

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 17, 1976

1. PRESIDENT:

2. The hour of eleven having arrived, the Senate will come
3. to order. Will our guests in the gallery please stand as we
4. have prayer by Father Joseph P. Zimmerman, Our Lady of Angels
5. Seminary, Quincy, Illinois.

6. FATHER ZIMMERMAN:

7. At the beginning of this legislative day, I pray in the
8. name of all the citizens of Illinois. I pray for the men and
9. women of this Senate who act in our name and for our welfare.
10. I pray that the members of this Senate may be given patience to
11. endure the pressures of the legislative process without losing
12. sight of the noble and sacred dimensions of their tasks. I pray
13. that they may be given humility so as to see the limits on the
14. good they do without becoming discouraged. I ask that they may
15. be given courage to keep searching for what is right and good
16. even when they are not sure of what is right or what is good.
17. I pray that they may receive mercy from God and from ourselves
18. for failures and evils which occur in their work. May the
19. legislative work of this day be to the good of our State, so
20. that true justice and true peace may be more realized in our
21. lives. May the Lord bless and keep this Senate. Amen.

22. PRESIDENT:

23. Reading of the Journal.

24. SECRETARY:

25. Thursday, June the 10th, 1976.

26. PRESIDENT:

27. Senator Philip.

28. SENATOR PHILIP:

29. Mr. President, I move the Journal just read by the Secretary
30. be approved unless some Senator has additional corrections to
31. offer.

32. PRESIDENT:

33. You heard the motion. All in favor say Aye. Opposed Nay.

1. The Ayes have it. The motion carries. Senator Philip.

2. SENATOR PHILIP:

3. I move the reading and the approval of Journals of
4. Friday, June 11th, 1976, Monday, June 14th, 1976, Tuesday,
5. June 15th, 1976, and Wednesday, June 16th, 1976, be postponed
6. pending arrival of the printed Journals.

7. PRESIDENT:

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

10. SECRETARY:

11. Senator Donnewald, Chairman of the Assignment of Bills,
12. assigns the following bills to committee: Elections and Re-
13. apportionment, House Bill 3948; Finance and Credit Regulations,
14. Senate Bill 2001; Insurance and Licensed Activities, Senate
15. Bills 1963, 1964, 2002 and 2003; Judiciary, House Bills 3704 and
16. 3954; Local Government, House Bills 3857, 3948, and 3955;
17. Pensions, Personnel and Veterans Affairs, House Bill 3971; Public
18. Health, Welfare and Corrections, House Bills 3208 and 3659;
19. Transportation, House Bill 3972.

20. Senator Kosinski, Chairman of Elections and Reapportion-
21. ment Committee, reports out House Bills 3843 and 3952 with the
22. recommendation Do-Pass as Amended.

23. PRESIDENT:

24. A message from the House.

25. SECRETARY:

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

27. Mr. President - I am directed to inform the Senate
28. that the House of Representatives has refused to recede from their
29. Amendment No. 1 to a bill of the following title, Senate Bill 1604,
30. and I am further directed to inform the Senate that the House
31. of Representatives has requested a first Conference Committee...
32. a first Committee of Conference to consist of five members from
33. each House to consider the differences of the two Houses in regard

1. to Amendment No. 1 to the bill. The House...the Speaker of the
2. House has appointed a such committee on the part of the House,
3. Representatives Yourell, Bradley, Richmond, Palmer and Barnes.

4. PRESIDENT:

5. Senator Ozinga.

6. SENATOR OZINGA:

7. This is that emergency disaster bill, and I would say that
8. ...I would ask that the committee be appointed so that we can
9. meet in...as quick...

10. PRESIDENT:

11. Fine.

12. SENATOR OZINGA:

13. ...as possible.

14. PRESIDENT:

15. The question is, shall the Senate accede to the request
16. of the House that a Conference Committee be appointed? All
17. in favor will say Aye. Opposed Nay. The motion carried...
18. carries and the Senate accedes to the request of the House to
19. appoint a Conference Committee.

20. SECRETARY:

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

22. Mr. President - I am directed to inform the Senate
23. that the House of Representatives has concurred with the Senate
24. in the passage of a bill with the following title, Senate Bill
25. 1684 with House Amendments No. 1 and 4.

26. PRESIDENT:

27. Secretary's Desk.

28. SECRETARY:

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

30. Mr. President - I am directed to inform the Senate
31. that the House of Representatives has concurred with the Senate
32. in the passage of a bill with the following title, Senate Bill
33. 1934 together with House Amendments 1, 2, 3, 4, 6, 7, and 10.

1. PRESIDENT:
2. Secretary's Desk.
3. SECRETARY:
4. A Message from the House by Mr. O'Brien, Clerk.
5. Mr. President - I am directed to inform the Senate
6. that the House of Representatives has passed bills with the
7. following titles in the passage of which I am instructed to
8. ask the concurrence of the Senate, to-wit: House Bills 1815,
9. 2115, 3313, 3318, 3417, 3555, 3582, 3902, 3919, 3931, 3961,
10. 3963, 3964, 3965, 3973 and 3980.
11. PRESIDENT:
12. Rules Committee. Resolutions.
13. SECRETARY:
14. Senate Resolution 391 introduced by Senator Partee and
15. all members.
16. PRESIDENT:
17. Senator Donnewald.
18. SENATOR DONNEWALD:
19. Mr. President, I would move that the rules be suspended
20. for the immediate consideration of the resolution. It is
21. congratulatory. Do I have leave?
22. PRESIDENT:
23. Senator Donnewald moves that the rules be suspended for
24. the immediate consideration of this resolution. All in favor
25. say Aye. The Aye...opposed Nay. The Ayes have it. The rules
26. are suspended. Senator Donnewald now moves that this resolution
27. be immediately adopted. All in favor say Aye. Opposed Nay.
28. The Ayes have it. The resolution is adopted. Senate Bills on
29. 2nd reading. Senate Bill 1630, Senator Dougherty. 1630. Read
30. the bill.
31. SECRETARY:
32. Senate Bill 1630
33. (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.

2. PRESIDENT:

3. Any amendments from the Floor? 3rd reading. Senate Bill

4. 1712, Senator Hynes. Senate Bill 1721, Senator Davidson. Read

5. the bill.

6. SECRETARY:

7. Senate Bill 1721

8. (Secretary reads title of bill)

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

10. PRESIDENT:

11. Any amendments from the Floor?

12. SECRETARY:

13. One Floor amendment offered by Senator Davidson.

14. PRESIDENT:

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Mr. President, and members of the Senate, this is an amendment

18. that corrects this bill so we're all in agreement. Extends the

19. retro fitting date till December 31, 1978. Move the adoption

20. of the amendment.

21. PRESIDENT:

22. Any discussion? Senator Davidson moves the adoption of

23. Amendment No. 1 to Senate Bill 1721. All in favor will say

24. Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted.

25. Any further amendments? Any amendments from the Floor? 3rd

26. reading. Senate Bill 1928, Senator Brady. Senate Bill 1972,

27. Senator Vadalabene. Read the bill. 1972.

28. SECRETARY:

29. Senate...Senate Bill 1972

30. (Secretary reads title of bill)

31. 2nd reading of the bill. The Committee on Public Health, Welfare

32. and Corrections offers two amendments.

33. PRESIDENT:

1. Senator Vadalabene.

2. SENATOR VADALABENE:

3. Yes, thank you, Mr. President and members of the Senate,
4. Amendment No. 1 merely shows that the...that the transfer of the
5. land would be recorded in the plot book on Volume 11, Page 51
6. and 52 which would be...which was dated February 7th, 1974, and
7. I move for its adoption of Committee Amendment No. 1 to Senate
8. Bill 1972.

9. PRESIDENT:

10. Any discussion? Senator Vadalabene moves the adoption of
11. Amendment No. 1 to Senate Bill 1972. All in favor say Aye.
12. Opposed Nay. The Ayes have it. The amendment is adopted. Any
13. further amendments?

14. SECRETARY:

15. Amendment No. 2, committee amendment.

16. PRESIDENT:

17. Senator Vadalabene:

18. SENATOR VADALABENE:

19. Yes, thank you, Mr. President and members of the Senate,
20. Committee Amendment No. 2 to Senate Bill 1972 would require the
21. City of Alton to...to construct a suitable fence along the entire
22. west side of the described real property that's in this land
23. transfer and I would move for the adoption of Amendment No. 2
24. to Senate Bill 1972.

25. PRESIDENT:

26. Any discussion on the amendment? Senator Vadalabene moves
27. the adoption of Amendment No. 2 to Senate Bill 1972. All in
28. favor say Aye. Opposed Nay. The Ayes have it. Amendment No.
29. 2 is adopted. Any further amendments? Senator Vadalabene, for
30. what purpose do you arise?

31. SENATOR VADALABENE:

32. Yes, the House Bill...

33. PRESIDENT:

1. Just a minute. Let's finish this, Sir. Let me just
2. finish this. Any further amendments? 3rd reading. Now, you're
3. recognized. Just a minute. Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President. The file indicates that the
6. committee has suggested a further amendment which was to be
7. offered. Now, I've...I...I have not spoken with Senator Vadabalene.
8. I apologize for that. I'm just reflecting what is in our
9. file.

10. PRESIDENT:

11. You mean in addition to the two that have just been adopted?

12. SENATOR ROCK:

13. That is correct.

14. PRESIDENT:

15. All right. Well, the bill is technically on 3rd reading.
16. Why don't you and he have a talk and you can bring it back and
17. put it on. The bill's on 3rd. Senate Bill 1997, Senator Daley..
18. Senate Bill 1988, Senator Daley. ...Senate Bill 2000, Senator
19. Dougherty. Read the bill.

20. SECRETARY:

21. Senate Bill 2000

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. Senate Bill
26. 1535, Senator Hynes. It's been read a 2nd time, right. I'm
27. sorry. Take that one out of the record. Senate Bill 1712,
28. Senator Hynes. Read the bill.

29. SECRETARY:

30. Senate Bill 1712

31. (Secretary reads title of bill)

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

1. PRESIDENT:

2. Senator Hynes.

3. SENATOR HYNES:

4. Mr. President and members of the Senate. This is the
5. appropriation for the school-aid formula. The Committee on
6. Appropriations offered one amendment which reduced the appro-
7. priation by 32.5 million dollars. I would move the adoption
8. of this amendment and I would indicate here and now that I
9. will bring this bill back from 3rd reading for any further
10. amendments that any member might wish to offer, but it is a
11. Senate Bill, and it...it has to move out of this Chamber. The
12. effect of this amendment is to remove the funding for summer
13. school with the exception of three million dollars for handi-
14. capped...programs for handicapped children. It leaves the
15. Distributive Fund at one billion three hundred thirteen
16. million and includes 2.5 million for impaction. It still
17. exceeds the...the Governor's budget in its present form by
18. some fifty-six million dollars under one point of view and
19. I... by some ninety million under another point of view.
20. I'd move the adoption of the amendment.

21. PRESIDENT:

22. Any further discussion? Senator Buzbee.

23. SENATOR BUZBEE:

24. Well, Senator Hynes has already said that he definitely
25. will bring the bill back from 3rd, and...and as he also pointed
26. out it...it is a Senate Bill. We do have to move this bill
27. over to the other House very, very shortly and I don't know,
28. perhaps maybe we ought to just agree on a date as...as to,
29. Senator Hynes, as the date that you plan to call the bill, so
30. that anybody, including myself, who may want to offer an amendment
31. can decide what amendment we're going to offer and...and so forth.

32. PRESIDENT:

33. Does that assume that there'll be members who won't be here

1. during the rest of the Session? Senator Hynes.

2. SENATOR HYNES:

3. Well, as soon as I have the necessary votes, I'll be happy

4. to call it, but I'd move the adoption of the amendment.

5. PRESIDENT:

6. Senator Hynes moves the adoption of Amendment No. 1 to

7. Senate Bill 1712. Those in favor vote Aye. Opposed Nay. The

8. Ayes have it. The amendment is adopted. Senate Bill...any

9. further amendments? Senator Shapiro.

10. SENATOR SHAPIRO:

11. Mr. President, it...it is with the understanding that if

12. there are further amendments, Senator Hynes will bring it back

13. to 2nd.

14. PRESIDENT:

15. He said that in his...

16. SENATOR SHAPIRO:

17. Oh...

18. PRESIDENT:

19. ...explanation:

20. SENATOR SHAPIRO:

21. I...

22. PRESIDENT:

23. Yeah. He said he would. Fine. Any further amendments?

24. 3rd reading. Senate Bill 1928, Senator Brady. Read the bill.

25. SECRETARY:

26. Senate Bill 1928

27. (Secretary reads title of bill)

28. 2nd reading of the bill. No committee amendments. No committee

29. amendments. No committee amendments.

30. PRESIDENT:

31. Any amendments from the Floor?

32. SECRETARY:

33. One Floor amendment offered by Senator Brady.

1. PRESIDENT:

2. Senator Brady.

3. SENATOR BRADY:

4. Yes, Mr. President and fellow members. At the suggestion
5. of someone from the Department of Public Health, we changed
6. around the Section 7 of this to say the Act takes effect six
7. months after it becomes law rather than immediately to give them
8. time to enact it.

9. PRESIDENT:

10. Any discussion on the amendment? Senator Brady moves
11. the adoption of Amendment No. 1 to Senate Bill 1928.. All in
12. favor will say Aye. Opposed Nay. The Ayes have it. The
13. Amendment No. 1 is adopted. Any further amendments? Any amend-
14. ments from the Floor? 3rd reading. Senate Bill 1952. Read
15. the bill...with the understanding, Senator Glass may well have
16. an amendment to this bill. I want you to know that. We will
17. bring it back. I've just told him. 1952. Read the bill.

18. SECRETARY:

19. Senate Bill 1952

20. (Secretary reads title of bill)

21. 2nd reading of the bill. No committee amendments.

22. PRESIDENT:

23. Any amendments from the Floor? 3rd reading. Senator Daley.
24. Senator Latherow.

25. SENATOR LATHEROW:

26. Well, Mr. President, while we have a lull, I thought I might
27. rise on a point of personal privilege.

28. PRESIDENT:

29. State your point. Just a minute, Senator. Will the members
30. be in their seats, and all not entitled to the Floor, please.
31. leave the Floor. Let's have some order here, now. Senator Latherow.

32. SENATOR LATHEROW:

33. Sitting in the President's gallery today is...are a couple of

SB 1997
2nd reading
6-17-76

1. friends...friends of mine, Tracy Kerr and her grandmother from down
2. at Warsaw, Illinois. That's in the heart of the...of the good
3. 47th District. I wonder if they would rise and...
4. PRESIDENT:
5. Will you please stand...
6. SENATOR LATHEROW:
7. ...be recognized.
8. PRESIDENT:
9. ...and be recognized by the Senate. Senate Bill 1997,
10. Senator Daley. Read the bill.
11. SECRETARY:
12. Senate Bill 1997
13. (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDENT:
16. Any...any amendments from the Floor? 3rd reading. Now,
17. there's an understanding on both of these bills, 1997 and 1998,
18. that they...can be brought back for an amendment. Fine. Any
19. amendments from the Floor? 3rd reading. Senate Bill 1998, Senator Daley.
20. SECRETARY:
21. Senate Bill 1998
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. Senate
26. Bills on 3rd reading. For what purpose does Senator Vadalabene
27. arise?
28. SENATOR VADALABENE:
29. Yes, Mr. President and members of the Senate, before you
30. get to that order of Senate Bills on 3rd reading, House Bill
31. 2115...
32. PRESIDENT:
33. Wait a minute, wait a minute, Senator. Just a moment.

1. Just a moment. I want to be able to hear you. I think the
2. members might also. Members be in their seats, please. Senator
3. Vadalabene.

4. SENATOR VADALABENE:

5. Yes, thank you, Mr. President and members of the Senate,
6. before you get to the order of the 3rd reading bills, House Bill
7. 2115 was just read into the...and assigned to Rules. That is
8. the exact version of the usury bill of Senate Bill 1719 that
9. passed out of here last week with the exception of the word
10. "contracts" that's in this present bill. I have agreed on 2nd
11. reading to take the word "contracts" out of this bill, however,
12. I would like to advance this bill to the order of 2nd reading
13. to bypass the Rules Committee and also the committee that it would
14. be assigned to. Could I have leave?

15. PRESIDENT:

16. Is leave granted? Leave is granted. Now, what is the
17. number, Senator?

18. SENATOR VADALABENE:

19. House Bill 2115.

20. PRESIDENT:

21. All right, and as soon as the bill is here, we'll read
22. it a first time. The motion has already been made and accepted.
23. Senator Vadalabene.

24. SENATOR VADALABENE:

25. Yes, and also the prohibition of the variable also goes
26. into this bill...on 2nd reading.

27. PRESIDENT:

28. Senator Merritt.

29. SENATOR MERRITT:

30. ...stand what he just...

31. PRESIDENT:

32. Senator, what he just did if I might shorten it. What he...
33. what he just said was that the bill which has come from the House,

1. which is House Bill 2115, is the same subject matter and almost
2. identical to the bill which we have passed. He moved to discharge
3. it from the Rules Committee to bring it to the Calendar for the
4. order of 2nd reading and made the further statement that he would
5. put in an amendment on 2nd reading which would put the bill in the
6. same condition as the one we passed. House Bills 1st reading, read
7. the bill.

8. SECRETARY:

9. House Bill 2115

10. (Secretary reads title of bill)

11. 1st reading of the bill.

12. PRESIDENT:

13. The bill pursuant to the motion is now on the order of
14. 2nd reading. House Bills on 3rd reading. Senate Bills, I'm
15. sorry.. Senate Bills on 3rd reading. Senate Bill 1516, Senator
16. Carroll. Senate Bill 1584, Senator Shapiro. Senate Bill 1608,
17. Senator Knuppel. Senate Bill 1679, Senator Brady. Senator
18. Brady, did you care to call 1679? Read the bill.

19. SECRETARY:

20. Senate Bill 1679

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Brady.

25. SENATOR BRADY:

26. Yes, Mr. President and fellow members. Senate Bill 1679
27. is for the Illinois State Scholarship Commission to make the
28. awards fifteen fifty, and seven seventy-five. This substantive
29. piece of legislation matches the appropriation that we have
30. already passed through this House and I urge your favorable
31. support or I'll answer any questions. Thank you.

32. PRESIDENT:

33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Well, Mr. President, I just want to point out again for
3. the record. There are many, many times in this Chamber when
4. it's said by various members that we are only providing to
5. private higher education, seven or eight or nine million
6. dollars, and in fact, every bit of this increase that is re-
7. flected in Senator Brady's bill will go to private higher
8. education. Mr. Gonsicki, in testimony before the Senate Educa-
9. tion Committee the other day...I asked him how much total
10. scholarship money we made available in the State of Illinois
11. now, and he told me seventy million dollars...

12. PRESIDENT:

13. Senator Rock.

14. SENATOR BUZBEE:

15. ...and of that seventy million, sixty percent goes to
16. the private schools, so forty-two million dollars goes to the
17. private schools through the State Scholarship Commission,
18. plus the eight or nine or ten million, whatever it is, we now
19. make in...in direct grants to them. So it is a misnomer
20. to say that the privates only get support from the State of
21. Illinois to the...to the tune of...to the tune of eight or nine
22. or ten million dollars. And this increase will now go from
23. fifteen hundred dollars that we make available for tuition
24. scholarships for the privates up to fifteen hundred and fifty.
25. Now, Senator Brady originally had the bill in at sixteen
26. hundred and decided to amend it back to fifteen fifty. I submit
27. to you that next year he or his successor or somebody else
28. will be in to raise it to sixteen hundred. The following year
29. it will be sixteen fifty or seventeen hundred, and we will just
30. continue on and on and on. So, I just want to point that out
31. to the Body that we are very supportive in this State of private
32. higher education, and I stand in opposition to this bill. Thank you.

