intent
19. of the bill and I would appreciate a favorable roll call.

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Is there any discussion? The question is shall House Bill
22. 1348 pass? Those in favor vote Aye. Those opposed Nay. The
23. voting is open. Have all voted who wish? Have all voted who
24. wish? Take the record. On that question the Ayes are 38, the
25. Nays are 12, 1 Voting Present. House Bill 1348 having received
26. the constitutional majority is hereby declared passed. Senator
27. Demuzio, you wanted to bring back 1354? Pass that. Senator
28. McCarthy, 1365. Mr. Secretary, House Bill 1365.

29. SECRETARY:

30. House Bill 1365.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR CARROLL)

1. Mr....Senator McCarthy.

2. SENATOR MCCARTHY:

3. Yes, Mr. President and members of the Senate, House
4. Bill 1365, reduces the number of arrest records kept on file
5. by the Department of Law Enforcement to crimes where the penalty
6. is a felony or Class A or Class B misdemeanor conviction. What
7. it does is require the State's Attorneys and the Circuit Clerk
8. clerks to report the disposition of those types of cases that
9. the department keeps record of. This is a...a Department of Law
10. Enforcement Bill. It would have a tendency to make our files more
11. accurate and I believe it's meritorious legislation. I know
12. of no opposition but if there is, I've got an expert here with
13. me who will answer any questions, Mr. Drysdale. ...If there
14. are none, I recommend a favorable roll call.

15. PRESIDING OFFICER: (SENATOR CARROLL)

16. Any further discussion? The question is shall House Bill
17. 1365 pass. Those in favor vote Aye. Those opposed Nay. The
18. voting is open. Have all voted who wish? Take the record. On
19. that question the Ayes are 45, the Nays are none, with 2 Voting
20. Present. House Bill 1365 having received the constitutional
21. majority is hereby declared passed. House Bill 1369, Senator
22. Knuppel. Mr. Secretary, 1369.

23. SECRETARY:

24. House Bill 1369.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR CARROLL)

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. House Bill 1369 is designed to provide a definition for
31. what constitutes death. Up until now the legal definition of
32. death was the cessation of heart beat. I can assure you that
33. this is not an adequate test in view of the heart lung machine

1. and other operations. Transplant doctors have also suggested
2. that we have a legal definition that they can live with when
3. they start transplants. If the test that now existed had been
4. enforced they could of started stripping the old frame last
5. winter when I had that heart attack. The provision now will
6. be the test of death will be the cessation of all brain activities.
7. I suggest that this is the type of definition that's required
8. in keeping with modern medicine and our law today. I would
9. appreciate a favorable roll call.

10. PRESIDING OFFICER: (SENATOR CARROLL)

11. Is there any discussion? Senator Schaffer.

12. SENATOR SCHAFFER:

13. The Senator will yield.

14. PRESIDING OFFICER: (SENATOR CARROLL)

15. Senator indicates he will yield. Can we have a little
16. order, please?

17. SENATOR SCHAFFER:

18. Senator Knuppel, what's the position of the Medical Society
19. on this bill?

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. The American Medical Association, I think, had a position
24. that was not...not in keeping with it. But the Illinois Medical
25. Association approves of it. The American Bar Association approves
26. of it and the Doctor Stewart, who is the head of the group who do
27. transplants, appeared here to testify, a very distinguished doctor
28. who came out of committee after he testified for the unanimous vote.

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Well, I'm prepared to support the bill. I only have one concern
33. and that's, that under your definition of death that based on some

1. of the legislation we've passed out of here this year, we might
2. all qualify.

3. PRESIDING OFFICER: (SENATOR CARROLL)

4. Any further discussion? Senator Knuppel, wish to close the
5. debate. The question is shall House Bill 1369 pass? Those in
6. favor vote Aye. Those opposed No. The voting is open. Okay,
7. that's all right, we're starting again. The question is shall
8. House Bill 1369 pass? Those in favor Aye. Those opposed Nay.
9. The voting is already open. Have all voted who wish? Take the
10. record. On that question the Ayes are 54, the Nays are none, with
11. 1 Voting Present. House Bill 1369 having received the constitutional
12. majority is hereby declared passed. Senator McCarthy on 1378.
13. Mr. Secretary, 1378. You wish to recall that? Is there leave
14. to recall 1378 to the order of 2nd reading for purpose of an
15. amendment? Leave having been granted, the bill is on 2nd reading.
16. Senator McCarthy.

17. SENATOR MCCARTHY:

18. Yes, ...

19. PRESIDING OFFICER: (SENATOR CARROLL)

20. Amendment No. 1.

21. SENATOR MCCARTHY:

22. ...Yes, Mr. President, this bill is being recalled to delete a
23. Section of the bill by agreement of the sponsors and I would
24. move its adoption.

25. PRESIDING OFFICER: (SENATOR CARROLL)

26. Is there any further discussion? Question is on the adoption
27. of Amendment No. 1. Those in favor indicate by saying Aye. The
28. opposed Nay. The Ayes have it. The amendment is adopted. Any
29. further amendments? 3rd reading. Senator Doughery, on 1381.
30. Hold it. Senator Nudelperson, 1384. Mr. Secretary, 1384.

31. SECRETARY:

32. House Bill 1384.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR CARROLL)

3. Senator Nudelman.

4. SENATOR NUDELMAN:

5. Thank you, Mr. President, after that those bills will never
6. get out of committee. Mr. President, Ladies and Gentlemen of
7. the Senate, this bill is a simple bill. Under the present law
8. anyone having been found not guilty of a misdemeanor or municipal
9. offense for the first time has the right, as you know, to file a
10. petition that his record be expunged. In the present law there
11. is a requirement that the accused give a waiver to the arresting
12. officer or officers in order to have that petition approved.
13. This bill will delete that requirement of waiver. We think that
14. if there is a right the right should be alone without any
15. conditions, and if there is not a right he should not have the
16. right. It's a very simple bill. It puts up a very simple pro-
17. position of justice and I solicit a favorable roll call.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Is there any questions? Any further debate? The question...
20. Senator Wooten.

21. SENATOR WOOTEN:

22. Senator Nudelman, I guess I, my understanding of the bill was
23. exactly reversed. You're saying, I see it eliminates requirement.
24. In other words, you can still say - sue for false arrest, is that
25. the purpose of it?

26. PRESIDING OFFICER: (SENATOR CARROLL)

27. Senator Nudelman. He shakes his head, indicating yes. Senator
28. Wooten, any further questions?

29. SENATOR WOOTEN:

30. No, I just, that's something to think about a little bit.
31. In other words, you can have your record, your arrest record expunged
32. but you can sue then for false arrest. You don't have to...you
33. don't waiver any claims against the arresting officer. I've got to

1. think about that a bit.

2. PRESIDING OFFICER: (SENATOR CARROLL)

3. Senator Bell.

4. SENATOR BELL:

5. Thank you, Mr. President, Senator Nudelman would you say that
6. this is a good bill for law enforcement?

7. PRESIDING OFFICER: (SENATOR CARROLL)

8. Senator Nudelman.

9. SENATOR NUDELMAN:

10. Absolutely, good law enforcement includes justice and this
11. bill does justice. Presently, if I may continue my remarks, thank
12. you, presently of course as you know, if you are arrested and
13. found not guilty there is a possibility for a suit for false arrest
14. anyway. The only thing that this bill would do would say that
15. you have...you continue to have the right to sue for false arrest
16. even though your record is expunged. Presently, the law says
17. if you expunge your record you lose that right and I don't think
18. the two things should be tied together. They're two different
19. theories, two different philosophies, and they should be separate.

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Senator Bell.

22. SENATOR BELL:

23. Well, I...on the basis of your explanation would seem to
24. differ with you. In that...in that if you can now...if you now
25. have the right to sue for false arrest then the problem is
26. presently being addressed, without benefit of this particular
27. bill, and that it would seem to me that this type of legislation
28. would just put that much more added burden on the arresting officer.

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. Senator Newhouse.

31. SENATOR NEWHOUSE:

32. This is a good bill. Any suit for false arrest you have to
33. prove something. There's nothing automatic about that. The

1. judges nor the courts look lightly upon false arrest suits and
2. very few of them are successful. You've got to prove that something
3. happened in a false arrest. Nothing automatic about it, this
4. is a good bill. If you've been arrested and something else has
5. happened and an officer has in fact acted illegally, you ought
6. to have a law suit against him. It's as cold as that, if he's
7. broken the law and that's what a false arrest suit is all about.
8. If he hasn't broken the law, there's no possibility of a false
9. arrest suit. It's that simple. I don't think there's nothing
10. here to be...to quibble about. It's a fact that if a man has
11. been arrested and he's been arrested falsely, ought to have a
12. suit and he ought not have a record.

13. PRESIDING OFFICER: (SENATOR CARROLL)

14. Any further discussion? Senator Nudelman wish to close
15. the debate? Senator Nudelman.

16. SENATOR NUDELMAN:

17. Favorable roll call please.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Question is shall House Bill 184 pass? Those in favor vote
20. Aye. Those opposed No. 1384, those in favor Aye. Those opposed
21. No. The voting is open. Senator McCarthy. Have all voted
22. who wish? Take the record. On that question the Ayes are 55,
23. the Nays none, and none Voting Present. House Bill 1384 having
24. received the constitutional majority is hereby declared passed.
25. We will now revert back to House Bill 1378, Senator McCarthy.
26. House Bill 1378, on the order of 3rd reading.