33. PRESIDENT:

1. Any further discussion? The question is, shall Senate
2. Bill 1679 pass? Those in favor will vote Aye. Opposed will vote
3. Nay. The voting is open. Have all voted who wish? Take the
4. record. On this question, the Ayes are 44, the Nays are 8,
5. with none Voting Present. Senate Bill 1679 having received
6. a constitutional majority is declared passed. Senate Bill
7. 1801, Senator Bruce. Senate Bill 1802, Senator Bruce.
8. Senate Bill 1867, Senator Bruce. Senate Bill 1878, Senator
9. Demuzio. Senator Demuzio. Senate Bill 1932, Senator Egan.
10. Senate Bill 1959, Senator Berning. Senator Berning, for
11. what purpose do you arise?

12. SENATOR BERNING:

13. Thank you, Mr. President, I'm seeking a signal from the
14. assistant majority leader.

15. PRESIDENT:

16. Read the bill.

17. SECRETARY:

18. Senate Bill 1959

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator Berning.

23. SENATOR BERNING:

24. Thank you, Mr. President and members of the Senate. Senate
25. Bill 1959 has only one purpose that is to assure that the Legislature
26. has a first hand active role in the determining of rates of
27. compensation. All of us, and more particularly this Senate Appro-
28. priation Committee, has been wrestling the question of negotiated
29. rate increases which have extended the obligation for compensations
30. well beyond the available dollars and well beyond the appropriations
31. previously passed by this Body. Senate Bill 1959 is not an anti-
32. labor bill or anti anything else, it is pro-legislature. The
33. branch of the government which we serve in and which is equal to

1. and ought to be comparable in its effectiveness to the other
2. two branches. The question purely and simply is, do we have
3. the right to determine how and how much tax dollars are to be
4. allocated or are we to merely rubber stamp commitments made by
5. the administration. The amendment which is placed on the bill
6. very clearly says that this affects only rates. I want to emphasize
7. that the legislature does not have to take action. We are merely
8. authorized to reject if we so desire. the General Assembly.
9. If the General Assembly does not act within a specified period
10. of time, then the rates change would become effective. I
11. submit, Mr. President, we ought to have the right to say whether
12. or not the...citizen taxpayers' dollars should be appropriated
13. to cover agreements, and that is solely what this bill does.

14. PRESIDENT:

15. Any further discussion? Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President, and Ladies and Gentlemen of the
18. Senate. As I indicated yesterday, the Department of Personnel
19. is, of course, rightfully so opposed to this bill, and even
20. with the amendment which was offered and adopted yesterday...I resubmitted
21. the amended bill to them and they...their opposition has not waived,
22. and again, I say rightfully so. We are all well aware that there are
23. three separate and distinct branches of government and I think
24. while we stand here and assert the equality and preeminence in
25. my view of the legislative branch, we should also recognize that
26. there is, in fact, an executive branch and the office of the
27. chief executives carries with it certain prerogatives. One of
28. which, is the authority to call for pay increases or pay decreases,
29. for that matter. We do have a right to say something. We have,
30. in fact, for these many weeks been saying something, at least in
31. the Senate, by virtue of amendments to the various appropriation
32. requests. We have indicated our sincere displeasure with the
33. request of the Chief Executive concerning pay increases, but

1. the prerogative is his, and I think to enact Senate Bill 1959
2. in its present form is a mistake. I would ask each and every
3. member to seriously consider the provisions of this bill and
4. recognize the legislature does, in fact, have something to say
5. and that's why we're here, but also recognize that the judicial
6. and the executive branch have something to say also. And while
7. we do not allow them on our turf, we shouldn't by no means walk
8. upon theirs, and I would urge a No vote on Senate Bill 1959.

9. PRESIDENT:

10. Senator McCarthy.

11. SENATOR MCCARTHY:

12. Yes, Mr. President and members of the Body. I think
13. Senator Rock has really stated the chief objection to the bill.
14. It...it does amount to a diffusion in the theory of separation of
15. government. To...to pass a bill like this, I think and I just
16. echo what Senator Rock says, puts the legislature into the
17. executive branch of government to a point where we will be unable
18. to do our legislative business. We're going to be the executives
19. rather than the legislature. It would make almost as much
20. sense to have a bill in here to write out the rates of pay and
21. spell out the contracts, but that's not our function. Our
22. function is to, as we have, set over onto the executive branch
23. certain powers. We do it in highways. They...they reach
24. decisions because they know what has to be done...

25. PRESIDENT:

26. Your time, Senator

27. SENATOR MCCARTHY:

28. ...yes, Sir, and if this Code were amended, the pay plan
29. couldn't be changed unless the General Assembly were in Session
30. about a half a year. I can just see chaos, special sessions,
31. trouble with the legislature and the executive, and the bill has,
32. in my opinion, under the constraints of time, no merit.

33. PRESIDENT:

1. Senator Bloom.

2. SENATOR BLOOM:

3. Sponsor yield?

4. PRESIDENT:

5. He indicates he'll yield.

6. SENATOR BLOOM:

7. Now, this proposed legislation...this says that pay plans

8. altered, then the General Assembly...what, you know what...McCarthy

9. ...Senator McCarthy touched on it...if...say the pay plans

10. altered in August or something, let's say the 4th of August,

11. then we'd have until the 4th of September to get together and

12. vote on it. Is that correct?

13. PRESIDENT:

14. Senator Berning.

15. SENATOR BERNING:

16. No, that it is not correct. There is provision in it,

17. so that if the Session is not...if the General Assembly is not

18. in Session, then we'll...it will be thirty days after the date

19. we convene.

20. PRESIDENT:

21. Senator Bloom.

22. SENATOR BLOOM:

23. Thirty Session days, that's the way it should read, is

24. that what you're saying?

25. PRESIDENT:

26. Senator Berning.

27. SENATOR BERNING:

28. It says thirty days.

29. PRESIDENT:

30. Senator Bloom.

31. SENATOR BLOOM:

32. Okay, but the General Assembly would then be in the collective

33. bargaining process this way. Is that correct?

1. PRESIDENT:
2. Senator Berning.
3. SENATOR BERNING:
4. Absolutely not. That is the point that I tried to make
5. earlier. This bill merely allows the legislature to have control
6. over the dollars that we are expected to appropriate and not to
7. dictate to us.
8. PRESIDENT:
9. Senator Bloom.
10. SENATOR BLOOM:
11. How?
12. PRESIDENT:
13. Senator Berning.
14. SENATOR BERNING:
15. The...the rate changes and only rate changes would be submitted
16. to the General Assembly for action if it so desires. In which
17. case, it may disapprove. No action would automatically then
18. validate the agreement.
19. PRESIDENT:
20. Senator Bloom.
21. SENATOR BLOOM:
22. Then it would be...I don't understand. I...I don't have
23. a copy of the bill in my billbook. Then the action that this
24. General Assembly take would be initiated by the General Assembly
25. or a pay plan would be submitted to us for approval, or what?
26. PRESIDENT:
27. Senator Berning.
28. SENATOR BERNING:
29. I have distributed twice short sheets on explanation of
30. the bill. Again, let me repeat. The bill does only one thing,
31. says that where rate changes are contemplated, they shall, when
32. submitted to the Governor, first be approved by him and then
33. forwarded to the General Assembly which may disapprove if it so

1. desires. Lack of action by the General Assembly would auto-
2. matically validate or affectuate a rate change.

3. PRESIDENT:

4. Senator Bloom.

5. SENATOR BLOOM:

6. This...this sounds a little bit like that historical
7. landmark's preservation legislation. Thank you.

8. PRESIDENT:

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Thank you, Mr. President. Mr. President, I think that
12. most of us can recall about three or four years ago when we
13. passed the legislation giving State employees a one hundred
14. dollar a month pay increase, and then the Governor reduction
15. vetoed that to fifty dollars or amendatory vetoed it to
16. fifty dollars and then we over-ruled that veto and put it back
17. to a hundred. I happened to be in Senator Harris' office
18. when that legislation was pending and I was also in Senator
19. Partee's office, and you couldn't find an open phone line in
20. either one of those offices. The State employees were calling
21. all day long. The...your secretaries...your respective secretaries
22. were just about to go crazy answering the phone. Every other
23. Senator, to the best of my knowledge, phone line was about the
24. same way. We were getting calls from State employees constantly.
25. Now, if we were to pass this legislation, we're going to have
26. that about fifty times a year, because there are some fifty
27. agreements a year that...that the...are worked out with different
28. employees who work for the State of Illinois. And we're going
29. to have employees calling us, telling us that we have to vote for
30. their pay increase, because if you would put yourself in the
31. position of a departmental director, it would be very easy for
32. him to bargain with his employees now, given the legislative out
33. that we would give him, because he could say to his employees, "I

1. think you ought to have a fifty percent pay increase, and
2. that's what I'm giving you. "Then, it will be up to the
3. Legislature to decide if we're going to cut that fifty percent
4. pay increase down. I submit to you that the fifty-nine of
5. us and the one hundred and seventy-seven in the House of
6. Representatives don't want to be in that position, because
7. it will give every director the perfect out he wants. He can
8. ...he can accede to every demand that is placed upon him by
9. his employees, and say, now it's up to the legislature, if
10. they want to cut it, let them cut it. I think we are getting
11. into the executive branch of government here and we're always
12. complaining about their getting into...into our area and
13. we're definitely getting into theirs and I would submit that
14. this is a bad bill.

15. PRESIDENT:

16. Senator Weaver:

17. SENATOR WEAVER:

18. Thank you, Mr. President. I don't know whether Senate
19. Bill 1959 is the proper approach to some control over what the
20. State of Illinois is going to pay its employees, but I'm just
21. wondering come next Spring what...what this Senate will do with all
22. the supplemental bills coming before it to finance employees'
23. salaries for the remainder of Fiscal '77. Someway or another,
24. we're going to have to get together and come up with some
25. solution to the problem that's going to present itself next Spring.
26. Now, I don't know whether Senate Bill 1959 is a...a reasonable way
27. to...to approach it, but I think the leadership on both sides
28. of aisle are going to have get together rather quickly and come
29. up with some solution to these problems that are going to present
30. themselves next Spring.

31. PRESIDENT:

32. Senator Netsch.

33. SENATOR NETSCH:

1. Thank you, Mr. President. As...as the resident defender
2. of separation of powers, I would like to second all that Senator
3. Rock and Senator Buzbee have said. It seems to me that the
4. ...it is inappropriate for the legislature to get into personnel
5. policy in this respect. The level of appropriation, the
6. amount of appropriation is our business and ours alone. The
7. management of personnel policy of how pay raises are to be
8. determined at what time and at what levels within the amounts we
9. make available, is executive business and it will be a very
10. unfortunate day both for the executive and for the legislature
11. I think if we inject ourselves into that. It seems to me
12. that the bill takes the wrong approach to solving the problem
13. of how we go about managing our responsibility and instead
14. attempts to inject us into the executive's responsibility. It
15. is not the right way to do it.

16. PRESIDENT:

17. Senator Soper.

18. SENATOR SOPER:

19. Mr. President and members of the Senate, I think we all
20. know what this is all about, and I think we all know how it's
21. going to go up or down. I move the previous question.

22. PRESIDENT:

23. You heard the motion. All in favor say Aye. Opposed
24. Nay. The Ayes have it. Senator Berning, just before you close the
25. debate, the Chair has an obligation to tell you that I just
26. received a telephone call from Senator Newhouse who asks me to
27. ask you to hold the bill, as he is the Chairman of the Committee
28. on Personnel. I have told you.

29. SENATOR BERNING:

30. He asks that the bill be held.

31. PRESIDENT:

32. 'Til he... 'til he arrives. That's what he asked me to
33. ask you. I'm just...

1. SENATOR BERNING:

2. Very well.

3. PRESIDENT:

4. Take it out of the record, and when we put it back in
5. the record, we'll put it back at this same point. Yes. (machine
6. cutoff) ask questions like that. Senate Bill 1961, Senator
7. Netsch. Read the bill.

8. SECRETARY:

9. Senate Bill 1961

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Netsch.

14. SENATOR NETSCH:

15. Thank you, Mr. President. This is the bill which increases
16. the authorized bonding authority for the Illinois Housing Development
17. Authority. It was subjected to two amendments from Senator Weaver.
18. One of which reduced the maximum authorized interest rate from
19. eight and a half to eight percent and the other of which cut
20. the authorized additional bonding authority from three hundred
21. million dollars to one hundred fifty million dollars. I think
22. the case has been made, and in fact, it was even made as
23. Senator Weaver offered the amendment other day, that the IDA
24. is out of bonding authority or will be by probably August or
25. September of this year. There is only forty-eight million dollars
26. that is unobligated at the moment, and there is pending at least
27. a hundred and fifty million dollars in obligations. It is the
28. only the ball game in the State in terms of moderate income housing
29. right now. If it is not able to function, there will be probably
30. no multi-family or in many cases, single family moderate income
31. housing built. It is not public housing. I would solicit your
32. support of Senate Bill 1961.

33. PRESIDENT:

1. Any further discussion? Senator Harris.

2. SENATOR HARRIS:

3. Thank you, Mr. President. I rise in support of this
4. bill in its present form, and frankly, my position has changed
5. somewhat from what it was a year ago with respect to any in-
6. creased bond indebtedness. This program is really the only
7. basis for much of the residential construction that's taking
8. place. I would use this opportunity to call attention to IDA's
9. need to operate on a State-wide basis with some emphasis of
10. catch up or at least increased awareness of downstate needs. I
11. don't want to be sectional about that, but I have had communications
12. from some of my colleagues on this side of the aisle that...
13. there just is difficulty in getting the kind of response from
14. the agency itself with respect to downstate needs, but certainly
15. in its present amended extent, with the increase of a hundred
16. fifty million, rather than as it was originally introduced for
17. three hundred million. I would hope that the members of this side
18. of the aisle would support this legislation, and as I have
19. indicated, as an individual Senator, I'm...I'm certainly
20. willing to support an authorization for even more than that for
21. now. If the agency does not get this authority, it certainly
22. is going to grind to a halt within the next two to three
23. months, and I just don't think we want that to happen. I urge
24. an affirmative vote.

25. PRESIDENT:

26. Any further discussion? The question, shall Senate Bill
27. 1961 pass? Those in favor will vote Aye. Opposed will vote
28. Nay. The voting is open. Senator Harris.

29. SENATOR HARRIS:

30. I think it should be called to the attention of the
31. membership the votes required for passage of this.

32. PRESIDENT:

33. Thirty-six votes, you're correct. Senator Netsch.

1. SENATOR NETSCH:

2. I do not believe it requires thirty-six votes, Senator
3. Harris. It is not in any way, shape, or form backed up by
4. the full faith and credit of the State.

5. PRESIDENT:

6. I think she is right. It is not backed up by the full
7. credit of the State, and it requires thirty votes. Have all
8. voted who wish? Senator Harris.

9. SENATOR HARRIS:

10. If you will recall, I was careful the way I phrased my
11. question. I wasn't sure, and I figured you had done your home-
12. work up there.

13. PRESIDENT:

14. No, I didn't...I've...I've been...I've been wrong before.
15. The last time was in 1938.

16. SENATOR HARRIS:

17. Okay.

18. PRESIDENT:

19. Have all voted who wish? Take the record. On that question,
20. the Ayes are 41, the Nays are 2, with 5 Voting Present. Senate
21. Bill 1961 having received a constitutional majority is declared
22. passed. Senate Bill 1994, Senator Philip.

23. SECRETARY:

24. Senate Bill 1994

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Philip.

29. SENATOR PHILIP:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. Senate Bill 1994 as amendment...as amended, which were
32. technical amendments, appropriates the sum of two hundred and
33. twenty-seven thousand dollars to the Downers Grove Sanitary District.

1. It seems that the Downers Grove Sanitary District lost or misplaced
2. a check from the EPA. This is merely replacing that money that
3. they are entitled to. So, I know of no opposition, and I ask
4. you for your favorable consideration.

5. PRESIDENT:

6. Question is, shall Senate Bill 1994 pass? Those in favor
7. vote Aye. Opposed Nay. The voting is open. Have all voted who
8. wish? Take the record. On that question, the Ayes are 49, the
9. Nays are none, with none Voting Present. Senate Bill 1994 having
10. received a constitutional majority is declared passed. Senate
11. Bill 1999, Senator Egan. Read the bill.

12. SECRETARY:

13. Senate Bill 1999

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Egan.

18. SENATOR EGAN:.

19. Yes, thank you, Mr. President and members of the Senate.
20. This is a committee bill which does not...change the substance
21. of the law, but merely clarifies two laws that two individual
22. bills that were passed last year that in the opinion of some
23. create a conflict and the...imposes on the trustees of the
24. Judicial Retirement System a possible liability. This makes it
25. absolutely clear that what they...that their duties imposed on
26. them and the way they attend to them will not create a liability
27. for them. So, it's...it is a nonsubstantive bill to make
28. absolutely clear the intent of the legislature as it passed the
29. ...the two bills in the last Session. I know of no opposition.
30. I commend it to your favorable attention.

31. PRESIDENT:

32. Any further discussion? The question is, shall Senate
33. Bill 1999 pass? Those in favor will vote Aye. Opposed Nay.

1. The voting is open. Have all voted who wish? Take the record.
2. On this question, the Ayes are 47, the Nays are 3, with none
3. Voting Present. Senate Bill 1999 having received a constitu-
4. tional majority is declared passed. House Bills on 3rd
5. reading. House Bill 3137, Senator Bruce. House Bill 3197,
6. Senator Shapiro. House Bill 3202, Senator Hynes. House
7. Bill 3218, Senator D'Arco. Read the bill.

8. SECRETARY:

9. House Bill 3218

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. Thank you, Mr. President and Ladies and Gentlemen of the
16. Senate. What House Bill 3218 does, is provide for a penalty for
17. the lessor who refuses to pay the interest on the security
18. deposit that the lessee has given him according to the lease
19. agreement. As the bill was originally written, there was no
20. provision for the court to determine how much the...the damage
21. award should be. What this bill does is require that the lessor
22. pay the amount of damages equal to the amount of the security
23. deposit that was deposited by the lessee. This is in according
24. to a letter that was submitted to me from the Attorney General
25. asking that we provide a penalty provision in the bill, so that
26. it could be enforced. I would ask a favorable vote on this
27. bill. I solicit your support.

28. PRESIDENT:

29. Any further discussion? Senator Berning.

30. SENATOR BERNING:

31. Thank you, Mr. President. Question of the sponsor.
32. Did the amendment we discussed get placed on there? I don't
33. have a copy in my book, and I'm not sure, and if so, what did

1. the amendment...as finalized do?

2. PRESIDENT:

3. Senator D'Arco.

4. SENATOR D'ARCO:

5. Senator Berning, last...yesterday we put an amendment on the
6. bill that I discussed with you, and we changed the penalty from twice the
7. amount of the security deposit to the security deposit itself,
8. and we thought that would be more consistent and less stringent
9. of a penalty.

10. PRESIDENT:

11. Any further discussion? The question is, shall House
12. Bill 3218 pass? Those in favor will vote Aye. Opposed will
13. vote Nay. The voting is open. Have all voted who wish? Take
14. the record. On this question, the Ayes are 47, the Nays are
15. 6, with none Voting Present. House Bill 3218 having received
16. a constitutional majority is declared passed. House Bill 3245,
17. Senator Dougherty.

18. SECRETARY:

19. House Bill 3245

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Dougherty.

24. SENATOR DOUGHERTY:

25. This...this bill...what this bill does is validate the tax
26. ordinances which have been issued from the years 1970 through
27. 1974. Provides that any loses that may have been filed as a
28. result of the contest of these tax rates are...are in the process
29. of adjudication and those who have not should be validated.
30. That's as simple as all that.

31. PRESIDENT:

32. Any further discussion? The question is, shall House
33. Bill 3245 pass? Those in favor vote Aye. Opposed Nay. The voting

1. is open. Have all voted who wish? Take the record. On this
2. question, the Ayes are 47, the Nays are 2, with 6 Voting Present.
3. House Bill 3245 having received a constitutional majority is
4. declared passed. House Bill 3246, Senator Dougherty. Read
5. the bill.

6. SECRETARY:

7. House Bill 3246

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Dougherty.

12. SENATOR DOUGHERTY:

13. This appliesto the Forest Preserve District of Cook
14. County alone.. The suits have already been filed. The validation
15. ordinance is from 1970 through 1974 where action had been filed.
16. Takes care of those who have not...

17. PRESIDENT:

18. Any further discussion?

19. SENATOR DOUGHERTY:

20. ...I ask a favorable...

21. PRESIDENT:

22. The question is, shall Senate Bill 3246...House Bill 3246
23. pass? Those in favor will vote Aye. Opposed Nay. The voting
24. is open. Have all voted who wish? Take the record. On this
25. question, the Ayes are 50, the Nays are 1, with 1 Voting Present.
26. House Bill 3246 having received a constitutional majority is
27. declared passed. House Bill 3310, Senator Sommer. Read the
28. bill.

29. SECRETARY:

30. House Bill 3310

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

4/17/76
and Recording

1. Senator Sommer.
2. SENATOR SOMMER:
3. Mr. President and members, this...this Illinois Valley
4. Regional Port District is a nontaxing body. It cannot levy a tax. It's
5. an operating authority for a proposed airport in that area.
6. However, the State Department of Aeronautics are now the Division
7. of Aeronautics of DOT requires that they sign off on any site
8. for an airport. They have chosen a couple of townships...or
9. a couple of sections in Waltham township in LaSalle County
10. which were not in the original bill. These must be put in in
11. order to have this...this airport. There will be a referendum
12. on the construction of the airport...If it fails up there, it
13. will not be constructed.

14. PRESIDENT:
15. Any further discussion? The question is, shall House Bill
16. 3310 pass? Those in favor will vote Aye. Opposed Nay. The
17. voting is open. Have all voted who wish? Take the record. On
18. this question, the Ayes are 49, the Nays are none, with none
19. Voting Present. House Bill 3310 having received a constitutional
20. majority is declared passed. House Bill 3380, Senator Palmer.
21. House Bill 3410, Senator Palmer. House Bill 3436, Senator
22. Dougherty. Read the bill.

23. SECRETARY:
24. House Bill 3436
25. (Secretary reads title of bill)
26. 3rd reading of the bill.

27. PRESIDENT:
28. Senator Dougherty.

29. SENATOR DOUGHERTY:
30. This bill merely exempts units of local government from
31. paying any fees in...in the litigation of this sort in the counties
32. over one million. I ask favorable consideration.

33. PRESIDENT:

1. Any further discussion? The question is, shall House
2. Bill 343...pardon me, Senator Fawell. I did not see you.

3. SENATOR FAWELL:

4. Senator Dougherty, I'm in support of this legislation,
5. but did you say it pertains only to counties over one million
6. and does that also pertain to cost of litigation? Is that
7. only in regard to judicial actions within counties of over one
8. million?

9. PRESIDENT:

10. Senator Dougherty. Senator Fawell.

11. SENATOR FAWELL:

12. My only comment is I...see this is a...oh, this is a
13. House Bill. All right.

14. PRESIDENT:

15. Any further discussion? The question is, shall House
16. Bill 3436 pass? Those in favor vote Aye. Opposed Nay. The
17. voting is open. Have all voted who wish? Take the record.
18. On this question, the Ayes are 54, the Nays are none, with
19. none Voting Present. House Bill 3436 having received a
20. constitutional majority is declared passed. For what purpose
21. does Senator Netsch arise?

22. SENATOR NETSCH:

23. Thank you, Mr. President, before you call the next bill,
24. with the permission of the principal sponsor, Senator D'Arco,
25. I would like to be shown as a co-sponsor of House Bill 3218,
26. and also indicate that I did not get back to my desk in time
27. to vote Yes for it.

28. PRESIDENT:

29. Let the record so show. Is there leave to show Senator
30. Netsch as a co-sponsor? Leave is granted. House Bill 3536,
31. Senator Palmer. House Bill 3586, Senator Latherow. Read the
32. bill.

33. SECRETARY:

1. House Bill 3586
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDENT:
5. Senator Latherow.
6. SENATOR LATHEROW:
7. Thank you, Mr. President and members of the Senate. This
8. affects only two counties in the State of Illinois, Warren
9. County and Putnam, and we increased that to eight as it says
10. on the preface of the bill, and yesterday we put the backdoor
11. referendum part on it, and I would move for favorable consideration.
12. PRESIDENT:
13. Any further discussion? Senator Sommer.
14. SENATOR SOMMER:
15. Will the sponsor yield?
16. PRESIDENT:
17. He indicates he'll yield.
18. SENATOR SOMMER:
19. Senator Latherow, would this, in effect, if the people
20. wanted to do this double...double the tax on people's property
21. within these two counties?
22. PRESIDENT:
23. Senator Latherow.
24. SENATOR LATHEROW:
25. No, it wouldn't double the tax. It'd only double the tax rate
26. on this particular issue, not their entire tax, just on the library
27. part in these two counties. The county board of Mercer County
28. ...or of Warren County has informed me they are for it.
29. PRESIDENT:
30. Senator Sommer.
31. SENATOR SOMMER:
32. Well, yes indeed, Senator Latherow, it would double the
33. tax rate for this particular item. Would it not?

1. PRESIDENT:

2. Senator Latherow.

3. SENATOR LATHEROW:

4. That...that's correct. I thought you meant double the
5. entire tax rate for the county. No. That...that would double
6. this tax rate for this particular unit.

7. PRESIDENT:

8. Senator Sommer.

9. SENATOR SOMMER:

10. Senator Latherow, I believe this is a permissive tax
11. increase again, a nature that doubles it. And you...I didn't even
12. know it was my area until you mentioned Putnam County. I wish I
13. would have known about that, because we would...we should have put
14. a front door referendum on this thing, and then we'd have it.
15. Would you agree to pull it back and do that?

16. PRESIDENT:

17. Senator Latherow.

18. SENATOR LATHEROW:

19. I have talked with the sponsor on...on this concerning
20. this backdoor referendum. I have not...the House sponsor...I
21. have not talked to him about a front door referendum. I have
22. talked to ex-congressman McCloskey and members of this hospital...or
23. not hospital, but this library board and they were satisfied with the
24. backdoor referendum. I think that this issue could be discussed in
25. the two Houses if they fail to adopt this backdoor referendum over
26. in the House.

27. PRESIDENT:

28. Senator Buzbee.

29. SENATOR BUZBEE:

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

31. PRESIDENT:

32. He indicates he'll yield.

33. SENATOR BUZBEE:

1. SENATOR BUZBEE:

2. I'm...I'm wondering why you say that it only, it affects two
3. counties. In my county I...I...I believe there's a library
4. district, at least it's a city library that...that is supported
5. through local property taxes. Is that the same thing?

6. PRESIDENT:

7. Senator Latherow.

8. SENATOR LATHEROW:

9. My understanding is there are only two areas in the State of
10. Illinois that have what they call a...a tax levy on the entire
11. county for county libraries, and that...are these two counties.
12. Not cities at all. No.

13. PRESIDENT:

14. Any further discussion? The question is, shall House Bill
15. 3586 pass? Those in favor will vote Aye. Opposed Nay. The voting
16. is open. Have all voted who wish? Take the record. On this
17. question, the Ayes are 34, the Nays are 5, with 2 Voting Present.
18. House Bill 3586 having received a constitutional majority is
19. declared passed. House Bill 3661, Senator Clarke. Read the
20. bill.

21. SECRETARY:

22. House Bill 3661

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Clarke.

27. SENATOR CLARKE:

28. Mr. President and members of the Senate, this a conveyance
29. of a parcel of land in the City of Darien so they can construct a
30. water tower. And the amendment was added to convey a strip of
31. land in Oak Forest...the City of Oak Forest, in Senator Moore's
32. district, to widen the construction of Central Avenue. It's
33. agreeable with the school districts that own the land and the

1. Capital Development Board is just the lessee of the land under
2. our system. I'd appreciate a favorable vote.

3. PRESIDENT:

4. Any further discussion? The question is, shall House
5. Bill 3661 pass? Those in favor vote Aye. Opposed Nay. The
6. voting is open. Have all voted who wish? Take the record.
7. On this question, the Ayes are 48, the Nays are none, with
8. none Voting Present. House Bill 3661 having received a con-
9. stitutional majority is declared passed. House Bill 3804,
10. Senator Berning. Read the bill.

11. SECRETARY:

12. House Bill 3804

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Berning.

17. SENATOR BERNING:

18. Thank you, Mr. President and members of the Senate.
19. House Bill 3804 provides a vehicle by which a high school
20. district not currently adjacent to a junior college district
21. ...but which having been formerly adjacent thereto is considered
22. contiguous and therefore, eligible to annex to the...community
23. college district. This is a great significance in my area.
24. My high school district had been adjacent to the Lake County
25. college district. There was a change in that status between
26. the district and the one between our district and the next one,
27. so we lost our continuity. This would merely validate an annexation
28. by my high school district at this time. I would appreciate
29. a...a favorable roll call, and if there are questions, I will
30. attempt to respond. I should say it came out of the Education Committee
31. without a dissenting vote.

32. PRESIDENT:

33. The question is, shall House Bill 3804 pass? Those in favor

1. vote Aye. Opposed Nay. The voting is open. Have all voted
2. who wish? Take the record. On this question, the Ayes are
3. 47, the Nays are 2, with 2 Voting Present. House Bill 3804
4. having received a constitutional majority is declared passed.
5. House Bill 3814. Is someone going to handle that for Senator
6. Graham? Senator Harris. 3814 is a bill for Senator Graham
7. who, the record will reflect, is in the hospital. Is someone
8. going to handle it for him? Senator Harris.

9. SENATOR HARRIS:

10. Well, Mr. President, I'll be happy to handle it. I have
11. not made any preparation on it.

12. PRESIDENT:

13. Well, let's just...

14. SENATOR HARRIS:

15. Would you give me...

16. PRESIDENT:

17. Fine. We'll hold it till you...

18. SENATOR HARRIS:

19. ...I'll believe Senator Weaver is prepared.

20. PRESIDENT:

21. Fine. House Bill 38...take it out of the record. House
22. Bill 3818, Senator Bruce. House Bill 3834, Senator Netsch.
23. Read the bill.

24. SECRETARY:

25. House Bill 3834

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Netsch.

30. SENATOR NETSCH:

31. Thank you, Mr. President. This bill proposes amendments
32. to the Alcoholism Treatment Act that was passed by this Legislature
33. in 1974, I believe it was. The...as you recall, the basic bill

1. decriminalizes public drunkenness and also because it is a critical
2. part thereof, begins to establish the concept and the network for
3. detoxification facilities for medical and noncriminal treatment
4. of those who are alcoholics and who fall into the category of public
5. inebriates. What was discovered was that there were some provisions
6. of the bill which needed either cleaning up or strengthening
7. or clarification. A House committee worked very long and hard
8. and came up with some very important and very good amendments
9. to the bill, that as a matter-of-fact was sponsored initially
10. by a committee of the Senate. They...there is basically no
11. objection, I believe, to the amendments that are incorporated
12. in this bill. They...let me just summarize very briefly and
13. generally what they do. They recognized a point that was called
14. to the attention of the House members on the committee that
15. the vast majority of public inebriates are not in need of
16. medical treatment, and that there was no need in the law for
17. a requirement that the administrator of every detox center be
18. a physician, nor was it necessary that a physical exam be required
19. every time someone was brought in under the terms of the Act.
20. So, those provisions, in response to requests from local officials,
21. have been modified. It also recognizes that the police alone
22. should not be responsible for bringing people into this network
23. of detoxification, and so it provides and authorizes the use
24. of what are defined in the law in the new bill as intermediaries.
25. It also provides for the police and others who will be involved
26. in this program, a protection when they are indeed acting in good
27. faith pursuant to the...their mandate under the law, and finally
28. it clarifies the language dealing with decriminalization to make
29. it even clearer than it was in the original Act that it is only
30. the...the act of public drunkenness that may not be prosecuted
31. criminally. Any other act, whether driving while under the
32. influence of alcohol, assault and battery, or whatever, may be...may be
33. criminally prosecuted. It is only the act of public drunkenness

1. that is decriminalized. All of these suggestions were...that
2. are incorporated in this bill were made in response to the
3. requests of law enforcement officials, the State agencies involved,
4. and municipalities throughout the State of Illinois. As I
5. indicated, I think there is no objection to what is in this bill,
6. and I would point out that for any of you who have any concern
7. about when the law should become effective, that is now going
8. to be debated in the context of another bill. Whenever the
9. bill becomes effective, however, it should incorporate the
10. amendments that are reflected in House Bill 3834. Be happy to
11. answer questions. I would solicit your support.

12. PRESIDENT:

13. Senator Dougherty.

14. SENATOR DOUGHERTY:

15. May I direct a question to Senator Netsch.

16. PRESIDENT:

17. She indicates she'll yield.

18. SENATOR DOUGHERTY:

19. I'm in complete agreement with everything you put in there,
20. except lines 14 and 15 where you say - "that an intoxicated person
21. is one whose mental or physical functioning is substantially
22. impaired as a result of the use of alcohol." How did they arrive
23. at that, Senator? That's all I'd like to know.

24. PRESIDENT:

25. Senator Netsch.

26. SENATOR NETSCH:

27. Would you tell me what page you're reading from, Senator
28. Dougherty.

29. SENATOR DOUGHERTY:

30. Page 2.

31. PRESIDENT:

32. Senator Dougherty.

33. SENATOR DOUGHERTY:

1. Page 2, Line 14 or 15.

2. SENATOR NETSCH:

3. And your question was, the meaning of the words "whose
4. mental or physical functioning is substantially impaired", was
5. that your question?

6. SENATOR DOUGHERTY:

7. That's correct. Yes.

8. PRESIDENT:

9. Senator Netsch.

10. SENATOR NETSCH:

11. How is it known whether that is...well, to some extent it
12. is a matter of judgement of those who have been involved in...
13. in effect, dealing with public inebriates over a period of time.
14. The...and that is true of most of the people who will be
15. involved in this program. The police have been making arrests
16. of public inebriates for exactly this kind of thing for many,
17. many years. The...the difference now is that instead of arresting
18. them and taking them to jail, they will be asked to use one
19. of several other options. So, that in a sense, we're not dealing
20. with any new category of person. We're dealing with a problem
21. that has been there for a long period of time, and that law enforce-
22. ment officials are...and others in the field are used to dealing
23. with.

24. PRESIDENT:

25. Senator Dougherty.

26. SENATOR DOUGHERTY:

27. All right.

28. PRESIDENT:

29. There is a definition, Senator, in a...in Harno's criminal
30. law book, that not drunk is he who from the floor can rise again
31. and drink once more, but drunk is he who prostrate lies and can
32. neither drink nor rise. Any further discussion? Senator Soper.

33. SENATOR SOPER:

1. Thank you, Mr. President. Senator Netsch, I was wondering
2. ...brought about my curiosity on this thing, you say, that if
3. they are trying to determine whether the person is inebriated
4. or not or under the influence of alcohol, they'll have to take
5. them to a facility to make the determination, wouldn't they?

6. PRESIDENT:

7. Senator Netsch.

8. SENATOR NETSCH:

9. No. One of the things that the bill does, and that is
10. greatly clarified in the amendments that are in this particular
11. bill, Senator Soper, is to distinguish between those who are
12. defined in the Act as intoxicated and those who are incapacitated.
13. The only ones who have to be taken to a...a medically oriented
14. facility are those who are incapacitated and that has a very
15. precise definition in the Act. They are people who are, in
16. effect, totally out of control, and are incapable of...of
17. functioning for themselves. At...if they are in that condition
18. and that incidently consists of only from...from three to six
19. percent of the public inebriates who have in the past have
20. been...arrested in this State. Those are the ones who must
21. be taken to a detox center or other medical facility. The...
22. in...with the...with the respect to the others, the police or
23. whoever is doing the picking up have a...an option. They may
24. take them home if they have a home. They may take them to any
25. other public or private agency that deals with...will accept
26. them and if there are no alternatives, then they...they can go
27. into this network.

28. PRESIDENT:

29. Senator Soper.

30. SENATOR SOPER:

31. It comes to my mind...now, suppose they're at home and
32. they're breaking up the furniture and so forth, and then they
33. take them to a detox center, is that right?

1. PRESIDENT:

2. Senator Netsch.

3. SENATOR NETSCH:

4. If they are at home, they would not come under the purview
5. of this Act.

6. PRESIDENT:

7. Senator Soper.

8. SENATOR SOPER:

9. In otherwords if the police are called and you are at home,
10. you can break up the house, and if you're drunk you can fall
11. all over and nothing happens to you. Is that it?

12. PRESIDENT:

13. Senator Netsch.

14. SENATOR NETSCH:

15. Well, it depends on how the other members of the family
16. respond to what's going on at home. The...if they were some kind
17. of damage being done, either to property or to a person, as a
18. result of the activities of the person intoxicated and the police
19. were called, there may well be charges that would be filed that
20. have not to do necessarily just with intoxication. Remember this
21. ...again I would repeat, what we are concerned with here, are not
22. forgiving those who are in anyway shape, or form breaking the
23. law, either by assault and battery, by damage to property, by
24. whatever. We are concerned only with keeping out of the criminal
25. network and hopefully getting into a posture where they will
26. begin to have some help. those people who are publicly intoxicated
27. but are not otherwise breaking the law.

28. PRESIDENT:

29. Senator Soper.

30. SENATOR SOPER:

31. Well, it seems to me usually a fellow gets drunk, he's
32. either singing loud or he's telling a few jokes and maybe he's
33. at home and they...you know they say, "John, you quit drinking."

1. He said, "I want to sing," so he sings, then somebody throws some-
2. thing and breaks a window or something and the neighbor calls
3. the police, or the people in the house call the police. What I
4. want to know from you is this. He hasn't broken any...any law
5. but maybe was a little a loud. I don't know how...how loud you
6. got to be to break a law disturbing the peace, but now you got
7. to take him to a detox center. Now, how many have we got in
8. the State of Illinois? How many have you got in southern Illinois,
9. western Illinois, and how many have you got in the City of Chicago?
10. That's very necessary in...to know if we have to set up these
11. facilities, 'cause otherwise we're going to have a lot of trouble,
12. and have we got the money, or what's happening?

13. PRESIDENT:

14. Senator Netsch.

15. SENATOR NETSCH:

16. Let me go back to your basic premise, Senator Soper. You
17. do not necessarily have to take that person to a detox center
18. to begin with, so I...I think the basic premise is not totally
19. accurate in the context of this Act. To...to respond to the
20. second part of your question, the...the Act is, as you know, is
21. not effective yet. It is anticipated that if it is allowed to
22. go ahead, which I'm sure it will be, and if the appropriation
23. is passed, which is a fairly modest one but is in the Department
24. of Mental Health budget...my figure...I'm looking through my vo-
25. luminous notes now, but my recollection is that it is anticipated
26. that there will be approximately twenty-nine detox centers as
27. such by the time the Act becomes effective in July or August.
28. In addition there are a lot of other things that...that feed
29. into that network. There are transportation systems that are
30. either started or ready to go into effect as soon as the approval
31. is given, and there are in addition...the Department is authorized to,
32. that is the division of alcoholism within the Department of Mental
33. Health, will be entering into contractual arrangements with hospitals

1. to cover other kinds of services. So, it's...it's a major
2. network that is being established, and I'm not suggesting that
3. every part of it is going to be in place on July 1. I don't
4. think that's what we're...what we're saying. What we are saying
5. is that most of it will be there.