27. SECRETARY:

28. House Bill 1378.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR CARROLL)

32. Senator McCarthy.

1. SENATOR McCARTHY:

2. Yes, Mr. President, the bill as amended does this, in a
3. case where the taking of property under eminent domain is for
4. a construction easement only, any structure like a fence or a barn
5. which has been removed or taken shall at the owner's option be
6. repaired, re-established at another location designated by the
7. owner provided that the cost of removing does not exceed the
8. fair compensation or that he would be awarded under the Act
9. of Eminent Domains. No controversy that I know of to this bill,
10. however, there have been some abuses in the past where construction
11. easements have come along and they tell the fellow -we'll give
12. you seventy-five dollars for your fence and the fence never gets
13. repaired. This way he has the option to tell them if the cost
14. of moving the fence is not more than seventy-five dollars, the
15. person getting the easement has to move the fence and that's what
16. the bill does. It's good legislation for the people. I encourage
17. a favorable vote.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Is there any discussion? The question is shall House Bill
20. 1378 pass? Those in favor vote Aye. Opposed Nay. The voting
21. is open. Have all voted who wish? Take the record. On that
22. question the Ayes are 52, the Nays are none, with none Voting
23. Present. House Bill 1378, having received the constitutional
24. majority is hereby declared passed. House Bill 1385, Senator
25. Kosinski. Mr. Secretary, House Bill 1385, on the order of 3rd
26. reading.

27. SECRETARY:

28. House Bill 1385.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR CARROLL)

32. Senator Kosinski.

33. SENATOR KOSINSKI:

1 Mr. President, and members of the Senate, I ask leave of
2 the Body to bring back...I know, Mr. Secretary, you're a little
3 tired but that's one of those things I'm...

4 PRESIDING OFFICER: (SENATOR CARROLL)

5 Senator Kosinski asks leave to bring back 1385 to the order
6 of 2nd reading for the purpose of an amendment. Is there leave?
7 The bill is now on the order of 2nd reading. Amendment No. what,
8 Mr. Secretary, one? Amendment No. 1. Senator Kosinski...whose
9 amendment? Senator Bell.

10 SENATOR BELL:

11 Thank you, Mr. President. Senator Kosinski, could I have
12 a copy of that amendment, that Floor amendment?

13 PRESIDING OFFICER: (SENATOR CARROLL)

14 First, let's offer...Senator Kosinski's Amendment. Would
15 the Senator like to explain the amendment, find the amendment.

16 SENATOR KOSINSKI:

17 Mr...copies have been distributed about an hour ago.

18 PRESIDING OFFICER: (SENATOR CARROLL)

19 Would you explain the amendment, Sir.

20 SENATOR KOSINSKI:

21 Yes, the amendment does three things, it limits families to
22 those persons who live with the farmer. That was upon Senator
23 Glass' request and raises the age to twelve during schooltime but
24 allows ten year-olds and older to work during school vacations
25 and when school is not in session. That was upon the request
26 of Senator Buzbee. It makes the language in Section 2, to confirm
27 to languages in Section 1. That is what the amendment does.

28 PRESIDING OFFICER: (SENATOR CARROLL)

29 Is there any discussion? Senator Bell.

30 SENATOR BELL:

31 Well, I'd like to be able to bring this back from 3rd reading
32 to 2nd if we want to go into this amendment further.

33 PRESIDING OFFICER: (SENATOR CARROLL)

1. We're on the amendment now, Senator Bell, if you have
2. any questions...

3. SENATOR BELL:

4. Well, I just got the amendment, I haven't had an opportunity
5. to look it over before...

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Senator Kosinski...

8. SENATOR BELL:

9. If he wants to put it on and move it back to 3rd, I'd like
10. to be able to pull it back from 3rd if necessary to...

11. PRESIDING OFFICER: (SENATOR CARROLL)

12. I'm sure Senator Kosinski would agree before it was called
13. again if he wanted to bring it back. Senator Kosinski.

14. SENATOR KOSINSKI:

15. That...that amendment's been there at least an hour, an hour
16. and a half. Senator Bell, I don't know what is wrong but it's
17. agreed...let me take a look at it.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Senator Bell.

20. SENATOR BELL:

21. I didn't hear his answer, I'm sorry.

22. PRESIDING OFFICER: (SENATOR CARROLL)

23. He said, yeah, I think, right. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Well, since this affects the agricultural people in this
26. State I want to know whether the Senator has consulted with the
27. IAA and the NFO, the Grange and the Farmers' Union. Some of the
28. people who represent these rural people with respect to this
29. aid.

30. PRESIDING OFFICER: (SENATOR CARROLL)

31. Senator Kosinski.

32. SENATOR KOSINSKI:

33. This was in committee, I don't know. This is an agricultural

1. bill. The agreement...this migrate purpose for the migrant
2. workers and...

3. PRESIDING OFFICER: (SENATOR CARROLL)

4. Senator Knuppel.

5. SENATOR KOSINSKI:

6. Go right ahead, Senator Knuppel.

7. SENATOR KNUPPEL:

8. Well, I mean I know the bill came through the Agricultural
9. Committee but we didn't put any amendments on it. Now, what
10. I'm asking about is the amendments, that's what we're discussing
11. now and the second thing is, I want to know how many migrant
12. workers you have in your district?

13. PRESIDING OFFICER: (SENATOR CARROLL)

14. Senator Kosinski.

15. SENATOR KOSINSKI:

16. Ten thousand, Spanish speaking people which a majority of
17. them do work on farms.

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Senator Daley.

20. SENATOR DALEY:

21. Mr. President, fellow Senators, I would inquire in regards
22. to our procedure. I think Senator Smith stated this, this morning.
23. Instead of going through bills, House Bills that need amendments,
24. let's first go through the bills that don't need amendments. I
25. think it will be much quicker and faster, otherwise our deadline
26. will not be met...

27. PRESIDING OFFICER: (SENATOR CARROLL)

28. Is that a question on this bill, Senator Daley?

29. SENATOR DALEY:

30. Yes, it is.

31. PRESIDING OFFICER: (SENATOR CARROLL)

32. I see.

33. SENATOR DALEY:

34. And all amendment bills.

1. PRESIDING OFFICER: (SENATOR CARROLL)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Well, Mr. President, I would point out to Senator Knuppel,
5. that in the Agricultural Committee...Senator Latherow is on
6. the Floor now, I think. Senator Latherow, Senator Merritt and
7. myself were the ones that were raising this question about the
8. farm family who has a child or the town family, for that matter,
9. who has a child who wants to go out and work on the farm in the
10. summertime who happens to be younger than age twelve and so,
11. Senator Knuppel, Senator Kosinski had the amendment drawn to
12. meet our objections and I believe I don't know if he's checked
13. with the IAA and the NFO and the CIO and the NFL and CIA and
14. everybody else, but I think he did check with the ERA and...
15. I'm not sure, but I believe this would meet the objections of those
16. of us who do represent rural districts in that now the child
17. that wants to work on the farm in nonschool months can continue
18. to do so and I think it's a good amendment and I rise in support
19. of it.

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Senator Bloom. Senator Bloom. Senator Latherow. Senator
22. Bloom yields to Senator Latherow.

23. SENATOR LATHEROW:

24. Well, I just want Senator Buzbee to know they also checked
25. with the CBL.

26. PRESIDING OFFICER: (SENATOR CARROLL)

27. Thank you, I'm sure he's cognizant of that. Senator Glass,
28. did you rise on this? Senator Glass.

29. SENATOR GLASS:

30. Mr. President, just to add my support for the amendment, I
31. have had an opportunity to work on the drafting. I think it...
32. it clearly gets the problem some of us were concerned about,
33. specifying that the child involved must live with the farmer.

1. at his principal place of residence and also allowing a minor
2. ten years of age or more to work during vacation time, and
3. I think it is a good amendment. I would urge support of it.

4. PRESIDING OFFICER: (SENATOR CARROLL)

5. Is there any reason for Senator Palmer arising?

6. SENATOR PALMER:

7. I just want to offer the President House Bill 1314...

8. PRESIDING OFFICER: (SENATOR CARROLL)

9. Well, we're not on that order of business...

10. SENATOR PALMER:

11. ...intervening business...

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. You're out of order right now. Any further discussion?

14. Senator Graham.

15. SENATOR GRAHAM:

16. Mr. President, members of the Senate, I'm going to tell
17. you one thing about Senator Kosinski. If you Ladies and
18. Gentlemen have spent as much time with Senator Kosinski in the
19. prisons of Illinois as I have, you wouldn't question the integrity
20. of his amendment. And I do support your amendment, Senator.

21. PRESIDING OFFICER: (SENATOR CARROLL)

22. That was in the prisons. Any further discussion? Question
23. is on...Senator Berning.

24. SENATOR BERNING:

25. On this amendment what concerns me is that we've confined
26. members of the family to those who live with a farmer at his
27. principal place of residence. By that very sentence, we would
28. preclude the farmer's grandchild from coming from the little
29. community down the road to work with his grandfather on the farm,
30. or the cousin of the farmer's little son. Seems to me that the
31. bill in its original shape, at least insofar as line twenty-four
32. is concerned, was much preferable to what the amendment now
33. seeks to replace the line with.