6. PRESIDENT:

7. Senator Soper.

8. SENATOR SOPER:

9. Now, this brings to my mind something else. You're talking
10. about hospitals and hospital beds. Now, who picks up the tab?
11. I know if you go to a hospital a day...I had a client of mine
12. that went to the hospital for eighteen days, and they got a bill
13. for twenty-five thousand dollars. You know, it's...it's over
14. a thousand dollars a day. Now, are we going to pick up the tab
15. for guys that get drunk, and they get...they're dried out, they
16. come back again? They get dried out again. You know, a lot of
17. people just drink. That's all they do is drink, and if we're
18. going to pick up this tab, I can see where this thing is going
19. to go. It's nice to be...it's nice to all people and do all
20. things for all people, but if a guy is a drunk, he's going to
21. be a drunk, and if he wants to...if he wants to rehabilitate
22. himself, he's got to do it voluntarily, and if you know anything about
23. AA, you'll know...you'll know, that's the way it's done, not
24. by sending him to a hospital and putting him into a facility,
25. putting him into bed. All you do is give him a vacation, and
26. when he comes out, he starts to drink again. You save his kidneys
27. and his liver which maybe you shouldn't...shouldn't save at all
28. 'cause he's going to cause a lot of trouble for the...for the
29. people who are trying to earn a living and save their money.
30. I think this is a bad bill.

31. PRESIDENT:

32. Senator Netsch.

33. SENATOR NETSCH:

1. The...I think the question that you asked, Senator Soper,
2. was, is the State going to be responsible for some untold amount
3. of hospital bills, and the answer is "no." The only ones who under
4. this Act are to be taken to hospital facilities are those who
5. are incapacitated; a term which is defined in the Act. The
6. department or the division of alcoholism within the department
7. tells us that only between three to six percent at most of all
8. of the public inebriates who are arrested in the State of
9. Illinois during the course of a year fall into that capacity
10. They are people who are not just drunk. They are in need of
11. medical help to begin with, not just for their alcoholism, but
12. because they are in some other way incapacitated, and those are
13. the only ones who are expected to be taken to the hospitals.
14. In many cases they are covered by insurance themselves, and it
15. does cover alcoholism. I...in other cases, they may be already
16. on public assistance. If that is the case, public assistance
17. has clarified to Senator Schaffer and I that they are presently
18. responsible and would continue to be.

19. PRESIDENT:

20. Senator Nimrod.

21. SENATOR NIMROD:

22. Yes, a question of Senator Netsch, Mr. President. Senator
23. Netsch, I'm just...I think most of the things are kind of straightened
24. out, but I'm disturbed about the statistical data and the reporting
25. system. Is...is there going to be adequate kind of statistics
26. available from...as a result of this in...in either one agency
27. or in certain agencies? Are...are we going to require them to
28. keep certain data for us?...not for us, but just to keep certain
29. data that would be available for future analysis? In...in your
30. speech today, you've given us several statistical informations,
31. and that's very important that you have one place to be able to
32. go, or two places to be able to go that are required to do it,
33. but if...if those requirements are not there, I...I'm afraid that

1. we're going to not have figures to be able to intelligently interpret
2. what we've done here.

3. PRESIDENT:

4. Senator Netsch.

5. SENATOR NETSCH:

6. No, I think that's a...that's a good point to raise, Senator
7. Nimrod. The particular amendments that we're talking about in
8. House Bill 3834 don't really deal with that point. There is one
9. division, though, and only one division that is basically responsible
10. for the administration, coordination and so forth of this program,
11. and I have no reason to believe that it will not have available
12. the kinds of statistics we're talking about. I agree we...we
13. are going to need to have them to evaluate how well it is going,
14. and to evaluate any future changes. I don't believe that the
15. ...what we are dealing with today doesn't address itself to that
16. issue, but I think we can request that that be done, that adequate
17. records be kept, and I think they are basically required to.
18. All of the statistics will be part of the public records of the
19. Department of Mental Health.

20. PRESIDENT:

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Question of the sponsor. Senator Netsch, is there an
24. appropriation in the budget for the operation of this Act?

25. PRESIDENT:

26. Senator Netsch.

27. SENATOR MITCHLER:

28. What would the amount be?

29. SENATOR NETSCH:

30. Yes, there is, Senator Mitchler.

31. PRESIDENT:

32. Senator Mitchler, "what is the amount?"

33. SENATOR NETSCH:

1. Oh. There are...it's broken down into several different
2. items, and incidently, I should mention that...Senator Schafffer
3. is a co-sponsor so you are free to direct questions to him as well.
4. The...the amounts...the total amount of the appropriation for
5. all aspects of Alcoholism Program in the department this year...
6. requested is 8.8 million. That has several components, community
7. service grants, detoxification project grants, transportation
8. project purchase, and purchase of care for alcoholic services.
9. Those are the four major components. The total amount is 8.8
10. million.

11. PRESIDENT:

12. Senator Roe...oh, Senator Schaffer and then Senator Roe.

13. SENATOR SCHAFFER:

14. I hadn't deserted you, Senator Netsch. I was waiting for
15. everybody to wind down. A great deal of the debate we've had
16. on this bill doesn't relate to this bill. It relates to the
17. Act. The Act is the law of the land right now. It was passed
18. a year or two ago. Since that time, the implementation of this
19. concept has been delayed, and the reason it was delayed was to
20. allow us to look at some of the problems that had come up. We
21. looked at the problems, and the bill before us is a result of
22. that investigation, and hopefully will solve the problems that
23. we can foresee at this point in time, and make this Act workable.
24. I know there's some support. I know the Municipal League quite
25. candidly is lobbying very hard to have this Act delayed. I would
26. respectfully submit to my colleagues that there is a separate
27. piece of legislation which will be heard by this Body in due time
28. on that issue. It is not inconceivable were everything to fail,
29. that the Governor would definitely proceed to implement this
30. program, which is something that appears to be near and dear to him,
31. as of July 1; So, the real situation, gentlemen, is are we as the
32. members of the Senate going to precipitate a major crisis in
33. Illinois by not adopting this Act. This Act makes the Alcoholism

1. Program workable. It solves many of the problems that were
2. unsolved by the original legislation. The...in the last few
3. weeks, we have had a series of meetings and I would respectfully
4. remind the membership that Senator Netsch on two occasions invited
5. us all to a meeting that took place last night...the night before,
6. which two of us did show up at. I think one Senator briefly
7. stuck his head in, but two of us were at, Senator Netsch and
8. Senator Schaffer, and I might report to the membership that I
9. ...I guess the term is "bracketed" the officials from the Depart-
10. ment of Mental Health and the Department of Public Aid on many
11. of the concerns that are being voiced here. And I think that
12. my interrogation could only be described as thorough. The simple
13. fact of the matter is that the Department of Mental Health and
14. the people...implementing this program are prepared to go on
15. line in June if they get this type of support. They are prepared
16. to go on line, I think, whether they get it or not, but with
17. this type of legislation, the program can be...become a very
18. workable one and hopefully implemented with a minimum of problems.
19. A major stumbling block, which some of you may or may not be
20. aware of, that has been removed has been a clarification from
21. the Department of Public Aid on whether or not that department
22. would pick up the cost of an intoxicant who ended up in a hospital,
23. and the department has in...in writing clarified their position
24. that they will pick up the cost up to five days for, in effect,
25. detoxification and for medical treatment thereafter. This bill
26. and the...there's one additional bill that's somewhere on the
27. Calendar today, I believe, make the Act a much better Act. There
28. is a third bill which would involve itself and delay. I would
29. respectfully submit to you if you are in favor of delay, if the
30. Municipal League's arguments have prevailed in your mind, that
31. we should then vote on that as a separate issue. This Act is
32. essential, should be passed and we can then discuss whether or
33. not the State is ready to go on line in July.. I...I think there's

1. a difference of opinion on that, an honest one, but let's not
2. confuse the issues. This Act definitely should be passed into
3. law.

4. PRESIDENT:

5. Senator Roe, you're passing? Senator Bloom.

6. SENATOR BLOOM:

7. Thank you. A question?

8. PRESIDENT:

9. She indicates she'll yield.

10. SENATOR BLOOM:

11. Okay, over on Page 9, the protective custody provisions.
12. If you read that...I guess it would be Section 5-12 of the
13. Illinois Revised Statute. If an incapacitated person committed,
14. for example, a shooting in a bar, would you be taking them into
15. protective custody first?

16. PRESIDENT:

17. Senator Netsch.

18. SENATOR NETSCH:

19. You say, if he committed a shooting, was that your question,
20. Senator Bloom?

21. PRESIDENT:

22. Senator Bloom.

23. SENATOR BLOOM:

24. Yeah, if he commits a shooting in a bar, would...under
25. these provisions, wouldn't he be taken into protective custody
26. rather than arrested and taken to a detox. facility and then from
27. a detox. facility would finally be arrested?

28. PRESIDENT:

29. Senator Netsch.

30. SENATOR NETSCH:

31. Not unless the police chose not to charge him with the
32. shooting, which I assume would not happen. No, he would be
33. arrested and charged with a crime and would not be subject to the

1. ...the confines of this Act at all.

2. PRESIDENT:

3. Senator Bloom.

4. SENATOR BLOOM:

5. What, we've...we've touched on the...my concern primarily comes
6. for...you know, law enforcement officers having to operate in
7. this environment. Of...of this particular bill, I have received
8. some communications, and these are questions that were raised
9. with me, and I don't have the answer. I'd like it from you.
10. We've touched on distinguishing between drunks who are intoxicated
11. and drunks who are...incapacitated. It's pretty hard for a
12. line officer to make that distinction. Is it not?

13. PRESIDENT:

14. Senator Netsch.

15. SENATOR NETSCH:

16. I don't really believe it is. This is something that was
17. explored with many representatives of law enforcement and as a
18. matter-of-fact, the very amendments that we are talking about
19. today were in large part responsive to their requests. The
20. incapacitated, which is defined in the Act, is a not very difficult
21. thing to recognize when it is encountered, and most law enforce-
22. ment officers have a great deal of familiarity with it. They
23. have dealt with it before, and they are able to recognize it.
24. They requested that this kind of distinction be made.

25. PRESIDENT:

26. Senator Bloom.

27. SENATOR BLOOM:

28. Okay, but is it not fair to say that it...it is possible
29. that this Act would impose toward liability for a mistake that
30. a police officer makes categorizing drunks, 'cause he has a duty
31. under this Act to make the distinction...if he checks paragraph...
32. Section 5-12 subparagraph 2 or b?

33. PRESIDENT:

1. Senator Netsch.

2. SENATOR NETSCH:

3. No. One of the other amendments that is incorporated in
4. the bill that we are dealing with today, Senator Bloom, was
5. again placed there at the request of the law enforcement people
6. particularly, and it is...it does address itself to that problem.
7. They are made not responsible for acting pursuant to this Act
8. unless, of course, they go beyond the usual standards. And
9. that was...that was a deliberately incorporated. That incidently
10. is Section...it's subsection g of Section 12 on Page 9.

11. PRESIDENT:

12. Senator Bloom.

13. SENATOR BLOOM:

14. Well, that well may be true, but if you read that...the
15. way it's drawn up, a person acting in good faith and without
16. negligence and you know, a line officer that would be rather
17. difficult, especially if you read the bottom part of that subsection -
18. "taking into protective custody shall not incur any civil"...you
19. know, I think it does expand the standard of duty that peace
20. officers are held to.

21. PRESIDENT:

22. Senator...have you finished, Senate?

23. SENATOR:

24. Aren't...you know.

25. PRESIDENT:

26. He wants the sponsor's....

27. SENATOR BLOOM:

28. I mean does this...this satisfy law...

29. PRESIDENT:

30. ...comments.

31. SENATOR BLOOM:

32. enforcement people? Have they said, you know, we can live
33. with these subsections; this does not make our job anymore difficult,

1. especially in your smaller communities with detox centers thirty,
2. forty miles away?

3. PRESIDENT:

4. Senator Netsch.

5. SENATOR NETSCH:

6. The language was in response to their request, and I...to
7. the best of my knowledge, because it was suggested by law enforce-
8. ment officers, satisfies them. I...I'm not sure that it would
9. have been a problem in the Act even without this language,
10. but this was particularly added on to meet the very problem that
11. you were talking about, and I might say that the...the problem
12. was always there before hand. In a sense, this adds additional pro-
13. tection, Senator Bloom, because police officers have been picking up
14. public inebriants for years and years and years, and they've
15. always been subject to the possibility of suit, of which there
16. have not been many in that area. This adds to their protection.

17. PRESIDENT:

18. Senator Bloom, your time is rapidly fading into evanescence.
19. Senator Bloom.

20. SENATOR BLOOM:

21. You're saying this, by requiring them to act in good
22. faith, this raises the protection? I also would point out in
23. subparagraph c of Section 18, you limit that exclusion as
24. to relating only to criminal laws. Now, what does...what in
25. effect does this do to your civil sanctions?

26. PRESIDENT:

27. Senator Netsch.

28. SENATOR NETSCH:

29. In response to your first point, I would say that police
30. officers are always expected to and required to act in good faith.
31. That standard is not changed by this law. It...it pre-exists.
32. And the second point was...had to do with the decriminalization section?
33. Well, civil liability is not really affected. What...what this is

1. intended to do and of course, that section of those several
2. sections are basic to the Act, is that the mere act of public
3. drunkenness may not be criminally prosecuted. If there is another
4. ground for a civil suit against someone who is publicly inebriated,
5. that is not really affected by this, and public inebriation itself
6. is not a ground for civil liability unless something else is
7. done in connection with it.

8. PRESIDENT:

9. One teeny question, Senator Bloom.

10. SENATOR BLOOM:

11. Well, my objection does not go to the Act, but it does
12. go to the bill as it's presently drawn. Thank you.

13. PRESIDENT:

14. Senator Howard Mohr.

15. SENATOR HOWARD MOHR:

16. Yes, I wonder if the sponsor would yield?

17. PRESIDENT:

18. She indicates she'll yield.

19. SENATOR HOWARD MOHR:

20. Senator Netsch, how many of these centers do we have in
21. Illinois at present?

22. PRESIDENT:

23. Senator Netsch.

24. SENATOR NETSCH:

25. I...Senator Soper asked that question, and I...I've been
26. ...I got a list of the number. My recollection is, if I may do
27. it from my memory, is that by August or by into...between July
28. and August, it is anticipated that there would be twenty-nine
29. detox.centers in operation. Now, there's some of those that
30. still are to be approved and funded. There are a lot of applica-
31. tions pending, and some of it's dependent on the...everything
32. being completed, but that is, as I recall, the number.

33. PRESIDENT:

1. Senator Mohr...Howard Mohr..

2. SENATOR HOWARD MOHR:

3. What...what distance would be talking about then...in
4. otherwords, some of the people in the rural areas? How far?
5. What would be the maximum they would have to travel? Would you
6. know that?

7. PRESIDENT:

8. Senator Netsch.

9. SENATOR NETSCH:

10. I...I wish you'd come to the meetings, Senator Mohr, because
11. we had all of the alcoholism people there with the map of the...
12. the areas that are going to be used, the transportation networks,
13. where the facilities are located, and it's...it's a very complex
14. thing to go into to.on the Floor. I will tell you what the...the
15. goal is for transporting anyone who does have to be taken to
16. one of the facilities. And, I remind you that a very large
17. number of the people who are picked up as public drunks are not
18. incapacitated and do not necessarily have to be taken to a detox.
19. or other facility. They can be taken home or some place else
20. where the...the police are used complying with it. But the goal
21. eventually, not the goal eventually, the...goal that is
22. written into their transportation network is that by...if I may
23. use this expression or borrow this expression, portal to portal,
24. the trip would be no longer than fifty-nine minutes, and I might
25. say that in the...a couple of the other twenty-three states which
26. have gone this very route, and there have incidently been highly
27. successful detoxification programs and policies adopted in other
28. states, that two of them have been studied with respect to the
29. very question of the length of time involved, and they have all
30. shown that once this program gets into existence and gets functioning
31. that the length of time that is required between the...the police
32. approach to someone and that person's ultimate disposition is
33. considerably reduced. In otherwords, it ends up taking less time

1. of the police and all of those involved in the program, but
2. again, if I may come back to what Senator Schaffer and I have
3. both said, some of these questions probably relate not to the
4. particular amendments in this bill because they are not really
5. addressed in this bill. They relate to the...the question that
6. would be debated presumably in connection with another bill
7. that will be heard later.

8. PRESIDENT:

9. Senator Howard Mohr.

10. SENATOR HOWARD MOHR:

11. It's my understanding, Senator, that there was an amendment
12. that was to be offered or had been offered in...in committee on
13. this that was not accepted, I'm not quite sure on that...
14. postponing the...the effective date. Has there been an amendment
15. offered or not?

16. PRESIDENT:

17. Senator Netsch.

18. SENATOR NETSCH:

19. An amendment was offered in committee. It did not receive
20. a second.

21. PRESIDENT:

22. In answer to that, Senator, I think there is a bill on the
23. Calendar, 1630, that would postpone it. It's on the...now on
24. the order of 3rd reading having been moved today, that would
25. postpone the effective of the Act from July '76 to July '77.
26. There's a bill on the Calendar, Senator. Senator Howard Mohr.

27. SENATOR HOWARD MOHR:

28. Well, I...I was going to suggest from all of the discussion here
29. this morning that I...I think, Mr. President, that we're a long way off
30. from implementing this legislation and I would suggest that consideration
31. be given for postponing it. That bill will take care of it, then that's
32. the way I think that we should go. I can't see mandating this program
33. at this time when we're just not ready for it, so I would...

1. I will vote for the other bill that would delay the enforcement
2. of this and also suggest that there might be some conflicts of
3. interest on voting on this bill.

4. PRESIDENT:

5. Senator Harber Hall.

6. SENATOR HARBER HALL:

7. Would the principal co-sponsor, Senator Schaffer, relieve
8. Mrs. ...Senator Netsch from answering a question and do it himself?

9. PRESIDENT:

10. He indicates he will.

11. SENATOR HARBER HALL:

12. Senator, I was interested in your remarks concerning the
13. bill in respect to those inebriates who need medical treatment
14. in the hospital that this would provide. When you stated that
15. the maximum would be five days and medical treatment thereafter,
16. is there no cap on that?

17. PRESIDENT:

18. Senator Schaffer.

19. SENATOR SCHAFFER:

20. That's the public...a Public Aid recipient, and let's face
21. facts that the major medical problems that wouldn't be paid for
22. might very well be expected to fall in the Public Aid area. If
23. a Public Aid recipient was suffering from cirrhosis of the
24. liver right now, that Public Aid recipient would receive medical
25. payment under the Medicaid Act and that's not a new...new concept.
26. The...and I don't know that the department's position on paying
27. for five days of detoxification is a new concept. It's just that
28. we'd never seen it in writing anywhere, and the Hospital Associa-
29. tion, quite rightly so, was a little nervous about whether their
30. bills were going to be paid, because obviously there are going
31. to be some inebriants brought to hospitals particularly in the
32. rural parts of the State. The Department of Mental Health is
33. currently drawing up contracts. I've seen the contracts. The

1. Hospital Association is aware of this...in...in negotiations
2. on this, and their major concern was...their concern wasn't
3. that they were unwilling to help people who needed help, their
4. concern was their legitimate bills be paid, and the Department
5. of Public Aid has, through its director, has in writing clarified
6. that position. Again, to...to restate the major point on this
7. bill which we occasionally wander away from is, even Senator
8. Bloom mentioned to me that the language in this bill is better
9. than the language that is currently the law of this State even
10. on the points that he raised. I think that everyone would
11. agree that this bill takes an Act currently on the books and
12. dramatically improves it. Now, we may wish to debate on Senator
13. Dougherty's bill whether that Act should be implemented this
14. year or next, but I don't think anyone who's familiar with the
15. Act can argue that this Act dramatically improves what it is
16. existing...the existing law of the land today, and it would be
17. utterly irresponsible for us not to pass this Act unless you
18. honestly felt it didn't improve the Act, and to date no one in
19. the debate has indicated in any way, shape or form that this Act
20. does not...this bill does not dramatically improve the Act and
21. that's the major point.

22. PRESIDENT:

23. Senator Harber Hall.

24. SENATOR HARBER HALL:

25. Well, I favor bill, but I would have liked to just had a
26. simple "yes" answer that there would be no cap.

27. PRESIDENT:

28. Any further discussion? Senator Berning.

29. SENATOR BERNING:

30. Just a couple of quick questions. I admit that this bill is
31. rather complex and perhaps some of the discussion has already
32. touched on what intrigues me, and I'm again referring to Page 9,
33. same section that Senator Bloom referred to. It's a little

1. distressing unless I'm interpreting it incorrectly, where it says that
2. "no authorized person acting in good faith and without negligence"
3. It seems to me there ought to be inserted in there, "without malice"
4. in connection with the preparation of petitions for apprehension
5. and detention of an individual shall incur any liability. Well
6. now, it's not an unusual situation where some recalcitrant in
7. a family decides to get some other member of the family out of
8. the way, and I'm wondering if this doesn't open the door for
9. an extended period of occupancy of a detox center or some other
10. center or even the hospital. And then my question is, even for
11. a period of a few days someone is picked up, stuck in a hospital
12. involuntarily, is his hospitalization policy going to cover this?
13. Is Blue Cross, for instance, liable or does the State of Illinois
14. or some other governmental body have to assume that responsibility?

15. PRESIDENT:

16. Senator Netsch.

17. SENATOR NETSCH:

18. With respect to your first question, Senator Berning, the
19. subsection from which you are reading, "no unauthorized person",
20. refers only to those people who have certain either authority
21. or responsibilities under the Act. It has nothing to do with
22. family members one way or the other, and what this language was
23. intended to do was to relieve some of the anxiety that had
24. previously existed on the part of law enforcement officers, for
25. example, that they might be subjected to an...a...an unduly
26. harsh amount of...of liability for acting pursuant to the mandates
27. of this law, but it has nothing to do with family members. The
28. second point with respect to insurance. The State of Illinois
29. law currently requires or I...I'll put it the other way around,
30. it currently prohibits any insurance carrier authorized to do
31. business in this state from discriminating against alcoholics and
32. the coverage of alcoholism in those insurance policies. That
33. is in a law that was passed several years ago, so that right now,

1. alcoholism is covered by a private insurance, including Blue
2. Cross, or at least it cannot be discriminated against.

3. PRESIDENT:

4. Senator Berning.

5. SENATOR BERNING:

6. Are you...then are you saying that any involuntary
7. inebriate shoved into a hospital automatically becomes a liability
8. to the insurance carrier and is paid for then indirectly by all
9. of us?

10. PRESIDENT:

11. Senator Netsch.

12. SENATOR NETSCH:

13. No. I...again, I think the...your basic premise is
14. inaccurate, Senator Berning. Not every public inebriate is going
15. to be shoved into a hospital. It is quite clear in the context
16. of this Act that only those people who are incapacitated are
17. to be taken to hospitals.

18. PRESIDENT:

19. Any further discussion? The question is, shall House Bill
20. 3834 pass? Those in favor vote Aye. Opposed Nay. The voting
21. is open. Have all voted who wish? Take the record. On this
22. question, the Ayes are 39, the Nays are none, with 10 Voting
23. Present. House Bill 3834 having received a constitutional
24. majority is declared passed. The Chair has an announcement. On House
25. Bill 3218, the printer..the printing machine that prints the roll
26. call skipped some of the names, and I think that in the best
27. interest of the Legislature we should take this roll call again.
28. It's on the top of Page 4 on your Calendar. This was a bill
29. of Senator D'Arco's, so we would like to take a...there were...
30. there were...the vote was 47 Yeas, 6 Nays and none Present. We
31. want to take another roll call because of that malfunctioning
32. of the machine. Senator D'Arco doesn't have to be on Floor. If
33. someone would...the question is, shall House Bill 3218 pass?

1. Those in favor vote Aye. Opposed Nay. The voting is open.
2. Have all voted who wish? Take the record. On this question,
3. the Ayes are 43, the Nays are 8, with 3 Voting Present. House
4. Bill 3218 having received a constitutional majority is declared
5. passed. The Chair has an announcement with reference to the
6. schedule. Several members have asked what our schedule is
7. with reference to tomorrow. It is the full intention of the
8. Chair to go through the Calendar today. Hopefully, if we can
9. finish early enough for the Appropriations Committee to meet
10. subsequent to our finishing here today, it will not be necessary
11. for us to work tomorrow...if we can get through the Calendar
12. today. House Bill 3850, Senator Glass. Read the bill.

13. SECRETARY:

14. House Bill 3850

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Glass.

19. SENATOR GLASS:

20. Thank you, Mr. President and Ladies and Gentlemen; House
21. Bill 3850 corrects some language in the School Code relative to
22. insurance requirements on educational tours. We provided for
23. allowing educational tours out-of-state last year, and in the
24. process an attorney...a school attorney in Peoria, had some difficulty
25. with the new language as disallowing possibly also field trips, so
26. this has been corrected and I would urge a favorable roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further debate? Question is, shall House Bill
29. 3850 pass? Those in favor vote Aye. Those opposed Nay. The
30. voting is open. Have all those voted who wish? Take the record. On
31. that question, the Ayes are 53, the Nays are none, none Voting
32. Present. House Bill 3850 having received a constitutional
33. majority is declared passed. House Bill 3859, Senator Carroll.

1. House Bill 3924, Senator Shapiro. Read the bill.

2. SECRETARY:

3. House Bill 3924

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Shapiro.

8. SENATOR SHAPIRO:

9. Mr. President and Ladies and Gentlemen of the Senate,
10. House Bill 3924 sponsored by the House Cities and Villages
11. Committee amends the Metropolitan Civic Center Act and what
12. it does, it reduces the six hundred million of assessed valuation
13. to three hundred million as the minimum assessed valuation
14. for a county or a combination of counties to be eligible to
15. form an authority under this Act. This bill would have permitted
16. the DeKalb County Board to utilize the Civic Center Act to
17. build a civic center in the City of DeKalb. Now, for many years,
18. the DeKalb County Farm Bureau has been attempting to get an
19. agricultural exposition center built in that county and lately
20. in consort with the City of DeKalb, the county board of supervisors,
21. and other civic organizations have built a coalition that is
22. in favor of coming in under the purview of the Act. They came
23. down here and this last Spring and asked if that they...if the
24. ...if the...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. May we have order please. Proceed.

27. SENATOR SHAPIRO:

28. ...if the present Act could be amended so that the assessed
29. valuation be reduced so that they could qualify. While approval
30. of another civic center might seem to...appear to bring pressure
31. to increase the amount of State funding, I want to point out to
32. you that with the passage of Senate Bill 1591, more than likely
33. DeKalb County could not apply or would there ever be enough

1. State funding for this type of project because under that Act
2. all of those civic center...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Will the members please be in their chairs.

5. SENATOR SHAPIRO:

6. ...All of the funds are obligated to those civic center
7. projects that are now being contemplated. With the support of
8. the DeKalb County Farm Bureau and the county board of supervisors, as
9. well as the administration of the City of DeKalb, it appears
10. as though that DeKalb County could come up with the necessary
11. local funds to build this and to maintain it. I would appreciate
12. a favorable roll call on this bill. If there are any questions,
13. I will attempt to answer them to the best of my ability.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Senator Vadalabene.

16. SENATOR VADALABENE:

17. Yes. I have discussed this legislation with Senator Shapiro
18. and with the people from DeKalb County. They were in complete
19. support of our other civic center legislation and I would urge my
20. colleagues to support this bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? The question is, shall House
23. Bill 3924 pass? Those in favor vote Aye. Those opposed Nay.
24. The voting is open. (machine cutoff) those voted who wish? Take
25. the record. On that question, the Ayes are 49, the Nays are 3,
26. none Voting Present. House Bill...3924 having received a con-
27. stitutional majority is declared passed. Senator Weaver, as to
28. House Bill 3814 in lieu of Senator Graham. Read the bill.

29. SECRETARY:

30. House Bill 3814

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Weaver.

2. SENATOR WEAVER:

3. Thank you, Mr. President and members of the Senate. This
4. bill enacts the Sheriff's Merit System Act. It basically combines
5. the provisions of the sections of the Counties Act providing
6. for a merit commission in the County Police Department Act.
7. It does have additional provisions and also makes some changes.
8. This new language in this Act would make it mandatory in sixteen
9. counties. Those between a hundred or a million and a hundred
10. thousand. Most all of these counties already have merit systems.
11. The information I have says that all of these counties
12. have some form of a merit system. If there's any questions from
13. any of the members, I'll be happy to try to answer them for them.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Senator Weaver, I'm going to ask question out of ignorance,
18. because I frankly had not anticipated this bill coming up today.
19. I have received several communiques in violent opposition to
20. the bill, which I don't have in hand. All I can ask you, is why
21. are some of our officials so adamantly opposed to this concept?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Weaver.

24. SENATOR WEAVER:

25. Well, I really don't know. Rock Island County is one of
26. the counties that would be mandated, but I'm sure they have
27. some form of merit system now. I think this bill was initiated
28. to clarify some of the provisions that are now in various counties'
29. ordinances establishing merit commissions for their county. There's
30. some difference between the system county by county, and this
31. is to try to codify basically the Sheriff's Merit System state-wide.
32. It also allows for small counties to...to have bi-county systems...
33. merit systems, intergovernmental cooperation, et cetera, so if

1. you have any specific questions, I'll try to answer them. I
2. don't why your county might be against...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Wooten.

5. SENATOR WEAVER:

6. ...this bill, Senator.

7. SENATOR WOOTEN:

8. Well, that's my problem. I cannot specify them. I'm just
9. going to have to stay off this bill though. Since it is mandating
10. Rock Island. I know I have had opposition expressed to it, and
11. I...I'm just not prepared to go one way or the other today.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Latherow.

14. SENATOR LATHEROW:

15. Thank you, Mr. President. I wonder if the sponsor would
16. yield.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Indicates he might.

19. SENATOR LATHEROW:

20. Senator Weaver, is there any meaning within this bill
21. that would state that in case of no more deputies qualified under
22. a particular county that they would have to go to another county
23. to get a qualified deputy or someone like that to hire them who's
24. under this merit system?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Weaver.

27. SENATOR WEAVER:

28. I don't believe so, Senator Latherow. I...I don't think
29. there's any provision that they must go to another county. Most
30. of the counties require that deputies live within the county.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Latherow. Is there further discussion? Senator
33. McCarthy.

1. SENATOR MCCARTHY:

2. Well, I...I'm like Senator Wooten. I've...I've had some
3. opposition expressed to me, but I wasn't...I didn't think the
4. bill was going to be called. Wonder if it possible for you to
5. hold this weekend so we could check this one out?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Indicates he will. Take it from the record. Now, we
8. have House Bill 38...I mean Senate Bill 1959 which the...debate
9. was complete and we're ready for a roll call. That is Senator
10. Berning's. Senator Berning may close the debate.

11. SENATOR BERNING:

12. Well, thank you, Mr. President, this was held at the
13. request of the Chair in response to an inquiry from Senator
14. Newhouse who was then off the Floor. I know that Senator
15. Newhouse is here and desires to be heard, and so I will defer to him.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Newhouse.

18. SENATOR NEWHOUSE:

19. Thank you, Mr. President. Mr. President, this bill was
20. ...was requested by Senator Berning. He requested this bill
21. and requested that it be made a...that come out of committee as
22. a committee bill. We arranged for a hearing and posting on
23. this bill, because we wanted to make sure that the bill would
24. have the opportunity for full debate and airing. On the
25. occasion of the meeting of the Senate committee, there was not
26. a single person in opposition to this bill. As a matter-of-fact
27. there was only one...one witness testifying. I've been informed
28. since that there's a good deal of opposition to this bill from
29. labor. I've heard only from one individual as a matter-of-fact.
30. I would suggest that if there...there were this kind of opposition
31. that the proper place to have expressed it was at that committee
32. hearing. So, we're at the stage now where there has been no real
33. debate and opposition to this bill and I'm a little...I'm a bit

1. surprised and perplexed at the method by which it has been handled.
2. I want to get that...I want, as chairman of the committee, I want
3. to make...make it clearly understood that this bill did come out
4. as a committee bill and that it did come out with the recommendation
5. that it Do Pass. I want that to be known and go into the record before
6. we have a vote on the bill, Mr. President. Thank you very much.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Before we have the vote, I...I'm...I'm that the bill was taken
9. from the record and it must be read a third time. The Secretary
10. will read the bill.

11. ACTING SECRETARY: (MR. FERNANDES)

12. Senate Bill 1959

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Berning, you've already closed the debate, is that
17. correct? You may...you may conclude.

18. SENATOR BERNING:

19. I...I just feel it's necessary to make a couple of brief
20. comments in response to some of the points that were raised by
21. some uninformed members of this Body. My first response to one
22. complaint about this being an improper approach to what we all
23. recognize as a serious problem, namely, being required to vote
24. funds to fulfill obligations made by somebody else. My question
25. is, if this isn't the proper approach, then pray tell me, what
26. is, and what do you suggest? I offer this as a viable avenue
27. to meet a very serious problem. And the comment was made that
28. with this to hide behind, a director may contract for a fifty
29. percent increase in salaries knowing that it would be up to the
30. Legislature to action. I say to you today, that same director
31. can make a contract for a fifty percent increase and we have no
32. choice then to accept or reject. We, Ladies and Gentlemen, we
33. the members of this General Assembly ought to have that right.

1. In my opinion, we do have the right but it's been pre-empted.
2. I call your attention once more to the action taken about three
3. weeks ago or perhaps two weeks ago to cover the deficiencies
4. generated by the increased compensation for the highway workers,
5. a deficiency which we had no choice but to cover. A year from
6. now we will be faced with the same deficiencies for several
7. other departments who are already operating under rate increases
8. which we did not take into consideration when we made our
9. appropriations, and many of the contracts originally negotiated
10. will be up for renegotiation in January.. And I also call your
11. attention to the fact that there are some forty thousand additional
12. employees who can be brought under these agreements all without
13. any prerogative on the part of the Legislature unless we pass
14. a simple measure like this which says - they must.. "rates increases
15. must be reviewed by the General Assembly which has the right to
16. disapprove." That's what we are here for, Ladies and Gentlemen.
17. We will only be fulfilling our obligation and I say to you, this
18. is a defensible answer. I would solicit your support.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. The question is, shall Senate Bill 1959 pass? Those in
21. favor vote Aye. Those opposed Nay: The voting is open. Have
22. all those voted who wish? Have all those voted who wish? Take
23. the record. On that question, the Ayes are 21, the Nays are 24,
24. Senate Bill 1959...and 2 Voting Present...Senate Bill 1959 not
25. having received the constitutional majority is declared lost.
26. Now, we're charging right along. We go to House Bills 2nd reading.
27. House Bill 1304, Senator Davidson. House Bill 3036, Senator
28. Dougherty. House Bill 3062; Senator Fawell. Read the bill.

29. ACTING SECRETARY: (MR. FERNANDES)

30. House Bill 3062

31. (Secretary reads title of bill)

32. 2nd reading of the bill. No committee amendments.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

6/11/76
6/11/76

- 1. Just...just a moment. Senator Fawell.
- 2. SENATOR FAWELL:
- 3. Excuse me, Mr. President. I was mistaken. Could that
- 4. be taken from the record and...
- 5. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 6. Take it from the record.
- 7. SENATOR FAWELL:
- 8. ...left on 2nd reading..
- 9. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 10. House Bill 3147, Senator Brady. Read the bill.
- 11. SECRETARY:
- 12. House Bill 3147
- 13. (Secretary reads title of bill)
- 14. 2nd reading of the bill. Committee on Education offers one
- 15. amendment.
- 16. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 17. Senator Brady.
- 18. SENATOR BRADY:
- 19. Yes, Mr. President and fellow members. The amendment
- 20. offered by the Committee on Education brings into conformance
- 21. with the Capital Development Act the language necessary to
- 22. make this bill in conformance with it. It also changes the
- 23. authorization level to four hundred and twenty million from
- 24. four hundred million thus bringing it into conformance with the
- 25. two different appropriation bills that have been passed out here
- 26. that deal with the bonding authority. I move for the adoption
- 27. of this amendment.
- 28. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 29. Is there further discussion? The question is, shall Amend-
- 30. ment No. 1 to 31...to House Bill 3147 be adopted? Those in favor
- 31. indicate by saying Aye. Those opposed Nay. The Ayes have it.
- 32. The amendment is adopted. Are there further amendments?
- 33. SECRETARY:

6/17/76

1. Amendment No. 2 offered by Senator Brady.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Brady.

4. SECRETARY:

5. Reconsider the vote on which...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Brady.

8. SENATOR BRADY:

9. Yes, Mr. President, I think we've made an error here.

10. I have inadvertently...the amendment as just offered I believe
11. to be the second amendment which was my amendment. The amendment
12. offered by the committee had two technical mistakes with it, so at this
13. time having voted on the prevailing side, I move to reconsider
14. the vote by which Amendment No. 1 was placed on the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. You've heard the motion. All those in favor indicate by
17. saying Aye. Those opposed. The Ayes have it. The matter is
18. reconsidered.

19. SENATOR BRADY:

20. Now, I move to Table Amendment No. 1...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. The motion is to Table Amendment No. 1. All those in
23. favor indicate by saying Aye. Those opposed Nay. The Ayes have
24. it. Amendment No. 1 is Tabled. Senator Brady.

25. SENATOR BRADY:

26. Yes, Mr. President, now, I would move for the adoption of
27. Amendment No. 2 which was the explanation I gave just a few minutes
28. earlier.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? The question is, shall Amend-
31. ment No. 2 to House Bill 3147 be adopted? Those in favor indicate
32. by saying Aye. Those opposed Nay. The Ayes have it. The amend-
33. ment is adopted. Are there further amendments. 3rd reading.