1. PRESIDING OFFICER: (SENATOR CARROLL)
2. Any further discussion? Senator Knuppel.
3. SENATOR KNUPPEL:
4. What effect is that going to have on these honorary pages
5. that have been working around here, some of whom are under
6. twelve years of age? Does this throw them out of employment?
7. PRESIDING OFFICER: (SENATOR CARROLL)
8. Senator Kosinski.
9. SENATOR KOSINSKI:
10. I didn't hear what you said.
11. SENATOR KNUPPEL:
12. We have some honorary pages around here that aren't twelve
13. years of age. Is this going to cut them off?
14. SENATOR KOSINSKI:
15. No, it still states...ten. If I can explain it I'll go down
16. further with it.
17. PRESIDING OFFICER: (SENATOR CARROLL)
18. I don't think it's agricultural work.
19. SENATOR KOSINSKI:
20. You're asking this question. The Section 2 of the Child
21. Labor Law states nothing in this Act applies to the employment
22. of a minor outside of school hours in and around a home at work,
23. usually at the home of the employer as long as the work is not
24. in connection with or a part of a business trade or profession
25. of an employer. Are you now satisfied, counselor?
26. PRESIDING OFFICER: (SENATOR CARROLL)
27. Senator Knuppel.
28. SENATOR KNUPPEL:
29. Well, this isn't the home or anything. I think we're
30. winking our eye at the law here, but I'm willing to wink it.
31. PRESIDING OFFICER: (SENATOR CARROLL)
32. Is there any further discussion? Does the sponsor wish to close
33. debate as to the amendment? The question is on the adoption of the...

1. SENATOR KOSINSKI:
2. No question about it.
3. PRESIDING OFFICER: (SENATOR CARROLL)
4. ...Question is on the adoption of Amendment No. 1 to House
5. Bill 1385. All those in favor indicate by saying Aye. The
6. opposed Nay. The Ayes have it. The amendment is adopted. Are
7. there any further amendments? 3rd reading. Senator Schaffer, on
8. 1386. Yes, Mr. Secretary, 1386. House Bill 1386 on the order of
9. 3rd reading.
10. SECRETARY:
11. House Bill 1386.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR CARROLL)
15. Senator Schaffer.
16. SENATOR SCHAFFER:
17. Earlier today we passed Senator Egan's bill which provided
18. a fifteen thousand dollar improvement exemption for four years
19. on the actual value. Affected Cook County, this bill is the
20. same concept downstate, same dollar amounts involved. We passed
21. that one 50 to 2 and this bill is every bit as good.
22. PRESIDING OFFICER: (SENATOR CARROLL)
23. Is there any discussion? Senator Egan.
24. SENATOR EGAN:
25. Thank you, Mr. President, members of the Senate. I'd just
26. like to reiterate what was said earlier today. We're in full
27. support of this mutual program, thank you.
28. PRESIDING OFFICER: (SENATOR CARROLL)
29. Any further discussion? Senator Fawell.
30. SENATOR FAWELL:
31. Senator Schaffer, does this have the same amendment that
32. Senator Egan has referred to?
33. PRESIDING OFFICER: (SENATOR CARROLL)

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. There's one amendment on this bill. The end result of
4. which is, it refers to actual value. In other words...and
5. I'm just trying to think of the debate in the Revenue Com-
6. mittee, that sometimes you can put fifteen thousand dollars onto
7. your house but only add ten thousand dollars in value. You
8. shouldn't actually get an assessment break over the actual value
9. of the improvement you put on. That's the amendment we put on,
10. I'm not conversant with the amendment you're talking about with
11. Senator Egan. I'll give you a copy of the amendment though,
12. and the amendment...

13. PRESIDING OFFICER: (SENATOR CARROLL)

14. Senator Fawell.

15. SENATOR FAWELL:

16. Well, I...I gather it isn't the same as Senator Egan's,
17. in as much as your referring to a residential purpose rather
18. than a homestead. I'm not sure if that's really a great deal
19. of difference but...so be it.

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Any further discussion? Senator Latherow.

22. SENATOR LATHEROW:

23. Thank you, Mr. President, I might say I have some real
24. scepticism about this type of legislation. When you begin
25. saying that you're going about throughout the area to give
26. people fifteen thousand dollars, is it tax exemption for
27. improvement? I'd like to know upon which date, or what date
28. you arrive at the actual assessed value that you're going to
29. figure that from?

30. PRESIDING OFFICER: (SENATOR CARROLL)

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. Well, first of all let's...let's talk about seventy-five
34. hundred dollars of assessed valuation because theoretically we're at

1. fifty percent. The way this will work, Senator, is that if a...
2. in reality the way it will probably work is if someone comes
3. in and puts siding on your house or fixes the front porch, rebuilds
4. it when it's falling in, the contractor will probably find it in
5. his self-interest to have the exemption forms. The exemption
6. forms that we fill out and send to the assessor and the assessor
7. will then put this in his files and will not include it on the
8. additional assessment on the house for the next four assessment
9. periods. It...it is the type of thing like the homestead exemption
10. where the property owner involved will have to do the paper work.
11. The assessors that I've talked to are in favor of this bill. I
12. know of none of them that are opposed to it. It doesn't appre-
13. ciatively increase their workload They will have to set up
14. a file to keep track of these things on an annual basis. To some
15. degree they're probably I think better off, because we have what
16. I call in my area midnight builders. These are people who put
17. improvements on their houses without permits and very quietly over
18. weekends or late at nights, so they don't get the extra assessment
19. till the assessor comes around on a quadrennial year and maybe
20. or maybe not he'll notice the improvement. This will provide an
21. incentive for these type of improvements to improve the community
22. and at the same time provide the assessor with an honest accounting
23. of what's going on.

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. Any further discussion? Senator Latherow.

26. SENATOR LATHEROW:

27. Well, I'd just like to recognize, I think in all probability
28. this could have a different effect than what you're thinking of.
29. I don't think there's any question. We talk about the bills
30. that are being presented now or will be presented very soon
31. by the Study Commission Committee that's been working with
32. the tax laws and so on. And you set a favorable tax for a
33. particular property and I think rightfully so, if a man has

1. enough respect for his own property to improve it, it should
2. be assessed accoring to the actual fair cash value and you
3. get all these jingles with it you'll eventually never know where
4. you are as far as assessments are concerned in these areas. I
5. can recognize naturally that this would be a popular piece of
6. legislation to go about campaigning with, but I certainly can't
7. believe it's a responsible piece of legislation. A man can
8. spend just as much money on the other buildings, on the farm or
9. area as what he does on the home and he receives no credit what-
10. soever. I think there is no justification with this piece when
11. you say strictly to his place of residence.

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. Senator Nimrod.

14. SENATOR NIMROD:

15. Yes, Mr. President, I want to ask a question. Senator
16. Schaffer, I do favor this bill and it was in mind of what we
17. talked about before that covered the Cook County area, but I
18. noticed in the amendment and I just want to make sure that we're
19. not doing something that we don't want to do. In the other bill
20. that was passed, at no time can there be in any one four year
21. period, be more than a total of fifteen thousand dollars. With
22. your amendment as I read it, and I'm not sure I'm getting the
23. right...can there be an annual of fifteen thousand giving a total
24. of sixty thousand dollars...see the other bill is limited...
25. the total is only fifteen. But the amendment here says annual
26. of fifteen. In that case you could go to sixty thousand dollars
27. and I don't think you really intended to do that.

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. Your staff tells me that it's the same exact language, word for
32. word. I believe he drew up both amendments.

33. PRESIDING OFFICER: (SENATOR CARROLL)

1. Senator Nimrod.
2. SENATOR NIMROD:
3. If...if the wording is the same, I'll check it, but otherwise
4. we could have a problem and if it is we'll go ahead with it.
5. PRESIDING OFFICER: (SENATOR CARROLL)
6. Senator Schaffer. It is identical. Senator Soper.
7. SENATOR SOPER:
8. I wonder if the sponsor would answer a few questions.
9. PRESIDING OFFICER: (SENATOR CARROLL)
10. He indicates that he will yield.
11. SENATOR SOPER:
12. Now, you...you have this bill and you have the taxpayer
13. in mind, is that what you're talking about?
14. PRESIDING OFFICER: (SENATOR CARROLL)
15. Senator Schaffer.
16. SENATOR SCHAFFER:
17. This and the bill that we passed earlier for you folks
18. in Cook County, we have in mind the taxpayers and the communitiy
19. and the environment of the community. This bill has a lot of
20. ramifications.
21. PRESIDING OFFICER: (SENATOR CARROLL)
22. Senator Soper.
23. SENATOR SOPER:
24. Just say yes or no. I don't want a dissertation with it.
25. That's all right, Senator, I'll ask you a few more questions. Now,
26. you've got the taxpayer in mind, in other words, if he doesn't report
27. this, then what happens? Does he get this fifteen thousand dollar
28. break if he's improved his house for a four year tax deduction or
29. a nonassessed valuation up to the amount of the improvement?
30. PRESIDING OFFICER: (SENATOR CARROLL)
31. Senator Schaffer.
32. SENATOR SCHAFFER:
33. No.

1. PRESIDING OFFICER: (SENATOR CARROLL)

2. Senator Soper.

3. SENATOR SOPER:

4. If he doesn't report it and he isn't caught, it never

5. goes on, does it?