HB 3154
2nd Reading
6-17-76

1. House Bill 3155, Senator Knuppel. Read the bill.
2. SECRETARY:
3. House Bill 3155
4. (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Appropriations offers
6. one amendment.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Knuppel moves the adoption of Amendment No. 1 to
9. House Bill 3155. Those in favor indicate by saying Aye. Those
10. opposed Nay. The Ayes have it. The amendment is adopted. Are
11. there further amendments? 3rd reading. House Bill 3316, Senator
12. Mitchler. Read the bill.
13. SECRETARY:
14. House Bill 3316
15. (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. Are there amendments from the Floor? 3rd reading. House
19. Bill 3389, Senator Knuppel. Senator Knuppel. House Bill 3389.
20. House Bill 3411, Senator Buzbee. House Bill 3494, Senator
21. Mitchler. House Bill 3518, Senator Brady. House Bill 3821,
22. Senator Kenneth Hall. House Bill 3837, Senator Netsch. House
23. Bill 3837. Do you wish it moved? House Bill...I'm sorry, I
24. didn't...House Bill 3624, Senator Fawell. Read the bill.
25. SECRETARY:
26. House Bill 3624
27. (Secretary reads title of bill)
28. 2nd reading of the bill. No committee amendments.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Are...are there amendments from the Floor? 3rd reading.
31. House...House Bill 3854, Senator Brady. Read the bill.
32. SECRETARY:
33. House Bill(3854

HB 3957
2nd Reading
6/17/76

- 1. (Secretary reads title of bill)
- 2. 2nd reading of the bill. No committee amendments.
- 3. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 4. Are there amendments from the Floor? 3rd reading. House
- 5. Bill 3892, Senator Partee. Read the bill.
- 6. SECRETARY:
- 7. House Bill 3892
- 8. (Secretary reads title of bill)
- 9. 2nd reading of the bill. No committee amendments.
- 10. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 11. Are there amendments from the Floor? 3rd reading. House
- 12. 3917, Senator Netsch. House Bill 3957, Senator Partee. Senator
- 13. Partee.
- 14. SENATOR PARTEE:
- 15. With the understanding that I will bring these bills back
- 16. to 2nd reading for the purpose of some amendments that I know
- 17. are...are prepared. I'd like to move this bill and the next bill
- 18. to the order of 3rd reading to save a legislative day. Senator
- 19. Glass is here, and I think you understand this. I'm going to
- 20. move them to 3rd, but I will bring them back when your amendments
- 21. are ready. Okay.
- 22. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 23. 3rd reading on House...just...just a moment, he has to
- 24. read the bill.
- 25. SECRETARY:
- 26. House Bill 3957
- 27. (Secretary reading of the bill)
- 28. 2nd reading of the bill. No committee amendments.
- 29. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 30. Amendments from the Floor?
- 31. SECRETARY:
- 32. No. 2nd reading of the bill. The Committee on Insurance
- 33. and Licensed Activities offers three amendments.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Partee. Amendment No. 1.

3. SENATOR PARTEE:

4. Amendment 1...No. 1 was the amendment that deleted the
5. word "four" with reference to the number of years under the
6. Statute of Limitations. No...Amendment. 1...No. 1 was Tabled.
7. There was an offer of Amendment No. 1. That amendment was
8. Tabled. Doesn't your record show that?

9. SECRETARY:

10. No. Only...only amendments that we had received in the
11. office, and that...that would be Amendment No. 1. Any amendment
12. that you'd Tabled in committee would not be reflected in this.

13. SENATOR PARTEE:

14. All right, then. Then Amendment No....you have three
15. amendments that were...

16. SECRETARY:

17. Amendment No. 1 is very short, Senator Partee. Amend.
18. House Bill 3957 in the Senate on Page 6, Line 25 by deleting
19. "four" and inserting in lieu thereof "2" numerals.

20. SENATOR PARTEE:

21. Yes. That amendment was defeated. That amendment did
22. not go on the bill.

23. SECRETARY:

24. I would have to get the committee report out of the office
25. to verify that...

26. SENATOR PARTEE:

27. Well, let's just take it out of the record. Get your
28. committee report. There was only one amendment that was adopted,
29. and that was Senator "Pate" Philip's amendment which relates to
30. the word "gross" or "repeated". That's the only amendment that
31. was adopted. The other two amendments were not adopted.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. We'll...we'll take this from the record...

HB 3958
2nd Reading
6/17/76

1. SENATOR PARTEE:
2. Fine.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. ...and proceed with the next bill, Senator. 39...House
5. Bill 3958.
6. SECRETARY:
7. House Bill 3958
8. (Secretary reads title of bill)
9. 2nd reading of the bill. No committee amendments.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Are there amendments from the Floor? 3rd reading. Senator
12. Egan.
13. SENATOR EGAN:
14. Yes, Mr. President and members of the Senate, I have
15. passed earlier Senate Bill 1932...
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. You skipped it, you mean?
18. SENATOR EGAN:
19. That's correct. I beg your pardon...skipped it in...in the
20. interest of the bi-partisan spirit that we have to pass the
21. bill and because there's no Session tomorrow, I wish to call it
22. now, however, Senator Nimrod is preparing an amendment for it.
23. I...I'm sure that he will have that amendment ready. I want to
24. bring it back to the order of 2nd reading to amend it and then
25. put it back on 3rd...
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Well, Senator, you want leave of the Body to return to the
28. ...return Senate Bill 1932 to the order of 2nd reading. Do we
29. have leave? Leave is granted.
30. SENATOR EGAN:
31. Yes.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. The bill is now on 2nd reading and we will come back to

1. that when Senator Nimrod is...just a moment. Senator Nimrod,
2. do you have the amendment prepared? Well, we'll...we'll come
3. back to it, then.
4. SENATOR EGAN:
5. Thank you, very much.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. The bill is still on 2nd reading. Do we have leave to
8. revert to the order of House Bills on 2nd? Leave is granted.
9. House Bill 3837, Senator Netsch. Read the bill.
10. SECRETARY:
11. House Bill 3837
12. (Secretary reads title of bill)
13. 2nd reading of the bill. The Committee on Public Health, Welfare
14. and Corrections offers one amendment.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Netsch.
17. SENATOR NETSCH:
18. Could you identify the amendment for me? I'm sorry, I did not...
19. SECRETARY:
20. Very...very short...
21. SENATOR NETSCH:
22. ...know we had one on that bill.
23. SECRETARY:
24. ...Senator Netsch. Amend House Bill 3837 on Page 2 by
25. deleting lines 7 through 11. I don't know what it does.
26. SENATOR NETSCH:
27. Just a moment. Here's the bill...
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Senator, could we go to the next bill?
30. SENATOR NETSCH:
31. Yeah, let me...I'm just finding this one, I'm sorry...
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. All right. Take that from the record and proceed on the

1. order of House Bills on 2nd. House Bill 3838, read the bill.
2. SECRETARY:
3. House Bill 3838
4. (Secretary reads title of bill)
5. 2nd reading of the bill. No committee amendments.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Are there...Senator Netsch.
8. SENATOR NETSCH:
9. With respect to this bill, I want to make it clear that
10. we are moving it to save the legislative day. I will bring
11. it back, because there are several people who've expressed
12. interest in amendments to the bill.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Are there amendments from the Floor? 3rd reading.
15. House Bill 3913, read the bill.
16. SECRETARY:
17. House Bill 3913
18. (Secretary reads title of bill)
19. 2nd reading of the bill. No committee amendments.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Are there amendments from the Floor? Senator Netsch
22. indicates that she will return that to the order of 3rd reading...
23. Senator Netsch.
24. SENATOR NETSCH:
25. I'm not aware of any amendments, but I will make that offer,
26. yes.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. 3rd reading. Now, Senator Netsch, are you prepared for
29. House Bill 3837?. Read the bill.
30. SECRETARY:
31. House Bill 3837
32. (Secretary reads title of bill)
33. 2nd reading of the bill. The Committee on Public Health, Welfare and

1. Corrections offers one amendment.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Netsch.

4. SENATOR NETSCH:

5. Mr...thank you, Mr. President, I'm sorry I did not find

6. the amendment earlier. The amendment deletes the language that

7. we sometimes call good samaritan language. It was overly broad

8. as drafted in the bill, and it was generally agreed in the

9. committee that it did not belong in this particular bill. I

10. move the adoption of the amendment.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

13. Amendment No. 1 to House Bill 3837 be adopted? Those in favor

14. indicate by saying Aye. Those opposed Nay. The Ayes have it.

15. Are there further amendments? 3rd reading. Senator Netsch.

16. SENATOR NETSCH:

17. I want to make the same...obligation. I will bring it

18. back for additional amendment.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Thank you. Senator Nimrod. We're still on the order of

21. 2nd reading. Senator Partee as to House Bill 3957. Read the

22. bill.

23. SECRETARY:

24. House Bill 3957

25. (Secretary reads title of bill)

26. 2nd reading of the bill. The Committee on Insurance and Licensed

27. Activities offers one amendment.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Partee.

30. SENATOR PARTEE:

31. I move the adoption of the amendment.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

1. No. 1 to House Bill 3957 be adopted? Those in favor indicate
2. by saying Aye. Those opposed. The Ayes have it. The amendment
3. is adopted. Are there further...just a moment. The Chair wishes
4. to advise for the sake of the record that the original committee
5. report was in error and that the matter has been corrected.
6. There was but one amendment to House Bill 3957 adopted, and that
7. has been properly adopted. Are there further amendments? The
8. amendment is Amendment No. 1. We...we have already read the
9. amendment. We'll read it again. ...The amendment has been
10. read into the record. Are there further amendments? 3rd reading.
11. Senator Egan, are you prepared to proceed? Senator Egan.

12. SENATOR EGAN:

13. ...Thank you, Mr. President and members of the Senate.
14. This amendment is for the...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Just a moment. Now, Senator, we are on...I think your
17. bill is a Senate Bill and what is the number?

18. SENATOR EGAN:

19. Senate Bill 1932.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. All right, now do we have leave to go back to the order
22. of Senate Bills on 3rd reading?

23. SENATOR EGAN:

24. No, it's on...I'd like to keep it on 2nd until we amend it...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. I'm sorry...I'm sorry....I'm sorry, just a moment. I did
27. place it on 2nd. You're correct. The bill...the Senate Bill is
28. on 2nd reading. Senator Egan.

29. SENATOR EGAN:

30. Mr. President and members of the Senate, the amendment which
31. I am moving for its adoption will correct an inadvertent omission.
32. from the amendment that we placed on the bill last, changing the
33. appropriation for the Mental Health and Developmental Disabilities

1. Commission and I move its adoption.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Question is, shall Amendment
4. No. 3 be adopted? Those in favor indicate by saying Aye. Those
5. opposed. The Ayes have it. Amendment No. 3 is adopted to Senate
6. Bill...strike that...

7. SECRETARY:

8. Senate...Senate Bill...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. ...to Senate Bill 1932. All those in favor indicate by
11. saying Aye. Those opposed Nay. The Ayes have it. The amend-
12. ment is adopted. Just a moment. The Secretary wishes to ask
13. a question of the sponsor, Senator Egan.

14. SECRETARY:

15. Is this 98,900?

16. SENATOR EGAN:

17. Yes, that's correct.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Are there further amendments from the Floor? 3rd reading.
20. Senator Vadalabene as to Senate Bill 1972 on Page 2. That is on
21. the order of 3rd reading, and it is your desire to ask leave
22. to return to the order of...Senate Bills 2nd. Do we have leave?
23. Leave is granted. Senator Vadalabene.

24. SENATOR VADALABENE:

25. Yes, thank you, Mr. President and members of the Senate.
26. This would be Amendment No. 3 that will be offered by Senator
27. Fawell. It was an agreed committee amendment, and I think that
28. Senator Fawell has the amendment on the Clerk's Desk.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Fawell.

31. SENATOR FAWELL:

32. Yes, this is agreed as indicated, and it merely limits the
33. property which is being conveyed to the City of Alton to be

1. utilized for open space and public park purposes, and I move
2. the adoption of this...

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? The question is, shall Amend-
5. ment No. 3 to Senate Bill 1972 be adopted? Those in favor indicate
6. by saying Aye. Those opposed Nay. The Ayes have it. Amendment
7. No. 3 is adopted. Are there further amendments? 3rd reading.
8. Senator Egan, we have had intervening business as to your particular
9. Senate Bill. Do you wish to proceed on the order of passage?
10. The Secretary will read the bill.

11. SECRETARY:

12. Senate Bill 1913

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Egan.

17. SENATOR EGAN:

18. Yes, Mr. President...

19. SECRETARY:

20. That's Senate Bill 1932...

21. SENATOR EGAN:

22. Senate Bill 1932, and let me just say for the record,
23. Mr. President, that the last amendment was adopted, there was
24. a correction on its face in pencil...or in pen, and I'd just
25. like the record to reflect that it was the type was 99 and the
26. correction was to 98, and this, Mr. President and members of
27. the Senate, this bill contains all of the commissions that are
28. authorized by the General Assembly with the adequate appropriation.
29. After Senator Regner and myself and the other members of the
30. subcommittee have met on this bill several times, we have come
31. finally to the passage stage. We feel that the bill is in...in
32. as good shape as we can put it and hopefully, it will go to the
33. House and come back exactly like it is, and I commend it to your
34. favorable approval.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Senator Soper.

3. SENATOR SOPER:

4. I'd like to know what commissions this takes care of? You
5. got a...and how much money is involved? You read ninety-eight
6. thousand. I didn't know whether you meant ninety-eight thousand
7. dollars off or ninety-eight thousand dollars additional. How
8. much money are we talking about here?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Egan:

11. SENATOR EGAN:

12. This is the omnibus bill, Senator. It contains all of
13. the commissions. There are twenty commissions in the bill.
14. Each commission has an adequate appropriation in a number amount,
15. and I can go over them individually if you wish, but if you'd
16. like...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Soper.

19. SENATOR SOPER:

20. Yeah. You didn't answer the question. You skirt around
21. this one with an end run. How much money is involved altogether?
22. You got to have...you got to have a figure, don't you?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Egan.

25. SENATOR EGAN:

26. It has been changing momentarily, Senator. The total that
27. I have is eight million dollars...with eight million fifty-eight
28. thousand two hundred eighty-nine dollars.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Soper.

31. SENATOR SOPER:

32. At what moment did we get that figure; the last moment or
33. the moment before, or is this the moment of...of fish or cut bait?

1. What...what are we going to do?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Egan.

4. SENATOR EGAN:

5. Well, I'd rather fish than cut bait, so let me say that
6. we...that is current...that is right up to this second.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Soper.

9. SENATOR SOPER:

10. I can't vote on a bill if I don't know what I'm doing.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further...Senator Regner.

13. SENATOR REGNER:

14. Yes, Mr. President and members of the Senate. I rise in
15. support of the bill. Senator Egan and I have worked a lot of
16. hours on this along with the staff, and as each and everyone
17. of the...pardon me...legislative commissions, both permanent
18. and temporary are on this...or in this, the amount I will say
19. is substantially less than last year when we had the Racing
20. Board and other...such other agencies in the bill. So, all
21. it represents at this time is those legislative commissions
22. that we have voted on and approved in the past.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Partee.

25. SENATOR PARTEE:

26. Well, I was looking for Senator Chew. I didn't realize
27. the bill had gotten to 3rd reading. There is an amendment that
28. he was to offer, and I don't know where he is.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. I'm advised by the Secretary that the amendment is here,
31. so now, we're going to have to go back to the order of 2nd reading.
32. Do we have leave? Leave is granted. Senate Bill 1932 is on the
33. order of 2nd reading. Senator Partee.

1. SENATOR PARTEE:

2. Senator Daley told me he didn't feel well or something.
3. He's...but this is an amendment for...what is the amount? Let
4. me see that for a moment, please. I...I think it adds six
5. thousand dollars. I think it's six thousand. It adds the
6. difference between thirty-seven six and forty-five...yeah,
7. about sixty-four hundred dollars to the Status of Women's
8. Commission. Now, just a moment. Remember your mothers and
9. sisters are ladies. Now, let me just say that they asked for
10. a very spartan kind of budget. Last year we had a ten
11. thousand dollar deficiency for them, and I think if we can
12. put this sixty-three or four hundred dollars in here now, we
13. can obviate any deficiency. They have a very spartan budget.
14. They have a...a...an adequate amount, and it's not a large
15. amount. The whole...the total of it is...is only forty-five
16. thousand dollars, and I'd move the adoption of the amendment.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Senator Regner.

19. SENATOR REGNER:

20. Yes. Just one question I have of Senator Partee. How much
21. has the Status of Women's Commission spent to date for Fiscal Year
22. '76?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Partee.

25. SENATOR PARTEE:

26. I'm not really certain I'm prepared to answer that question.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Regner.

29. SENATOR REGNER:

30. According the figures we have, it looks like they're
31. going to lapse about eight or ten thousand dollars right now
32. for Fiscal Year '76. I see no reason to increase it for '77.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Partee.

2. SENATOR PARTEE:

3. Now, that shows how frugal they are. They have...they've
4. saved it, but I'll tell you there are more things to be done
5. this year in terms of their budget than there were last year.
6. They don't just spend it because they have it, but when they
7. need it, I think we should give it to them.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? The question is, shall
10. Amendment No. 4 to Senate Bill 1932 be adopted? Those in favor
11. indicate by saying Aye. ~~Those~~ Those opposed. The Ayes have it.
12. There is a request for a roll call. Question is...just a
13. moment, Senator Partee.

14. SENATOR PARTEE:

15. That request for a roll call was just in jest. I...can't
16. you tell that?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Question is, shall Amendment No. 4 be adopted? Those in
19. favor indicate by voting Aye. Those opposed Nay. The voting
20. is open. Have all those voted who wish? Take the record.
21. On that question, the Ayes are 26, the Nays are 18. Amendment
22. No. 4 having received a majority is adopted. Is there...are
23. there further amendments? 3rd reading. For...intervening
24. business, we will have committee reports and we'll return to the
25. order of 3rd reading of this particular bill.

26. SECRETARY:

27. Senator Knuppel, Chairman of Agriculture, Conservation and
28. Energy Committee, reports out the following bills: House Bill
29. 3629, 3630 with the recommendation Do Pass; House Bills 3505,
30. 3605 and 3858 with the recommendation Do Pass as Amended.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senate Bills on 3rd reading. Senate Bill 1932. Senator...

33. SECRETARY:

34. Senate...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. ...Read the bill.
3. SECRETARY:
4. ...Senate Bill 1932
5. (Secretary reads title of the bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Senator Egan.
9. SENATOR EGAN:
10. Thank you, Mr. President and members of the Senate, I
11. believe enough has been said. I would ask for a favorable
12. roll call. Thank you.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Is there further discussion? The question is, shall
15. Senate Bill 1932 pass? Those in favor vote Aye. Those opposed
16. Nay. The voting is open. Have all those voted who wish?
17. Take the record. On that question, the Ayes are 39, the Nays
18. are 5, 2 Voting Present. Senate Bill 1932 having received a
19. constitutional majority is declared passed. Senator Hynes,
20. for what purpose do you arise?
21. SENATOR HYNES:
22. Mr. President, I would just like to congratulate Senators...
23. Egan and Regner for the outstanding job they did on this most
24. important piece of legislation. I think they really are deserving
25. of a pat on the back from all of us.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Do we have leave to return to the order of House Bills on
28. 3rd? Leave is granted. House Bill 3410, Senator Palmer. Read
29. the bill.
30. SECRETARY:
31. House Bill 3410
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Palmer.

3. SENATOR PALMER:

4. House Bill 3410 makes a supplemental appropriation of
5. four million five hundred and eighty-seven thousand to the
6. Department of Labor for the payment of unemployment compensation
7. benefits to former State employees. All it is is to provides
8. for the payment of a bill due and owing by the department.
9. There's no opposition at the Appropriation Committee and there's
10. opposition to this bill. I ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? The question is, shall House
13. Bill 3410 pass? Those in favor vote Aye. Those opposed Nay.
14. The voting is open. Have all those voted who wish? Take the
15. record. On that question the Ayes are 42, the Nays are 10, none
16. Voting Present. House Bill 3410 having received a constitutional
17. majority is declared passed. House Bills 1st reading. Senator
18. Don Moore, 3917. Read the bill.