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Senator Schaffer.

8. SENATOR SCHAFFER:

9. The same situation as prevails without this law prevails.

10. If he isn't caught, if he robs a bank and he isn't caught, he

11. isn't punished.

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. Senator Soper.

14. SENATOR SOPER:

15. Now, when I say he isn't caught, I mean...suppose he makes

16. some improvements in his basement, he does it himself. Now,

17. if you think you're going to have the taxpayers make these

18. reports, because you tell them for four years he's going to be

19. off the hook and he's going to report fifteen thousand dollars.

20. Then to get, on the fourth year after he gets in there, you

21. better not run for office after you put this bill on.

22. PRESIDING OFFICER: (SENATOR CARROLL)

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. Well, we're getting far field, but I can't speak for Cook

26. County but in my county if someone puts an improvement in, chances

27. are he's, if he has a reputable contractor, he's going to have

28. to have a building permit and if he has a building permit, a copy

29. of that goes to the assessor. I do admit that we do have what

30. I call midnight builders. They will continue. I...it doesn't

31. have anything to do with the bill. I think it's a good bill.

32. PRESIDING OFFICER: (SENATOR CARROLL)

33. Senator Hickey.

1. SENATOR HICKEY:
2. Mr. President, I'd like to ask the sponsor a question.
3. PRESIDING OFFICER: (SENATOR CARROLL)
4. He indicates he will yield. Senator Hickey.
5. SENATOR HICKEY:
6. I'm wondering if since your bill says, all counties under
7. one million population, and Senator Egan's bill says, all under...
8. no yours yes, yours says all under one million, and his includes
9. those down to two hundred thousand, if those who are in that
10. range from two hundred thousand to a million can take a thirty
11. thousand dollar exemption?
12. PRESIDING OFFICER: (SENATOR CARROLL)
13. Senator Schaffer.
14. SENATOR SCHAFFER:
15. His, the way Senator Egan's bill is drafted, he refers to
16. those counties to the assessment that allows a classification.
17. PRESIDING OFFICER: (SENATOR CARROLL)
18. Senator Hickey.
19. SENATOR HICKEY:
20. I think his says, let's ask him, but I think he told me
21. that his is two hundred thousand and under.
22. PRESIDING OFFICER: (SENATOR CARROLL)
23. Senator Schaffer.
24. SENATOR SCHAFFER:
25. Senator Egan's bill as amended is for counties over one
26. million. This bill is for counties under one million, there's
27. no conflict.
28. PRESIDING OFFICER: (SENATOR CARROLL)
29. Senator Egan.
30. SENATOR EGAN:
31. No, my bill was amended to include counties over two
32. hundred thousand, which classify real estate and that was
33. Senator Hickey's requested amendment.

1. PRESIDING OFFICER: (SENATOR CARROLL)
2. Senator Hickey.
3. SENATOR EGAN:
4. Which classifies real estate because...
5. PRESIDING OFFICER: (SENATOR CARROLL)
6. From Schaffer to Egan to Hickey. Any further discussion?
7. Senator Berning.
8. SENATOR BERNING:
9. Thank you, Mr. President, and members of the Senate, this bill
10. and the preceding one, of course, that it addresses itself to the
11. same topic in different numbers of counties, emphasizes again
12. the actions by the General Assembly in diminishing the operating
13. revenues for local levels of government. Seems paradoxical
14. that the recent Illinois Constitutional Convention in drafting
15. this Constitution included the provision of Section 6, Article 9,
16. since it would seem this very likely was a pertinent Section in
17. the old Constitution when the State of Illinois imposed a Real
18. Estate Tax. As you know, the State has not imposed a Real Estate
19. Tax for a long, long time. That area of taxation has been reserved
20. and set aside for the local levels of government. Now, we not
21. only have burdened them with increasing responsibilities but we again
22. are going to reduce the level of income they can generate through
23. the use of this method of taxation. Curiously, I support the
24. concept but it's paradoxical that we, the Body, sitting in
25. Springfield, take the actions we do impinging on the ability
26. of the local levels of government to operate satisfactorily.
27. PRESIDING OFFICER: (SENATOR CARROLL)
28. Is there any further discussion? Senator Schaffer wish
29. to close debate? Senator Schaffer. Roll call. Senator Schaffer.
30. SENATOR SCHAPFER:
31. Well, again I'd like to remind the Body that we passed the
32. bill out for Cook County this morning, the same concept, the
33. same dollar figure involved. I don't believe this bill will

1. reduce revenues for local government. There will be a one
2. time impact.

3. PRESIDING OFFICER: (SENATOR CARROLL)

4. The question is shall House Bill 1386 pass? Those in favor
5. vote Aye. The opposed Nay. The voting is open. Senator Course
6. vote me Aye, please. Have all voted who wish? Take the record.
7. On that question the Ayes are 46, the Nays are 4, none Voting
8. Present. And House Bill 1386 having received the constitutional
9. majority is hereby declared passed. If we can go back to
10. Senator Kosinski's 1385, Mr. Secretary.

11. SECRETARY:

12. House Bill 1385.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR CARROLL)

16. Senator Kosinski.

17. SENATOR KOSINSKI:

18. Mr. Chairman, members of the Senate, this bill amends the
19. Child Labor Law, raises the age of children for farm work in connection
20. with agriculture from ten to twelve years of age. I seek a
21. favorable roll call.

22. PRESIDING OFFICER: (SENATOR CARROLL)

23. Is there any further discussion? The question is...

24. Senator Bell.

25. SENATOR BELL:

26. Yes, Mr. President, Senator Kosinski, why do we need to do
27. this?

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. Senator Kosinski.

30. SENATOR KOSINSKI:

31. Because there is a great demand for labor on the farms and
32. I understand there has been a shortage of workers on the farms.
33. The migrates, the immigrants...just a minute let me get my

1. notes here, you've got me...what's that, Sir? I'll answer
2. your question.

3. PRESIDING OFFICER: (SENATOR CARROLL)

4. Senator Bell.

5. SENATOR BELL:

6. Yes, Senator Kosinski, you might look for your notes but
7. my particular thought is here if in fact we're trying...if
8. in fact we're trying to broaden jobs available for young people
9. and for migrant workers that are young, it would seem to me
10. that we should leave it maybe at age ten. There would be that
11. many more that would qualify and so it seems that this is more
12. restrictive to move it from ten to age twelve. Any further
13. discussion? Senator Lemke.

14. SENATOR LEMKE:

15. On this bill for the age from age ten to twelve, I don't
16. know how many people realize what a worth of a ten year old
17. on a migrant farm is but it isn't very much, and last Session
18. I think we went around and found out that most of the growers
19. don't like to have the kids run through their tomato crops because
20. the kids ruin more tomatoes than they pick and I think if
21. anybody has a ten year old son which I have and he wants...
22. that boy to work in a field or in any place, I think he's just...
23. silly because a ten year old boy is going to get hurt if he's
24. going to work. There's certain things he can do and that's deliver
25. newspapers and certain other things but he can't work and pick
26. crops and be around machinery because you're just asking for
27. trouble and I urge a favorable vote for this bill.

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. Any further discussion? Senator Latherow.

30. SENATOR LATHEROW:

31. Well, I just want to say with the relationship of maybe
32. a little bit of experience. I've had some ten year old boys.
33. Each one of them was only ten once, and neither one of them

1. got hurt working around machinery and so on. I think you
2. need a little experience there just like you need a little
3. anyplace else, but we can run on with this forever. I hesitated
4. and questioned why we wanted to change it from ten back up to
5. twelve but I think Senator Kosinski has removed my objections
6. and to edify Senator Buzbee awhile ago, that new organization
7. CBL happens to contain my initials. He didn't recognize that
8. he told me.

9. PRESIDING OFFICER: (SENATOR CARROLL)

10. Senator Ozinga.

11. SENATOR OZINGA:

12. Well, I have a couple of ten year...or had a couple of
13. ten year old boys and when they worked on the farm they
14. became good baseball pitchers. Especially when they were
15. working in the tomato crops.

16. PRESIDING OFFICER: (SENATOR CARROLL)

17. Is there any further discussion? Question is shall House
18. Bill 1385 pass. Those in favor vote Aye. Opposed Nay. The
19. voting is open. Have all voted who wish? Take the record.
20. On that question the Ayes are 51, the Nays are none, 1 Voting
21. Present and House Bill 1385 having received the constitutional
22. majority is hereby declared passed. Senator Bloom, on House
23. Bill 1387. Mr. Secretary, on the order of 3rd reading, House
24. Bill 1387.

25. SECRETARY:

26. House Bill 1387.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. Senator Bloom.

31. SENATOR BLOOM:

32. Well, thank you very much, Mr. President and fellow Senators.
33. This bill merely adds a paragraph to that Section and it says if

1. requested, a resident school district may provide transportation
2. for the handicapped resident irregardless of age who attend classes
3. in another district. The resident...it also has a provision
4. saying that the resident district shall charge for the transporta-
5. tion to cover the cost at a reasonable allowance for the depreciation
6. of the vehicles used. This should be at minimal cost to the
7. State because the beneficiaries will be reimbursing the district.
8. I would appreciate a favorable roll call, any questions?

9. PRESIDING OFFICER: (SENATOR CARROLL)

10. Is there any discussion? The question is shall House Bill
11. 1387 pass? Those in favor vote Aye. The opposed Nay. The
12. voting is open. Have all voted who wish? Take the record.
13. On that question the Ayes are 57, the Nays are none, with none
14. Voting Present, and House Bill 1387 having received the constitu-
15. tional majority is hereby declared passed. Senator Egan, on 1407.
16. House Bill 1407, on the order of 3rd reading. Senator Dougherty,
17. for what purpose do you rise? 1388 is on the agreed list, Sir.
18. We're passing bills that are on the agreed list. Senator Egan,
19. on 1407, Mr. Secretary.

20. SECRETARY:

21. House Bill 1407.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. Senator Egan.

26. SENATOR EGAN:

27. Thank you, Mr. President, members of the Senate, House Bill
28. 1407...sponsored by Representative Capparelli, in the House,
29. provides for the transfer of weapons from the court that have
30. been used for evidence for disposition to the sheriff. Currently
31. the clerk has to keep those weapons or otherwise dispose of them,
32. and it's felt that if the sheriff does it he can properly keep
33. track of them and...this is a more orderly process. And I would
34. ask for your favorable consideration. And I will yield to a question

1. from Senator Demuzio.

2. PRESIDING OFFICER: (SENATOR CARROLL)

3. Senator Demuzio.

4. SENATOR DEMUZIO:

5. Did you say disposition or destruction?

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Senator Egan.

8. SENATOR EGAN:

9. Well, I...I you can call it anything you want but the whole

10. idea is, yes, destruction, or and also when a weapon for example

11. is kept for post trial hearings and post convention appeals.

12. Those weapons cannot be destroyed because they are still part

13. of the evidence, and still part of the record.

14. PRESIDING OFFICER: (SENATOR CARROLL)

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. Yeah, I'm just questioning the destruction part of the...

18. of the bill, it would seem to me that it would be more reasonable

19. to dispose of them in some other method rather than to

20. destruct.

21. PRESIDING OFFICER: (SENATOR CARROLL)

22. Senator Wooten.

23. SENATOR WOOTEN:

24. Mr. President, and colleagues, on the other hand, we have

25. had problems on this precise point in our county. I must

26. confess I'm doing this the lazy way Senator Egan, and merely

27. asking you instead of having recourse to the bill, are the

28. weapons to be destroyed?

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. Senator Egan.

31. SENATOR EGAN:

32. Those weapons which do not have to be kept for post conviction

33. appeals will be destroyed.

1. PRESIDING OFFICER: (SENATOR CARROLL)

2. Senator Wooten.

3. SENATOR WOOTEN:

4. That is a very good point then because we have gotten
5. into all kinds of trouble with weapons kind of left around
6. and they've been disposed of improperly. So if they are to
7. be destroyed fine, I support you wholeheartedly.

8. PRESIDING OFFICER: (SENATOR CARROLL)

9. Any further discussion? Senator Egan wish to close the
10. debate? The question is shall House Bill 1407 pass. Those
11. in favor vote Aye. Opposed Nay. The voting is open. Have
12. all voted who wish? Have all voted who wish? Take the
13. record. On that question the Ayes are 56, the Nays are none,
14. and none Voting Present and the House Bill 1407 having received
15. the constitutional majority is hereby declared passed. Senator
16. McCarthy, on 1422, are you ready? Mr. Secretary, if you will
17. call on the order of 3rd reading 1422, House Bill.

18. SECRETARY:

19. House Bill 1422.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR CARROLL)

23. Senator McCarthy.

24. SENATOR MCCARTHY:

25. Yes, Mr. President, House Bill 1422, amends the University
26. Civil Service Act. What it does is authorize by statute that
27. which has been the practice heretofore in the negotiations. And
28. it further provides through an amendment that in the section
29. that specifies how the rules are to be promulgated it sets forth
30. that there should be notice given before the rules are promulgated.
31. I'd be happy to answer any questions that anyone has, otherwise
32. I recommend the legislation to the membership.

33. PRESIDING OFFICER: (SENATOR CARROLL)

1. Is there any discussion? Senator Fawell.

2. SENATOR FAWELL:

3. I'm afraid I don't understand this. I've been trying to
4. hurriedly read it. As I...as I do read this it appears that
5. the merit board has the power and authority to enter into
6. a contract which includes what they refer to as union security
7. and check-off provisions. Then it states that as used in this
8. subsection, "Union Security," means a requirement of membership
9. and an exclusively recognized employee organization on or
10. after the thirtieth day following beginning of employment,
11. provided that such membership requirement may be met if the
12. employee tenders the periodic dues and the initiation fees.
13. Now, it seems to me that you're talking about the agency shop
14. provision, that an employee must join the union or authorize
15. that dues be checked off his or her compensation or they lose...
16. they lose their employment. Now, is this a correct construction,
17. Senator McCarthy?

18. PRESIDING OFFICER: (SENATOR CARROLL)

19. Senator McCarthy. There was a question, Senator McCarthy.

20. SENATOR McCARTHY:

21. You read what...lines beginning four on page 2.

22. PRESIDING OFFICER: (SENATOR CARROLL)

23. He shakes his head yes.

24. SENATOR McCARTHY:

25. Yeah, I don't, I'm sorry, Senator Fawell, I didn't get quite
26. what your question was, but what it does is that in the bargaining
27. that the union security, it defines what it means, which would
28. include check-offs. Was that your question?

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. Senator Fawell.

31. SENATOR FAWELL:

32. Mr. President, if I could have the attention of the Body, I
33. think this is an important provision.

1. PRESIDING OFFICER: (SENATOR CARROLL)

2. If we can have some order.

3. SENATOR FAWELL:

4. ...As I construe this, it means that the agency shop can
5. be inserted in the employment contract which means, of course,
6. either you join the union or you lose your employment or in lieu
7. thereof, you authorize involuntary check-off of union dues from
8. your paycheck. Now, if I am construing it correctly, this is
9. the first time any such provision such as the agency shop
10. provision would be included in the laws as it affects the
11. universities, higher education.

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. May we first have a little bit more order than we have been
14. having. We've been only getting a little bit of order. If
15. we can cut out some of the private caucuses. Senator McCarthy,
16. do you wish to answer?

17. SENATOR MCCARTHY:

18. Well, I hope it's responsive, Senator. The way that I read
19. the bill, it provides that in the negotiations there can be a
20. contractual matter which would be an agency shop, that would
21. be a negotiable item and so if that's your construction,
22. that's my construction. It doesn't mandate it, it just means
23. that they can bargain for that, that's the understanding I have
24. of its plain language and it doesn't say, of course, that this is
25. a mandatory part of any contract, the languages shall be authorized,
26. too. So I think your construction and my construction is the
27. same.

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. Senator Hall. Your time is...Senator Hall.

30. SENATOR HARBER HALL:

31. Well, Mr. President, Ladies and Gentlemen of the Senate. I
32. rise to oppose this bill. I think of all the areas of union
33. negotiation and union construction by statute, I think the area of

1. academicians being under the normal union rules of...and
2. procedure the check-off organization, agency shop, is
3. really something we ought to take a very careful look at.
4. In talking to the teachers at Illinois State University, I
5. get the distinct impression that although some of the
6. benefits of organization and union collective bargaining are
7. desirous, they don't want to have an agency shop with some of
8. the provisions that we have here. They don't approve, in my
9. opinion, of dues check-offs, and force membership into a single
10. agency. I think they are rather unique, if there is such a
11. thing anymore, in the academic field that they are...should have
12. freedom, freedom to teach and freedom to move around in their
13. own atmosphere without control from outside groups. We've
14. pretty much tried to adhere to this principle, and I think here
15. is an application that we should continue to let them operate
16. in their own atmosphere of the academic arena. So I oppose
17. the bill and hope each of you will look closely at the provisions
18. that it provides and vote against it.

19. PRESIDING OFFICER: (SENATOR CARROLL)

20. Senator Glass.

21. SENATOR GLASS:

22. Thank you, Mr. President, I ... if I may, would like to ask Senator
23. McCarthy a question about the bill.

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. He indicates he will yield.

26. SENATOR GLASS:

27. Senator McCarthy, in addition to the points on the dues
28. check-off and agency shop discussed by the other Senators, I noticed
29. that the bill in lines fifteen and sixteen on page two provides
30. that rates and ranges agreed upon in negotiation and approved
31. by the merit board, become effective on the expiration of the
32. old agreement. And...am I correct that that could result in
33. retroactive increases if in fact the negotiations were not con-

1. cluded until the commencement of the next fiscal year.

2. PRESIDING OFFICER: (SENATOR CARROLL)

3. One second. Can we have some order, please? Senator McCarthy.

4. SENATOR McCARTHY:

5. Your question is, would the agreed upon rates be retro-
6. spective? I think that again becomes a question of contract if
7. they have a work agreement that they go on work but yet still
8. continue to bargain. Then it...I suppose that is something that
9. could be agreed upon. There's nothing unusual about that. Many
10. times you have rather than an interruption of work you have an
11. understanding to keep on working with whatever is agreed upon to
12. be restrospective to the expiration of the contract.