19. SECRETARY:

20. House Bill 3917

21. (Secretary reads title of bill)

22. 1st reading of the bill.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Assignment of bills. That bill does go to Rules, I'm
25. sorry. It is...it is in the Committee on Assignment of Bills.
26. Senator Berning.

27. SENATOR BERNING:

28. On that same order of business, Mr. President, House
29. Bill...

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. House Bills 1st...

32. SENATOR BERNING:

33. ...House Bill 3956, I would request to be shown as chief

1. sponsor. This is a committee bill, and I, therefore, move that
2. it be referred to the Committee on Assignment of Bills.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Well, we have to read the bill, Senator, and it will
5. automatically go to the Committee on Assignment of Bills.

6. Read the bill.

7. SECRETARY:

8. House Bill 3956

9. (Secretary reads title of bill)

10. 1st reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. May we have leave to go to the order of Resolutions? Leave
13. is granted. Senator...just a moment.

14. PRESIDENT:

15. May we have your attention please? The Senate is indeed
16. honored today to have as a guest an internationally known
17. historian. Dr. John Hope Franklin, received his Bachelor's degree
18. cum laude from Fisk University, his Master's degree and PHD
19. in History from Harvard University. He's taught in several
20. colleges and has been the visiting professor of American universities
21. in Australia, South America, India and parts of Asia. Dr. John
22. Hope Franklin is the author of many books. He is an outstanding
23. historian. He is now a professor at the University of Chicago.
24. He is in town today, and I'd like for you to meet and greet Dr.
25. John Hope Franklin.

26. DR. JOHN HOPE FRANKLIN:

27. (speech given by Dr. Franklin)

28. PRESIDENT:

29. Thank you much...thank you very much, Dr....Dr. Franklin.
30. We think of history as being three components, past, present
31. and future. And I suppose we read about the past so that we
32. can understand and evaluate the present and on the basis of our
33. knowledge of both the past and the present, we should be able to make

1. some reasonable assessments as to what the future should be.
2. Thank you. The Chair recognizes Senator Newhouse.

3. SENATOR NEWHOUSE:

4. Thank you, Mr. President, and let me thank the Senate
5. on behalf of my district for honoring my colleague, my neighbor,
6. and my friend, Dr. Franklin, and let me thank Dr. Franklin for
7. refocusing for us on the views that we perhaps ought to pay more
8. attention to during this Bicentennial Year. Thank you, neighbor.

9. PRESIDENT:

10. If Senator Glass is on the Floor, we'll go to Consideration
11. Postponed. He's been a little concerned about it. Senate Bill 1620,
12. Senator Johns.

13. SENATOR JOHNS:

14. Mr. President, I would like to observe the following
15. procedures with leave of the Senate. This bill has been moved
16. to Consideration Postponed, and I now move that the Senate concur
17. with Amendments 1, 2, and 6, and I'd like to have a roll call
18. on those if they are acceptable. The controversy arose from
19. Amendment No. 5, and I would like to move that we concur, as
20. I said, on 1, 2, and 6, and send 1620 into a Conference Committee
21. whereby we can discuss thoroughly the virtues of Amendment No. 5.
22. And I now ask you to do that for me, Mr. President.

23. PRESIDENT:

24. Any further discussion? Senator Soper.

25. SENATOR SOPER:

26. Can you explain the amendments that we're supposed to concur
27. in, at least?

28. PRESIDENT:

29. Senator Johns.

30. SENATOR JOHNS:

31. Well, I was speaking in a fashion of brevity, because we
32. went through this a few days ago, but I'll be glad to do it again
33. as a courtesy and as a privilege. One...House Amendment No. 1 is a

1. technical amendment. It fixes some wording errors. House
2. Amendment No. 2 reduces the contractual services, line and the
3. general office by thirteen hundred and twelve dollars, and
4. adds this amount in a separate line to pay the claim of the
5. Illini Moving and Storage Company, which has gone to the court
6. of claims to recover this money. House Amendment No. 6 again
7. is a technical amendment and changes the totals in the bills.
8. Your staff is very well aware of these three changes. Most of
9. your people have concurred in these three amendments. No. 5
10. was the one that disturbed everybody.

11. PRESIDENT:

12. Senator Soper.

13. SENATOR SOPER:

14. You said it changes the amount. No. 6 changed the amount.
15. Lesser, greater, or in between or momentarily? What...what does
16. that 6 do?

17. PRESIDENT:

18. Senator Johns.

19. SENATOR JOHNS:

20. It changes the totals in the bill, I think, to meet the
21. amendment changes.

22. PRESIDENT:

23. Any further discussion? Senator Soper.

24. SENATOR SOPER:

25. Well, just give me a figure, up or down, will you, Senator
26. Johns? You know, don't give me a end run again.

27. PRESIDENT:

28. Senator Johns.

29. SENATOR JOHNS:

30. If you want, I'll...I'll...I...if you don't have a copy
31. of the amendment, I'd be glad to get you one, but it changes
32. them downward.

33. PRESIDENT:

1. Senator Rock, did you seek recognition?

2. SENATOR ROCK:

3. Well, just in an attempt to assuage and interpret for
4. Senator Soper, Amendment No. 6 as adopted in the House was a
5. technical amendment to reflect in the total figures the...the
6. previous amendments...the...the numbers are downward, if that's
7. your question.

8. PRESIDENT:

9. Any further discussion? There are two questions on this
10. bill. One, the Senate will decide whether it desires to concur
11. in Amendments 1, 2 and 6, and the second motion then will be to
12. nonconcur in 5. Is that correct? On a single roll call, yes.
13. The question is, shall the Senate concur in Amendments 1, 2 and
14. 6 to Senate Bill 1620? Those in favor vote Aye. Those opposed
15. vote Nay. The voting is open. Have all voted who wish? Take
16. the record. On that question, the Ayes are 51, the Nays are
17. none, with 1 Voting Present, and the Senate does concur in
18. Amendments Numbered 1, 2 and 6 to Senate Bill 1620. Senator
19. Johns on Amendment No. 5.

20. SENATOR JOHNS:

21. Now, Mr. President, this is the one that seemed to be
22. controversial. This is the amendment put on in the House for
23. a hundred thousand dollar appropriation for the Jackson-Union
24. County Port Authority. The substantive bill has now come to
25. the Senate, gone through the Rules Committee, and been assigned
26. to Senator Ken Buzbee. It is in his district, and that is the
27. amendment that we now consider.

28. PRESIDENT:

29. Are you moving to nonconcur in this amendment?

30. SENATOR JOHNS:

31. I'm moving to nonconcur because this is the one that
32. caused the controversy. And I wish now for a Conference Committee...

33. PRESIDENT:

1. We'll...we'll get to that in a minute. The question is,
2. shall the Senate nonconcur in Amendment No. 5. All in favor
3. say Aye. Opposed Nay. The Ayes have it. The...the motion
4. carries for nonconcurrency, and the Secretary shall so inform
5. the House. Senator Buzbee.

6. SENATOR BUZBEE:

7. I'm just a little bit confused here, Mr. President. This
8. is...an item that affects my district, and...and I'm...I wanted
9. to have the opportunity to explain that I didn't think we ought
10. to take the action we just took. I'm not...I'm not faulting
11. either you or Senator Johns, but it seems like that it went rather
12. hurriedly and...and I think this is a worthwhile project, and I
13. ...I would have liked to had the opportunity to...to vote some way...

14. PRESIDENT:

15. Well, we certainly didn't mean to do it hurriedly...

16. SENATOR BUZBEE:

17. No...I don't...I don't...

18. PRESIDENT:

19. ...it was done with dispatch, but not hurriedly. Senator Rock.

20. SENATOR ROCK:

21. Well, I think the Senator has forgotten perhaps, Mr. President,
22. the conversation that was had in the Rules Committee when the
23. substantive legislation was, in fact, favorably reported out.
24. There was discussion among the members of the Rules Committee
25. that the House sponsor of the substantive bill and of this
26. amendment had...had indicated that he wished to lower the dollar
27. amount, and that's the reason it's being sent back.

28. PRESIDENT:

29. Senator Johns.

30. SENATOR JOHNS:

31. Absolutely clear. I talked with the sponsor. He agreed
32. to this, or I would not have taken this action without taking
33. to the sponsor, which to me is an ultimate, desirable courtesy.

1. PRESIDENT:

2. So, now all the Conference Committee will have to deal
3. with it is the one issue, that's all. Senate Bill 1680, Senator
4. Carroll. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President, Senate Bill 1680 is the bill
7. proffered by the Department of Revenue that would provide for
8. a one year limitation on the filing of claims for refunds on
9. the gas tax and the nontaxable motor fuel that is lost, and it
10. sets the date as the date from when the taxes were paid. Additionally,
11. it has the amendment originally offered by Senator Mitchler that
12. would say that those distributors of gasoline products would
13. have a two percent cost of collection like all other retail
14. installment taxes. Senator Latherow and Senator Harris had some
15. questions that have been resolved with the department. I under-
16. stand that they are in concurrence with bill, and I ask for a favorable
17. roll call.

18. PRESIDENT:

19. Any discussion? Question is, shall Senate Bill 1680 pass?
20. Those in favor will vote Aye. Opposed will vote Nay. The voting
21. is open. Have all voted who wish? Take the record. On that
22. question, the Ayes are 42, the Nays are 3, with 4 Voting Present.
23. Senate Bill 1680 having received a constitutional majority is
24. declared passed. Senate Bill 1756, Senator Vadalabene. Senator
25. Vadalabene, the bill is on...

26. SENATOR VADALABENE:

27. Thank you, Mr. President and members of the Senate, this
28. bill had a...a good hearing the other day. It's...it's the ex-
29. tension of the Fiscal '75-'76 Bi-State Transit System funding
30. for Fiscal Year 1977 and I would appreciate a favorable vote.

31. PRESIDENT:

32. Senator Kenneth Hall.

33. SENATOR KENNETH HALL:

1. Thank you, Mr. President and members of the Senate, I'll
2. be very brief. This is...this is really needed for this area
3. downstate. All...I see no...no signs over there. Everybody is
4. in accord, and so I'd appreciate your most favorable vote.

5. PRESIDENT:

6. Any further discussion? Senator Howard Mohr.

7. SENATOR HOWARD MOHR:

8. This Bi-State, that's the southern version of RTA, is
9. that correct, Mr. President.

10. PRESIDENT:

11. Senator Kenneth Hall. Senator Vadalabene, do you desire
12. to answer that?

13. SENATOR VADALABENE:

14. Well, if you want to reconize Senator Hall, it's fine with
15. me.

16. PRESIDENT:

17. Senator Hall.

18. SENATOR KENNETH HALL:

19. Thank you, Mr. President, and fellow members of the Senate.
20. No, Senator, this is a compact between Missouri and Illinois.
21. It's approved by Congress. It's vitally needed in this area for
22. the poor and the underprivileged people who do not have cars and
23. have to use public transportation. I'd appreciate your most
24. favorable vote.

25. PRESIDENT:

26. Senator Howard Mohr.

27. SENATOR HOWARD MOHR:

28. Normally, Mr. President, I don't keep records, but my memory
29. is pretty good from one day to the next. We did talk about RTA
30. yesterday, and these two gentlemen stand out in my mind for some
31. reason or another. I...and I don't...they are look alike. I
32. would...I think I heard a...the word vacillate yesterday, and I
33. ...I'm reminded of that, Mr. President. Thank you.

1. PRESIDENT:

2. Any further discussion? Question is, shall Senate Bill
3. 1756 pass? Those in favor vote Aye. Opposed Nay. The voting
4. is open. Have all voted who wish? Take the record. On this
5. question, the Ayes are 37, the Nays are 8, with 5 Voting Present.
6. Senate Bill 1756 having received a constitutional majority is
7. declared passed. Senate Bill 1930, Senator Glass.

8. SENATOR GLASS:

9. Thank you, Mr. President and Ladies and Gentlemen. Senate
10. Bill 1930 would allow the creation of a working cash fund for
11. park districts in Illinois. I believe the City of Chicago already
12. has such a park district working cash fund. The bill is limited,
13. however, in that it would allow a tax levy for a period of only
14. four years to create this fund, and the use of the fund is for
15. the park district to borrow from in anticipation of taxes to
16. be collected. It would avoid the need for...the sale of a
17. tax anticipation warrants, and as drafted, I believe, it has
18. met the objections of all the members in the committee. It came
19. out by a vote of 10 to 1, and I think Senator Berning indicated
20. the last time that he reluctantly favors it as it is now drafted.
21. It is also favored by the Taxpayers Federation, and I would be
22. happy to answer any questions and urge a favorable roll call.
23. I'd mention also that there is a backdoor referendum provision
24. now in the bill.

25. PRESIDENT:

26. Any discussion? Question...Senator Don Moore. Oh..The
27. question is shall Senate Bill 1930 pass? Those in favor vote
28. Aye. Opposed Nay. The voting is open. Have all voted who wish?
29. Take the record. On this question, the Ayes are 37, the Nays
30. are 6, with 4 Voting Present. Senate Bill 1930 having received
31. a constitutional majority is declared passed. House Bill 3315,
32. Senator Knuppel. Do you want to leave that House Joint Resolution
33. for a couple of days until everybody has a chance to see it?

1. All right, to the order of Secretary's Desk for concurrences.
2. (machine cutoff)been put on everybody's desk on House Joint
3. Resolution 94. On the order of Secretary's Desk concurrences,
4. Senate Bill 1498, Senator Hynes. Senate Bill 1500, Senator
5. Lane. Senate Bill 1606, Senator D'Arco. Senate Bill 1607,
6. Senator Rock. Senator Rock.
7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen of the
9. Senate, Senate Bill 1607 is the FY '77 appropriation for the
10. Department of Finance. The House has added four amendments.
11. I intend to move to concur in Amendments 1, 2, 4 and 5, and
12. thus effect final passage. Amendment No. 1 offered by the
13. chairman and sponsor, Representative Lechowicz, cut two hundred
14. and forty-two thousand dollars from the Management Information
15. Division. Amendment No. 2 made some technical changes in the
16. language. Amendment No. 4 effected a General Revenue reduction
17. of 10.4 million dollars, and Amendment No. 5 restored two
18. hundred and two thousand dollars to the statistical services
19. revolving fund which was mistakenly cut out by the...by Senate
20. action. If there are no further questions, Mr. President and
21. Ladies and Gentlemen, I would move that the Senate do concur
22. in House Amendments 1, 2, 4 and 5 to Senate Bill 1607.

23. PRESIDENT:

24. Any further discussion? Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. Well, Senator Rock, we've got
27. a problem here with House Amendment No. 1. Are you satisfied
28. that the House has not transferred back into Finance these
29. activities on general services and personnel that were handled by
30. MID?

31. PRESIDENT:

32. Senator Rock.

33. SENATOR ROCK:

1. Yes. Additionally, I've...I've neglected to mention that.
2. You will recall in the committee...our...our Committee on
3. Appropriations, there was some concern about the transfer of
4. certain functions to the Comptroller the House. We did not
5. allow that at this point. The House did, in fact, see fit to do
6. that. I have discussed Amendment No. 1 at some length with the
7. chairman of the House Appropriations, and they have informed me
8. that after long study, they felt that this was the best procedure
9. to follow.

10. PRESIDENT:

11. Senator Weaver.

12. SENATOR WEAVER:

13. Well, it...it's kind of a weird system of credits here,
14. and I'm...I'm not totally satisfied with No. 1. I...I could
15. certainly go with 2, 4 and 5, but I...I think that we ought to
16. go to Conference Conference on Amendment No. 1.

17. SENATOR ROCK:

18. Well, the only...the only thing I can assure of is that
19. I have been informed by the House members, particularly Representa-
20. tive Lechowicz, that a Conference Committee would...would probably
21. be to no avail. There were, in fact, certain transfers of
22. function that were sought and agreed to by the Department of
23. Finance, the Department of General Services and the Comptroller.
24. We in the committee and at the Senate Committee Appropriations felt
25. that since we were coming into a new administration come January,
26. that perhaps these functions ought to remain where they are.
27. Representative Lechowicz has convinced me that in the interest of
28. efficiency and administration this change should, in fact, be
29. made, and I am, therefore, moving to concur with Amendment No.
30. 1, 2, 4 and 5.

31. PRESIDENT:

32. Further discussion? Senator Rock, your...renew your motion.
33. You're renewing your motion for concurrence...

1. SENATOR ROCK:

2. I...I am, in fact...

3. PRESIDENT:

4. ...and

5. SENATOR ROCK:

6. ...I am formally renewing my motion to...that the Senate
7. do concur with House Amendments 1, 2, 4 and 5 to Senate Bill 1607.

8. PRESIDENT:

9. The question is, shall the Senate concur in Amendments 1,
10. 2, 4 and 5 to Senate Bill 1607? Those in favor vote Aye. Those
11. opposed vote Nay. The voting is open. Have all voted who wish?
12. Take the record. Senator Weaver...verification is requested.
13. But I have to announce it first, of course. On this question,
14. the Ayes are 31, the Nays are 21, with none Voting Present. The
15. Senate does concur in Amendments Numbered 1, 2, 4 and 5 to
16. Senate Bill 1607, and the bill having received the...received
17. the required constitutional majority is declared passed. Now,
18. there is a motion for a verification. Members will be in their
19. seats. The Secretary will read the affirmative roll call.

20. SECRETARY:

21. The following voted in the affirmative: Brady, Bruce,
22. Buzbee, Carroll, D'Arco, Daley, Demuzio, Donnewald, Dougherty,
23. Egan, Kenneth Hall, Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski,
24. Lane, Lemke, McCarthy, Morris, Netsch, Nudelman, Palmer, Rock,
25. Savickas, Smith, Vadalabene, Welsh, Wooten, and Mr. President.

26. PRESIDENT:

27. Is Senator Welsh on the Floor? Take him off the roll
28. call. The redcoats are coming. Senator McCarthy is right here
29. in the center. The roll call has been verified, and the Ayes
30. are 30, and the Nays are 21, with none Voting Present, and the
31. bill having received the required constitutional majority is
32. declared passed. Senate Bill 1609, Senator Knuppel.

33. SENATOR KNUPPEL:

1. It's Senate Bill 1608.

2. PRESIDENT:

3. 1609 on Secretary's Desk on concurrence.

4. SENATOR KNUPPEL:

5. Oh. Pass it.

6. PRESIDENT:

7. I'll get back to the other one. I know which...I know what
8. you mean. Senate Bill 1619, Senator McCarthy. Senate Bill 1621,
9. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, thank you, Mr. President and members of the Senate.
12. Amendment No. 1 in the House to Senate Bill 1621 puts the sum
13. of a hundred and fifty-five thousand or so much thereof...may
14. be necessary, appropriated to the Illinois Arts Council for
15. programs. This amendment does not meet the concerns of Senator
16. Lemke regarding funds for ethnic programs and I move not to
17. concur with this amendment.

18. PRESIDENT:

19. Any further discussion? Senator Vadalabene moves to non-
20. concur in House Amendment No. 1 to Senate Bill 1621. All those
21. in favor say Aye. Opposed Nay. The Ayes have it. The motion
22. carries, and the Secretary shall so inform the House. Senator
23. Rock or Donnewald or Bruce, would you handle Senate Bill 1869?
24. We desire to concur. Senate Bill 1869. Senator Rock is
25. recognized.

26. SENATOR ROCK:

27. Thank you, Mr. President, Senate Bill 1869 is the annual
28. appropriation for the staff, office rental and other services
29. to members of the General Assembly. The House made two technical
30. amendments. Amendment No. 1 corrected a technical error, and
31. limits the expenditure in accordance with our statute in the first
32. half of the year to six thousand dollars. It changes the word
33. "80th General Assembly" to "79th". Amendment No. 2 amended

1. Section 4 by title, and this was done at the request of the
2. House in a kind of prospective manner. Senator Glass has a
3. bill sponsored by Representative Mugalian. I will have a
4. bill sponsored by Representative Shea with respect to the
5. purposes for which the Section 4 expenditures can be made and
6. this technical amendment merely conforms this bill to those
7. ...one of those two Acts prospectively. I know of no opposition.
8. I would move that the Senate do concur with House Amendments 1
9. and 2 to Senate Bill 1869.