13. PRESIDING OFFICER: (SENATOR CARROLL)

14. Senator Glass.

15. SENATOR GLASS:

16. Well, Senator McCarthy, I agree that whatever the parties in
17. negotiation reach agreement on, should be their agreement. But
18. what I object to in this bill and another reason I think it should
19. be defeated is that it mandates that the rates and ranges agreed
20. upon become effective on the expiration of the old agreement. I
21. mean that's...that's in the law and I wouldn't think we need it
22. in there. I'd rather leave that up to the parties because having
23. it in the law, it seems to me insures that if the negotiations are not
24. concluded until after the end of the fiscal year that there will be
25. a retroactive or retrospective effective date and so I...I would
26. just urge the defeat of the bill on that ground.

27. PRESIDING OFFICER: (SENATOR CARROLL)

28. Any further discussion? Senator McCarthy wish to close?

29. SENATOR McCARTHY:

30. I...I would just like further to comment to Senator Carroll,
31. because it does...Senator Carroll, excuse me Senator Glass, because
32. it provides that the while the people are working and negotiations
33. are going on that the rates accrued or the rates agreed upon in

1. the negotiation would be effective upon the expiration of the old
2. contract does not preclude, does not preclude the parties from
3. agreeing otherwise. They can agree that they don't go back to
4. the expiration of the old contract. This is not a provision that
5. can't be bargained away. So this provides for collective bar-
6. gaining and I would ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR CARROLL)

8. The question is shall House Bill 1 ... Senator Harris, for
9. what purpose do you arise?

10. SENATOR HARRIS:

11. Well, I ... I'm sorry I've been off the Floor but this is,
12. of course, just a major public policy question. It asserts into
13. the law an agency shop authorization, does it not, Senator
14. McCarthy?

15. PRESIDING OFFICER: (SENATOR CARROLL)

16. He indicates he will yield.

17. SENATOR HARRIS:

18. Yes, it certainly does. So it means ... it means that in
19. the Universities' Civil Service Act if you don't join the union
20. you can be separated from employment for that purpose alone.

21. PRESIDING OFFICER: (SENATOR CARROLL)

22. Senator McCarthy.

23. SENATOR McCARTHY:

24. Senator Harris, I'm sorry. I agree with you that it puts
25. into the agency shop provision but then I think your other remarks
26. probably I should listen to a little bit more carefully. I ... I
27. can't ... didn't follow those.

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. Senator Harris.

30. SENATOR HARRIS:

31. The point I raised was that if you don't pay your dues to
32. the exclusive bargaining agent, you can be separated from your
33. employment as a university employee such as a professor or a

1. trades employee.

2. PRESIDING OFFICER: (SENATOR CARROLL)

3. Senator Daley, did you seek recognition?

4. SENATOR DALEY:

5. Yes, Mr. President. I'd like to ask the sponsor a question

6. of this bill.

7. PRESIDING OFFICER: (SENATOR CARROLL)

8. He indicates he'll yield.

9. SENATOR DALEY:

10. Did the operate...operating engineers appear on behalf of

11. this bill?

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. Senator McCarthy.

14. SENATOR MCCARTHY:

15. It's my recollection that there was a representative of the

16. operating engineers as well as general representatives from the

17. AF of L-CIO and I think Mr. Larry Rheinolt testified in favor of

18. the bill, was my recollection.

19. PRESIDING OFFICER: (SENATOR CARROLL)

20. Senator Daley.

21. SENATOR DALEY:

22. Was Dan Brennan there from the Operating Engineers' Union?

23. Would Senator Savickas know?

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. Senator Savickas.

26. SENATOR SAVICKAS:

27. Well, it's hard to recall off the top of my head, but I do

28. know that all of the unions, the trades and the representatives of the

29. teachers all appeared in favor of the check-off system.

30. PRESIDING OFFICER: (SENATOR CARROLL)

31. Any further...

32. SENATOR SAVICKAS:

33. No, I think it was Dwayne Hickman.

1. PRESIDING OFFICER: (SENATOR CARROLL)

2. Any further discussion? Senator Harris.

3. SENATOR HARRIS:

4. I don't think Senator McCarthy answered the last question
5. I raised, which was - could not an employee who did not pay his
6. dues to the exclusive bargaining agent be separated from employment
7. for that reason?

8. PRESIDING OFFICER: (SENATOR CARROLL)

9. Senator McCarthy.

10. SENATOR McCARTHY:

11. I think the answer is if that is part of the contract that
12. is an enforceable contract. Yes, Sir. But I...I just want to
13. maybe talk past the sale as the carsman...as the car salesman say
14. a little bit. I don't...I haven't seen professors ever get
15. together in a bargaining unit and this is designed for the people
16. that work with their hands at the State universities, Senator
17. Harris. Although the possible interpretations that you placed,
18. depending upon the number one, first the creation of a bargaining
19. unit and second, upon an agreement to, that is true. I think that's
20. possible interpretation but it depends upon some circumstances
21. that don't seem to be realistic to me at the present time.

22. PRESIDING OFFICER: (SENATOR CARROLL)

23. Once again, Senator Harris.

24. SENATOR HARRIS:

25. Well I just want the membership of this Body to be mindful
26. of what we're about here as relates to this bill. It provides
27. for an agency shop and all its attendant consequences. There is
28. a real serious question about how far we should go in the author-
29. ization of collective bargaining rights and I submit and suggest
30. and implore that this bill goes too far.

31. PRESIDING OFFICER: (SENATOR CARROLL)

32. Is there...Senator Graham.

33. SENATOR GRAHAM:

1. With regard, Mr. President and members of the Senate, to
2. those who did or did not appear in behalf of or opposed to this
3. bill which I say as Senator Harris does, is going to strengthen
4. the negotiations of the union and their clout over the universities,
5. and mandate that people who want...do want to work must belong
6. to a union or are not going to work But with regard to the wit-
7. nesses, there was one segment of our society that wasn't there.
8. It was the people who pays the tuition of the students and the
9. taxpayers of the State of Illinois were represented by only
10. about four or five people.

11. PRESIDING OFFICER: (SENATOR CARROLL)

12. Any further discussion? Once again, does Senator McCarthy
13. wish the opportunity to once again close?

14. SENATOR MCCARTHY:

15. Well, only to summarize at least to the members who look to
16. the legislative relief that people who work for a living...hope
17. for that this is a matter that would provide a guideline for
18. negotiations and would provide that if people elected a bargaining
19. unit in a democratic manner that they could provide for dues
20. check-off, and to hold, otherwise would put us with the eleven
21. states that say the right to work prevails and that no...that it
22. cannot be imposed. So I say as a matter of simplification, if
23. you believe in unions they have to be fed by union dues and the
24. check-off is permissible and is a practice in thirty-seven out
25. of our fifty states. There are thirteen states under fourteen,
26. be of the Taft-Hartley Act, that provide the so-called right to
27. work laws which prohibit it. But Illinois is not a right-to-
28. work State and I don't think we should vote as a right-to-work
29. State. They...they are outmoded and not in with the times.
30. And I urge a favorable vote.

31. PRESIDING OFFICER: (SENATOR CARROLL)

32. The question is shall House Bill 1422 pass? Those in favor
33. vote Aye, the opposed Nay and the voting is open. Have all voted

1. who wish? Senator McCarthy.

2. SENATOR MCCARTHY:

3. I would like to move that this bill which is a serious
4. decision be placed upon the order of Postponed Consideration
5. where we will give it more consideration.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Is there leave? Leave having been granted, House Bill 1422
8. is now placed on the order of Postponed Consideration. Senator
9. Rock on 1429. Mr. Secretary, 1429 House Bill on 3rd reading.

10. SECRETARY:

11. House Bill 1429.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR CARROLL)

15. Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
18. House Bill 1429 is an amendment to the Real Estate Brokers and
19. Salesmen License Act, sponsored in the House by Representative
20. D'Arco. It makes two changes. These bills, the series which
21. I at least have, are four bills and they were worked out as an
22. agreed package between the Department of Registration and
23. Education and the Illinois Real Estate Board. This bill makes
24. two changes. One, it changes the reference from the Superintendent
25. of Public Instruction to the Illinois Office of Education and
26. secondly, it qualifies that provision which says that in order
27. to qualify for a broker's license you must first be a ... must
28. have a salesman or must have been a registered real estate sales-
29. man for a period of one year. So the qualification is it says
30. you must have been a registered real estate salesman for a
31. period of at least one year during the last seven calendar years.
32. It's an attempt on the part of the Department to tighten up
33. the licensing procedure. I know of no objection. I would urge

1. a favorable vote.

2. PRESIDING OFFICER: (SENATOR CARROLL)

3. Is there any further discussion? Senator Mitchler seeks

4. recognition. Senator Mitchler.

5. SENATOR MITCHLER:

6. 1429?

7. PRESIDING OFFICER: (SENATOR CARROLL)

8. Yes, it's 1429, House Bill.

9. SENATOR MITCHLER:

10. Well, what...ask the sponsor a question on this citizenship

11. requirement. Pardon, Senator Nimrod.

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. Senator Rock.

14. SENATOR ROCK:

15. Well, the reason I didn't mention the question of citizen-

16. ship was it has nothing whatever to do with this bill. All right.

17. The bill as introduced was...was one similar to a lot of other

18. bills that deleted the citizenship requirement that was taken

19. out by House Amendment 1. House Bill 1429 in the Senate has no

20. reference whatever to the question of citizenship.

21. PRESIDING OFFICER: (SENATOR CARROLL)

22. Any further discussion? Question is shall House Bill 1429

23. pass? Those in favor vote Aye, the opposed Nay. The voting is

24. open. Sam, I... Have all voted who wish? Take the record.

25. On that question the Ayes are 53, the Nays are 1, with none

26. Voting Present. House Bill 1429 having received the constitutional

27. majority is hereby declared passed. Senator Vadalabene have you

28. prepared on 1432? Are you ready, Senator Vadalabene? Would

29. you like that bill called? Hold it. Senator Rock on 1435. Mr.

30. Secretary, on the order of House Bills 3rd reading, House Bill

31. 1435.

32. SECRETARY:

33. House Bill 1435.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR CARROLL)

4. Senator Rock.

5. SENATOR ROCK:

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

7. House Bill 1435 is another amendment to the Real Estate Brokers

8. and Salesmen License Act. It clarifies the provision as to the

9. definition of who is a broker. This was the result of a Supreme

10. Court case and it changes but one word in this statute. Pre-

11. viously it read, one is a broker who is engaged in the business

12. of buying and selling real estate. It now changes the word

13. and to or, so that those who buy or sell can be considered

14. brokers. I would urge a favorable vote.

15. PRESIDING OFFICER: (SENATOR CARROLL)

16. Is there any further discussion? The question is shall

17. House Bill 1435 pass? Those in favor vote Aye, the opposed Nay.

18. The voting is open. Senator McCarthy. Have all voted who wish?

19. Take the record. On that question the Ayes are 57, the Nays are

20. none, with none Voting Present, and House Bill 1435 having received

21. the constitutional majority is hereby declared passed. House

22. Bill 1436, Senator Rock. Mr. Secretary, on the order of House

23. Bills 3rd reading, House Bill 1436.

24. SECRETARY:

25. House Bill 1436.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR CARROLL)

29. Senator Rock.

30. SENATOR ROCK:

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

32. House Bill 1436 is again an amendment to the Real Estate Brokers

33. and Salesmen License Act and again results from a decision by

1. the courts of our State. What this does it...it makes clear
2. that no association, partnership or corporation shall be granted
3. a certificate of registration to engage in this business unless
4. in fact, every member or every partner in such partnership has
5. a broker's license, anybody who actively participates. Again
6. I know of no opposition. This was an agreement struck between
7. the Department and the Board and I would urge a favorable vote.

8. PRESIDING OFFICER: (SENATOR CARROLL)

9. Senator Hall.

10. SENATOR HARBER HALL:

11. Would the sponsor yield for a question?

12. PRESIDING OFFICER: (SENATOR CARROLL)

13. Indicates he will yield.

14. SENATOR HARBER HALL:

15. Senator Rock, taking as an example a company like Baird
16. and Warner in your fair city, they have many, many people who
17. participate in sales and leases, et cetera, et cetera, and for the
18. corporation or for the company. Would each one of those now have
19. to have a broker's license?

20. PRESIDING OFFICER: (SENATOR CARROLL)

21. Senator Rock.

22. SENATOR ROCK:

23. Well I...I'm going to have to make an assumption that
24. that is a corporation. Do you know that? I don't know that for
25. a fact. But let's assume it's a corporation. What this provides is
26. that every officer of such corporation who actively participates
27. in the brokerage business must, in fact, hold a broker's license.
28. That is correct.

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. Senator Hall.

31. SENATOR HARBER HALL:

32. That's kind of what I'm getting at. I...I have trouble
33. finding out what actively participating is because that company...

1. a company of that nature virtually all of its business is real
2. estate, so any function including that of treasurer or comptroller,
3. is actively participating in the business.

4. PRESIDING OFFICER: (SENATOR CARROLL)

5. Senator Rock.

6. SENATOR ROCK:

7. No, I think...I think the qualification as to active par-
8. ticipation is a personal one, so that if I, for instance, held a
9. five percent interest in the corporate Baird and Warner Corporation
10. but did not actively participate, I would not of necessity have to
11. have a broker license. But those who actively participate do,
12. in fact, have to have a license.

13. PRESIDING OFFICER: (SENATOR CARROLL)

14. Senator Hall.

15. SENATOR HARBER HALL:

16. Does the bill...and I'm sorry, I don't have a copy before
17. me right now, does the bill identify what participating is? Is
18. there a definition of participation?

19. PRESIDING OFFICER: (SENATOR CARROLL)

20. Senator Rock.

21. SENATOR ROCK:

22. No. There is not. The...the wording is at line 18 that
23. every officer of such corporation "who actively participates in
24. the brokerage business of such corporation." And active par-
25. ticipation, as I understand, it in the testimony in the committee
26. was that there are, in fact, some corporations who are in this
27. business and those shareholders who own, who do not actively
28. participate in the business need not, in fact, be licensed. But
29. those who actively participate have to be licensed.

30. PRESIDING OFFICER: (SENATOR CARROLL)

31. Senator Hall.

32. SENATOR HARBER HALL:

33. Well, I hate to belabor this, I really got...I like the

1. idea of the bill, if it just spelled out what participating is
2. because these companies are large and the actual duties in the
3. company which principal and maybe only business is the brokerage
4. of real estate, have jobs unrelated to actually selling or con-
5. cluding real estate transactions and yet they have to be considered
6. as participating in the business.

7. PRESIDING OFFICER: (SENATOR CARROLL)

8. Senator Rock.

9. SENATOR ROCK:

10. Well, again I...I don't mean to belabor it either but the
11. point is that if the officer actively participates in the brokerage
12. business, now I'm assuming for purposes of your example, Baird
13. and Warner is engaged in other things other than the brokerage
14. business. But if, in fact, I as a partner or a shareholder of Baird
15. and Warner actively participate in that section of the business
16. that is the brokerage business, I must be licensed. One, if I
17. don't actively participate at all but own some stock or two, if
18. I actively participate in some unrelated area of the business...
19. different business I need not be licensed. But given those two
20. assumptions, one, that I'm an officer and two, that I actively
21. participate in the brokerage business, I am...I of necessity
22. under this bill must be licensed.

23. PRESIDING OFFICER: (SENATOR CARROLL)

24. Senator Merritt.

25. SENATOR MERRITT:

26. Yes, Mr. President, members of the Senate. I might be able,
27. on Senator Rock's behalf to clarify a little of it. I think to
28. some extent we're like we are in the Insurance Code, when you can
29. own an insurance agency you can actually do book work in there,
30. many things in connection with it, but don't actively go out and
31. sell. And I believe that's perhaps what we're driving at in
32. this instance and I...I've no quarrel with knowing what actively
33. participating is.

1. PRESIDING OFFICER: (SENATOR CARROLL)

2. Is there any further discussion? Senator Rock wish to close
3. the debate? Ask for a roll call.

4. SENATOR ROCK:

5. Roll call.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. The question is shall House Bill 1436 pass? Those in favor
8. vote Aye, the opposed Nay. The voting is open. Have all voted
9. who wish? Take the record. On that question the Ayes are 52,
10. the Nays are none, and none Voting Present. And House Bill 1436
11. having received the constitutional majority is hereby declared
12. passed. Senator Partee for what purpose do you rise?

13. SENATOR PARTEE:

14. To make an announcement, Mr. President. The Senate has
15. done a very, very yeoman like job today. We have certainly
16. addressed ourselves to a large number of bills somewhere between
17. seventy and eighty. And I want to talk about what's going to happen
18. tomorrow. The list of agreed bills minus those three which have
19. been taken off and previously announced, will be...is in your
20. hands and by 2:00 o'clock tomorrow the membership is asked to
21. submit to the Secretary or in the Secretary's office a list
22. of those bills on the agreed list which that member desires to
23. be recorded negatively on. Tomorrow there will be at 1:00
24. o'clock a meeting of the Executive Appointments Committee and
25. we will return to the Floor at 2:30. On Thursday at 11:00 o'clock
26. there will be a vote taken on the agreed bill list so that you
27. will know what time it's going to be so that you can be here. On
28. Friday at 10:00 o'clock we will so to that order of business on
29. the Calendar relating to those matters on the Secretary's Desk.
30. There are almost six pages of bills that have to have addressment
31. on the Secretary's Desk. I would ask that you get your files
32. together with reference to them and the amendments so that when
33. we reach the one in which you are interested you will be ready to

1. discuss it and be able to answer questions concerning the amend-
2. ments. Now that will be Friday at 10:00. We will, if you don't
3. mind, Senator Welsh, while I'm here you had asked that there be
4. called immediately a Democratic Caucus in the President's office.
5. While I have the Floor, Senator Savickas has indicated to me
6. that there will be a meeting of Labor and Commerce at 1:00 o'clock
7. tomorrow at the same time as the meeting of Executive Appointments.
8. And we will return to the Floor at 2:30.

9. PRESIDING OFFICER: (SENATOR CARROLL)

10. Senator Kosinski, for what purpose?

11. SENATOR KOSINSKI:

12. Mr. President and members of the Senate, I ask leave of the
13. Senate to refer Senate Bill 1502, presently on 3rd reading, to
14. Elections and Reapportionment Committee for further consideration.
15. The bill is a Committee bill and creates a State Board of
16. Elections Travel Control Board. ...

17. PRESIDING OFFICER: (SENATOR CARROLL)

18. Senator Kosinski.

19. SENATOR KOSINSKI:

20. ...For this purpose I announce a special Elections and
21. Reapportionment Committee meeting to be held immediately following
22. adjournment of the Senate tomorrow afternoon, June 18 in Room
23. 400. All committee members urged to attend.

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. Senator Kosinski asks leave to re-refer Senate Bill 1502
26. which is presently on the order of 3rd reading back to the Committee
27. on Elections and Reapportionment. Is there leave? Leave having
28. been granted, the bill has been re-referred. Senator Kosinski has
29. then asked for a committee meeting tomorrow, is that at 1:00
30. o'clock or after final adjournment?

31. SENATOR KOSINSKI:

32. After the afternoon adjournment. I...I...

33. PRESIDING OFFICER: (SENATOR CARROLL)

1. We'll check it in the morning. It might be at 1:00.
2. SENATOR KOSINSKI:
3. Final adjournment. We'll make it that.
4. PRESIDING OFFICER: (SENATOR CARROLL)
5. Any further announcements? Senator Weaver.
6. SENATOR WEAVER:
7. There'll be a Republican Caucus in Room 400 immediately.
8. PRESIDING OFFICER: (SENATOR CARROLL)
9. After adjournment, immediately. Right? Senator Glass
10. for what purpose do you rise?
11. SENATOR GLASS:
12. Mr. President, I rise because one of the bills of which I am
13. the Senate sponsor, Senate Bill 1697, has been put on the agreed
14. list. I agreed in committee to amend that bill. I have the
15. amendment ready and I would like to know if...to have leave to
16. add it at this time or else have the bill taken off the agreed
17. list in order to do that later.
18. PRESIDING OFFICER: (SENATOR CARROLL)
19. Senator Partee.
20. SENATOR PARTEE:
21. If there are any bills on the agreed list which have to
22. be amended the simple thing to do is to ask to take it off the
23. agreed list and run it as a bill that is not on the a bill...on
24. the agreed bill list. Because if we start taking off one to
25. put on an amendment then we're going to get in a big, big hassle.
26. Just take it off the list and we'll run it as an individual bill.
27. PRESIDING OFFICER: (SENATOR CARROLL)
28. Senator Glass, what was that bill number?
29. SENATOR GLASS:
30. Senate Bill...House Bill 1697.
31. PRESIDING OFFICER: (SENATOR CARROLL)
32. Senator Glass asks leave that House Bill 1697 be taken off
33. of the agreed bill list. Senator Vadalabene.

1. SENATOR VADALABENE:

2. Yes, thank you, Mr. President. In a form of an announcement,
3. just another reminder that the Executive Committee on Appointments
4. and Administration will meet at 1:00 o'clock tomorrow in Room 212,
5. promptly.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. Senator Nudelperson.

8. SENATOR NUDLEMAN:

9. Mr. President, I would make the following motion. Based on
10. the fact that the Democratic Leadership was not available for
11. leading this side of the aisle this afternoon for a lengthy period
12. of time and that Senator Carroll was put in the precarious
13. position of being the President of the Senate, I would move you,
14. Mr. President, that the Democratic Leadership forfeit the
15. percentage of their additional emolument for one half a day
16. and that sum be paid over to Senator Carroll.

17. PRESIDING OFFICER: (SENATOR CARROLL)

18. Is there leave? Leave having been granted, so ordered.
19. Any further...Senator Palmer has an amendment. Senator Buzbee.

20. SENATOR BUZBEE:

21. Mr. President, I have a question of Senator Partee.

22. PRESIDING OFFICER: (SENATOR CARROLL)

23. Senator Partee indicates he will yield to your question.

24. SENATOR BUZBEE:

25. On your...your announcement of a few moments ago, it's my
26. understanding that the agreed bill list will be voted upon on
27. Thursday at 2:00 o'clock. Is that...

28. SENATOR PARTEE:

29. Thursday at 11:00 a.m.

30. SENATOR BUZBEE:

31. Thursday at 11:00 a.m. What was the 2:00 p.m. Wednesday
32. deadline that you gave us?

33. SENATOR PARTEE:

1. That was for getting to the Secretary a list of bills, if
2. any on which you desire to be recorded negatively.

3. SENATOR BUZBEE:

4. So in effect, then we have between now and 2:00 p.m. tomorrow
5. to go over this 180 bill list.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. That is correct.

8. SENATOR PARTEE:

9. In effect, you have had since...this list was given to you
10. this morning until 2:00 p.m. tomorrow afternoon, yes.

11. SENATOR BUZBEE:

12. Well, yes. I won't argue the point. But obviously I have
13. not been going over in much detail the agreed bill list today while
14. we're being working as you said some eighty bills we voted upon today.
15. It just seems to me that we ought to have a little bit more time
16. than...than between now and 2:00 p.m. tomorrow. That's twenty...
17. twenty-one hours away and I don't know about you but I'd like to
18. get a little bit of rest sometime in there.

19. PRESIDING OFFICER: (SENATOR CARROLL)

20. Senator Course.

21. SENATOR COURSE:

22. Yes, Mr. President. Will we have another agreed bill list
23. after we vote on this list?

24. PRESIDING OFFICER: (SENATOR CARROLL)

25. It is our understanding that there hopefully will be.
26. Any further announcements? Senator Graham. We still have an
27. item on the Secretary's...

28. SENATOR GRAHAM:

29. Mr. President, I want to take this opportunity to personally
30. commend the staff joint leadership for the type of an agreed
31. bill list we have presented to us. This is the first time since
32. I've been here that we've had an agreed bill list such as this
33. that incorporated in the list the progress or lack of progress

1. of these bills and the amendments listed to their progress through this
2. General Assembly. I think this has been a pure and complete
3. job and it's real easy reading and you fellows can take it with
4. you tonight ... you ... you can take it with you tonight when
5. you go to the Christian Science Reading Room and read this instead
6. of the Monitor and tomorrow you'll be all set.

7. PRESIDING OFFICER: (SENATOR CARROLL)

8. Mr. President. Senator Partee.

9. SENATOR PARTEE:

10. I'm glad you said that Senator. And I think that the a lot
11. of the accolades and encomiums ought to go to Senator Regner and
12. his Commission because a lot of people didn't understand what
13. it was about when it first started. And I think Senator Regner
14. who just persevered with the process and with the idea is to
15. be complimented.

16. PRESIDING OFFICER: (SENATOR CARROLL)

17. The accolades and encomiums will so be given. Messages from
18. the Governor. If we may revert to the order of Messages from
19. the Governor, Mr. Secretary.

20. SECRETARY:

21. A Message from the Governor by Michael P. Duncan, Assistant to
22. the Governor.

23. Mr. President - The Governor directs me to lay before the
24. Senate the following message.

25. To the Honorable members of the Senate, 79th General Assembly,
26. I have nominated and appointed the following named persons to
27. the offices enumerated below and respectfully ask concurrence in
28. and confirmation of this appointment by your Honorable Body.

29. PRESIDING OFFICER: (SENATOR CARROLL)

30. Executive Appointments and Administration. Any further
31. business to come before the Senate? Senate ... one second. Senator
32. Nudelman, for what purpose?

33. SENATOR NUDELMAN:

1. Mr. President, earlier today I placed a resolution on the
2. Secretary's Desk. I would move for immediate consideration. It
3. need not be read. It's congratulatory and I would ask leave that
4. all Senators be shown as cosponsors. It congratulates...

5. PRESIDING OFFICER: (SENATOR CARROLL)

6. One second, Senator Nudelman. They'll have to find it.
7. Do you have the resolution number? All right, would you go ahead
8. please, Senator Nudelman.

9. SENATOR NUDELMAN:

10. It's congratulatory and it congratulates Mrs. June Lowder
11. for having served twenty-five years as an aide to the General Assembly
12. in the State of Illinois. I would ask leave for immediate
13. consideration.

14. PRESIDING OFFICER: (SENATOR CARROLL)

15. Is there leave to suspend the rules for the immediate
16. consideration and adoption of Senate Resolution 106. Leave having
17. been granted, we are now in the immediate consideration. All
18. those in favor indicate by saying Aye, the opposed Nay. The
19. resolution is adopted. And we have leave to have all Senators
20. to be added as cosponsors. Are there further resolutions? Are
21. there Motions? The order of Motions, Mr. Secretary.

22. SECRETARY:

23. Having voted on the prevailing side, I now move to recon-
24. sider the vote by which House Bill 1109 Passed. The motion was
25. submitted by Senator Terry Bruce.

26. PRESIDING OFFICER: (SENATOR CARROLL)

27. Senator Bruce, when did you want that Motion heard?

28. SENATOR BRUCE:

29. Next Monday would be fine, Mr. President. That would be on
30. the 23rd.

31. PRESIDING OFFICER: (SENATOR CARROLL)

32. It will be so set. Any further business to come before the
33. Senate? Senator Graham.

1. SENATOR GRAHAM:

2. In case some of the gentlemen were off the Floor, when
3. Senator Weaver made his announcement, there will be a caucus
4. immediately of the Republicans in 400. Let's get up there. The
5. quicker we're there, the sooner we get out.

6. PRESIDING OFFICER: (SENATOR CARROLL)

7. I remind the Democratic caucus in the President's office.
8. Republican's caucusing in Room 400. Senator Partee moves that
9. we adjourn till the hour of 9:00 o'clock tomorrow morning. Whoa...
10. What? ...Senate stands adjourned till the hour of 9:00 o'clock
11. tomorrow morning. Reminder of the two caucuses.

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