10. PRESIDENT: ...

11. Any further discussion? Senator Netsch.

12. SENATOR NETSCH:

13. Could I simply ask a question of the sponsor? Do I understand...

14. PRESIDENT:

15. He indicates he will yield.

16. SENATOR NETSCH:

17. ...Thank you. Do I understand, Senator Rock, that the
18. level of appropriations in...for all of our staffing and other
19. expenses is as it was when it left this House then?

20. PRESIDENT:

21. Senator Rock.

22. SENATOR ROCK:

23. That is correct.

24. PRESIDENT:

25. The question is, shall the Senate concur in Amendment's
26. Numbered 1 and 2 to Senate Bill 1869. Those in favor...all in
27. favor vote Aye. Opposed vote Nay. The voting is open. Have
28. all voted who wish? Take the record. On this question, the
29. Ayes are 48, the Nays are none, with none Voting Present. The
30. Senate does concur in Amendments Numbered 1 and 2 to Senate Bill
31. 1869, and the bill having received required constitutional majority
32. is declared passed. House Joint Resolution 38...no, there's no
33. sponsor on either of those two. Secretary's Desk on the order of

1. nonconcurrence. House Bill 1914, Senator Newhouse.

2. SENATOR NEWHOUSE:

3. Thank you, Mr. President, Senators. House Bill 1914 is
4. a bill that we had in here last Session. The purpose of it is
5. to change to formula of Financial Assistance Act for nonpublic
6. institutions of higher learning, so that the distribution of
7. these funds is based on full time equivalent Illinois resident
8. students rather than on full time students. The bill does not
9. call for any additional appropriation, but would merely modify
10. the allocation of whatever funds are appropriation...are
11. appropriated. Now, this bill went over to the House and there were
12. several amendments from the Senate on the bill. These bills
13. were not accepted by the House, and I move to nonconcur. I
14. move to recede rather from the amendments that were placed on
15. in this Body. Now, if we do recede, what we will have done is to
16. streamline the language of the Act and to...to bring the full time
17. equivalent Illinois resident students up to...on a...on a
18. same basis as the full time students, for reimbursement purposes.
19. I'd be happy to answer any questions.

20. PRESIDENT:

21. Any discussion? Senator Shapiro.

22. SENATOR SHAPIRO:

23. Mr. President, what was the motion made?

24. PRESIDENT:

25. The motion was to recede...

26. SENATOR SHAPIRO:

27. From all amendments?

28. PRESIDENT:

29. From Senate Amendments 1, 2, 3 and 4.

30. SENATOR SHAPIRO:

31. Well, of course, this...this is a rather complicated matter.
32. It appears to me that if we recede from all of the amendments
33. that the Senate placed on, then this removes some restrictions that

1. were in the existing Act, and in addition, gives the private
2. colleges and universities throughout the State the ability to
3. figure for purposes of State aid full time equivalency, which
4. no one argues with. That was an agreement we reached that
5. that's what we should do rather than full time students, and
6. then in addition, also provides that a private institution of
7. higher education can receive in Illinois State Scholarship
8. Commission aid of the...the grant program plus this Financial
9. Assistance Act of one hundred dollars for undergraduates and
10. two hundred dollars per pupil for their juniors and seniors.
11. They could conceivably get more assistance that way than their
12. tuition charges, so I am going to ask the Senate to not recede
13. from these amendments.

14. PRESIDENT:

15. Any further discussion? Senator Brady.

16. SENATOR BRADY:

17. Yes, Mr. President and fellow members. I stand in support
18. of Senator Newhouse's motion to recede. I think we're talking
19. about a moot point when we're talking about students receiving
20. more than the amount of their tuition at a private university.
21. If we look at the cost of private university tuition today, the
22. Scholarship Commission amount is only a small part of that tuition
23. going in...to any student, and because that is...seems to be the
24. only...negative block in this and is holding up this bill which
25. would provide for a streamlined and better formula for the
26. distribution of funds for the private higher education universities
27. involved in this. I would support Senator Newhouse's motion on this.

28. PRESIDENT:

29. Senator Fawell.

30. SENATOR FAWELL:

31. Well, I've...I wish I had complete recall on this, but I
32. do know the time we set the formula at one hundred dollars for a
33. resident freshman and sophmores and two hundred dollars for

1. resident juniors and seniors, there was a clear understanding
2. that if in any given year the...there was money left over, that
3. they would not exceed this, and indeed if we have the one
4. hundred and two hundred dollar limitation in there, it doesn't
5. mean anything at all, if this particular amendment which we would be taking
6. off now that the Senate had put on, is accomplished. I...the...
7. the understanding was absolutely clear with the private higher
8. education that they would not attempt to take this language off
9. and thus the limitation of a hundred and two hundred dollars
10. really means something. Now, if we're going to be doing this,
11. in effect then we might as well as strike the one hundred and
12. two hundred too, it seems to me, because that is what we are
13. doing, and I think Senator Newhouse would agree with that. It
14. was held up for quite some time on that basis, and all that we
15. have said in the Senate quite consistently is what was clearly
16. agreed upon: That the limit is one hundred dollars and two
17. hundred dollars as stated; one hundred for a freshman and a sophomore
18. and two hundred dollars resident juniors and seniors, and if
19. we happen to extra funds left over, that will simply lapse.
20. Now, what we're saying here is - no, that is not the case, and so
21. there...there is, I think, some importance to this. In this I
22. would rise in opposition, also.

23. PRESIDENT:

24. Senator Newhouse may close the debate.

25. SENATOR NEWHOUSE:

26. Well, Mr. President and Senators, in the past few weeks,
27. I've attempted to alert everyone concerned that I would call the
28. bill and that I would attempt to recede from the amendments to
29. give everyone the opportunity to do whatever they wanted to do.
30. Now, the objection that Senator Fawell raised and that...that...
31. Senator Shapiro raises are, of course, objections that are
32. legitimate in one respect, that is that we don't want the re-
33. distribution of excess funds. My information, however, though is

1. that this is moot question for all practical purposes. We're
2. not really talking about substituting...subsidizing students
3. at Harvard and Yale. One of the lower priced colleges in this
4. ...in this State, private institution, is Roosevelt University
5. in my city. The tuition at Roosevelt University is two thousand
6. one hundred and fifteen dollars. That is a low tuition. The
7. maximum award from the...from the Scholarship Commission is
8. fifteen hundred dollars. Very few schools are below that amount
9. of money, so that in all, in effect, is a moot question. There
10. may be one or two. I do not know what the answer to that is.
11. However, what will happen on the other hand, is those institutions
12. which have very low tuition and they are very few, most of which
13. accept part-time students will be benefited by this bill. And
14. it is on that note, that I present the bill, and I would ask
15. your favorable consideration of this Senate receding from the
16. amendments that were placed upon the Floor, nonconcurring in by the House. Thank you.

17. PRESIDENT:

18. Question is, shall the Senate recede from Amendments 1,
19. 2, 3 and 4 to House Bill 1914? All those who wish...pardon me.
20. Those in favor vote Aye. Those opposed will vote Nay. The voting
21. is open. Have all voted who wish? Take the record. On that
22. question, the Ayes are 33, the Nays are 20, with none Voting
23. Present. The Senate recedes from Amendments Number 1, 2, 3 and 4
24. to House Bill 1914 and the bill having received the required
25. constitutional majority is declared passed. House Bill 2804,
26. Senator Vadalabene. House Bill 3370, Senator Joyce. House Bill
27. 3392, Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President and Ladies and Gentlemen of the
30. Senate. Senate Amendments 1 and 2...1 was the Partee Amendment.
31. 2 was offered in the committee and effected a cut of some three
32. hundred thousand dollars in the personal service line items. The
33. House has refused to concur and I would move that the Senate refuse

1. to recede from Senate Amendments 1 and 2 and that we request of
2. the House that a Conference Committee be appointed.

3. PRESIDENT:

4. Any further discussion? Senator Rock moves that the
5. Senate refuse to recede from Amendments 1 and 2 to House Bill
6. 3392, and that a Conference Committee be appointed. All those
7. in favor say Aye. Opposed Nay. The Ayes have it. The motion
8. carries, and the Secretary shall so inform the House. (machine
9. cutoff) return to the order of Senate Bills on 3rd reading for
10. the purpose of Senate Bill 1608. Leave is granted. Senate
11. Bill 1608, Senator Knuppel. Read the bill. Is there...is leave
12. granted to take Senate Bill 1608 from the order of 3rd reading
13. to the order of 2nd reading for the purpose of an amendment?
14. Leave is granted. The bill is now on 2nd reading, and Senator
15. Knuppel is recognized.

16. SENATOR KNUPPEL:

17. There's an amendment on the Secretary's Desk which should
18. ...have been distributed heretofore, which restores eighty-eight
19. thousand five hundred dollars to this appropriation that was
20. taken in committee. It restores sixteen thousand in personal
21. services, ...with the necessary one thousand one hundred in
22. retirement - nine hundred in Social Security, restores twenty-one
23. thousand in contractual services for the line of the Division
24. of...of Vehicle Management, and restores fifteen thousand to the Division
25. of Materials Procurement for additional postage. It restores
26. thirty-four thousand five hundred in travel to the Division of
27. the Office of Services, making a total of eighty-eight thousand
28. five hundred. This is still a reduction of one million four
29. hundred thousand in the original proposed appropriation. I move
30. the adoption of the amendment.

31. PRESIDENT:

32. Any discussion? Senator Knuppel moves the adoption of
33. Amendment No. 3 to Senate Bill 1608. All in favor will say Aye.

1. Senator Fawell, for what purpose do you arise?

2. SENATOR FAWELL:

3. What's the...the...the total amount is how much again, ...

4. Senator Knuppel?

5. PRESIDENT:

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. The total restoration is eighty-eight thousand five hundred.

9. The appropriation has been reduced, yes, by one million four
10. hundred thousand from the original appropriation.

11. PRESIDENT:

12. Senator Fawell.

13. SENATOR FAWELL:

14. Why...why though should we go contrary to what the Appro-
15. priations Committee has heretofore cut? This bill has been around
16. for a long time, and now, at quite a late hour, we bring it
17. back and begin to restore. Why?

18. PRESIDENT:

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Well, I've just been too busy to get together with Senator
22. Hynes and...and the Department of General Services. I'd like
23. to get it out of here. It has been around here a long time,
24. and I hate to see it grow any longer beard, but that's the
25. reason. I've just been too busy to get together with those
26. people and get it worked out. Now, it has to get over to the
27. House to do something or else we're coming back on...I assume
28. on a...on a Special Session, but...that's the reason it's been
29. slow getting out of here.

30. PRESIDENT:

31. Senator Fawell.

32. SENATOR FAWELL:

33. I haven't had an opportunity to...to get the reaction of

1. the minority representative on the Appropriations Committee, but
2. I haven't really heard a lot of sound reasons why should put it
3. back.

4. PRESIDENT:

5. Senator Weaver.

6. SENATOR WEAVER:

7. Senator Fawell, I think our cuts were good. We cut about
8. a million three out of this appropriation and this is a restoration
9. of eighty-eight thousand five hundred. I do have another amend-
10. ment following this which will make some reductions at which I
11. hope you'll support. I...I'm sure this amount will probably go
12. back in the House, so I see no reason why we should fight it
13. here in the Senate.

14. PRESIDENT:

15. Senator Hynes.

16. SENATOR HYNES:

17. Well, I would...I would support this amendment. It is a
18. modest restoration in terms of the magnitude of the original
19. cut, and it was our judgement that the Department made a justifiable
20. case for the items for which they are requesting restoration,
21. and the...the bill remains at...or will be if this amendment is
22. adopted, at a level 1.4 million dollars below the level it was
23. introduced at.

24. PRESIDENT:

25. Any further discussion? The question is, shall Amendment
26. No. 3 be adopted? Those in favor say Aye. Opposed Nay. Is a roll
27. call requested? All right, you'll get it. Question is on the
28. adoption of Amendment No. 3 to Senate Bill 1608. Those in favor
29. will vote Aye. Those opposed will vote Nay. The voting is open.
30. Have all voted who wish? Take the record. On that question,
31. the Ayes are 34, the Nays are 14, with 1 Voting Present. Amend-
32. ment No. 3 is adopted. Any further amendments?

33. SECRETARY:

1. Amendment No. 4 offered by Senator Weaver.

2. PRESIDENT:

3. Senator Weaver.

4. SENATOR WEAVER:

5. Thank you, Mr. President and members of the Senate. This
6. amendment reduces personal service and retirement lines in two
7. divisions where requested pay plan increases were six percent
8. and nine percent to cover costs of anticipated new collective
9. bargaining agreements. This is a total reduction of two hundred
10. and seventy-six thousand seven hundred dollars, and I would
11. appreciate a favorable vote.

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. We would resist this reduction. We feel that this was
16. thoroughly gone into in the committee and that we've justified
17. the restoration that was in the other amendment that this bill
18. is ready to go on out of here, and go over to the House, and that
19. further reductions are unwarranted.

20. PRESIDENT:

21. Any further discussion? Senator Weaver.

22. SENATOR WEAVER:

23. Well, just an explanation. I say we're trying to treat
24. this agency just as we've treated other agencies, even the
25. elective...elected officials have reduced their requests, Senator
26. Knuppel, and I think it is a reasonable request.

27. PRESIDENT:

28. Any further discussion? Question is, on the adoption of
29. Amendment No. 4. All in favor will say Aye. Opposed Nay. The
30. Nays have it. Roll call is requested. On the adoption of Amendment
31. No. 4 to Senate Bill 1608, all those in favor will vote Aye. Opposed
32. will vote Nay. The voting is open. Have all voted who wish?
33. Take the record. On this question, the Ayes are 22, the Nays are 32,

1. with none Voting Present. Amendment No. 4 fails. Any further
2. amendments? Back to 3rd reading. Messages from the...no, here.
3. Just a moment. Is there leave to take House Bill 3565 on the
4. order of 3rd reading? Leave is granted. Read the bill. Page 4
5. on the Calendar, House Bills on 3rd reading, 3565. I'm sorry,
6. 3536.

7. SECRETARY:

8. House Bill 3536.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Palmer.

13. SENATOR PALMER:

14. Mr. President and members of the Senate, House Bill 3536
15. amends the School Code to provide for quarterly payments to
16. school districts for approved bilingual educational programs.
17. This bill does not increase State costs or expenditures. The
18. Illinois Office of Education not only supports this bill, but
19. tells us it's a better method of funding and it's needy so that
20. the school districts can better carry out their...their mandate
21. and carry out the programs of bilingual education. I move for
22. a favorable roll call.

23. PRESIDENT:

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Question of the sponsor, Mr. President.

27. PRESIDENT:

28. He indicates he'll yield.

29. SENATOR BUZBEE:

30. Senator Palmer, is this to be handled in the same method...
31. or is it presently handled rather, let me say it that way, in the same
32. method that special education and transportation reimbursement
33. are handled, that is, it's about one year behind in..in the payment

1. for the bilingual program, is that correct?

2. PRESIDENT:

3. Senator Palmer.

4. SENATOR PALMER:

5. The...the only difference is...I don't exactly know what
6. you mean unless explain to me how...how special education is
7. handled, but I...I can tell you how this is handled, because
8. the schools are...or the districts are mandated to initiate these
9. bilingual programs when they acquire a certain number of students
10. that require this program. These programs come...come forth
11. at different times, and they expand at different times, and they
12. forward the bill to the...to the Office of Education after...
13. after they've already expended it. Now, this procedure will be
14. able...they can get the funds earlier and carry out their
15. programs more expeditiously.

16. PRESIDENT:

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Well, I understand that, Senator Palmer. Special Ed. is
20. done the same way. The only thing is when Special Ed. has...at
21. the present time, when they go through the full school year, so let's
22. say from September through May, they get their reimbursement
23. for all of those Special Ed. expenses about the following August
24. or September as I recall right. For in other words, they're
25. a year behind. They've performed all of the services, and then
26. at the end of the year they...they get their reimbursement. I believe
27. Senator Vadalabene had a bill in here last year which would have
28. said that September, October and November...as soon as you perform
29. that service, you get paid immediately. That bill was defeated
30. on the basis of, we all agreed with it in concept, but the...the
31. problem was that we had to catch up a year there all of a sudden,
32. and I think that about the same thing is going to happen here on
33. the bilingual, if I understand it correctly, that what you're

1. going to do, is as soon as this service is performed, you're
2. reimbursed immediately and in...in other words at the end of
3. that quarter, which is going to have some cash impact on the
4. School Fund and the General Revenue Fund. Can you tell me
5. next of all how much total dollars are paid back by the State
6. for bilingual programs in...in...in a year?

7. PRESIDENT:

8. Senator Palmer.

9. SENATOR PALMER:

10. Senator, I do not have those figures. All I have is the
11. report from the Office of...Illinois Office of Education that
12. there will not increase any of the costs, that they just tell
13. us that the...in prior years the bilingual programs were financed
14. from local funds, while waiting...as you stated yourself, for
15. reimbursement. With, this bill they will get quarterly pay-
16. ments, and they will just be enabled to carry on their programs
17. as they plan them and present them to the Office.

18. PRESIDENT:

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Well, I...I...I agree with you to an extent. I would
22. disagree with you, not with you, but with the Office of Education.
23. They say that it has no monetary impact, because it certainly
24. does. The monetary impact is that we're going to be paying money
25. out faster from the State than we were in the past, which in
26. normal times, I would...I would say is...is correct. We ought
27. to do that that. But the problem is, I don't know how much money is
28. involved here. If it's...if it's forty million dollars, that
29. means we're going to be paying out ten million a quarter, whereas
30. in the past we didn't...we...held...held that money for a full
31. year until they paid the whole forty at once. So, I just really
32. don't know what the fiscal impact is, but I can assure you there
33. is a fiscal impact, and I...I think until we can correct all of these

1. things with the Vadalabene approach of last year and...and
2. with your bill here and with the transportation reimbursement
3. and so forth, until the State can get into the fiscal position
4. of being able to correct them all, it seems to me that we
5. shouldn't start at it piecemeal at this time.

6. PRESIDENT:

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President. Would the sponsor yield for
10. a question?

11. PRESIDENT:

12. Indicates he'll yeild.

13. SENATOR CARROLL:

14. Would the Senator please explain to us what languages
15. are in these bilingual programs?

16. PRESIDENT:

17. Senator Palmer.

18. SENATOR PALMER:

19. Would you ask your question in what language you would
20. like me to answer this question? I think the Senator knows, but the...
21. the program, of course, is...is mandated if certain languages
22. ...I mean if certain students in greater numbers than twenty...
23. say Spanish is the most common I believe in the...in the Chicago
24. area. I...and I am not familiar what happens in other areas
25. and in my district it's Spanish. What's that, sir? A little
26. louder, please. No, we have...we have...that comes under
27. Special Education.

28. PRESIDENT:

29. Senator Bruce.

30. SENATOR BRUCE:

31. What...Senator Buzbee I think...

32. PRESIDENT:

33. Has everyone spoken who desires to speak?

1. SENATOR BRUCE:

2. ...well...

3. PRESIDENT:

4. Then, we'll call Senator Buzbee. All right.

5. SENATOR BUZBEE:

6. ...I...I...I...I would like to, because I've just found
7. out that I...I was incorrect, and...and what has happened is :
8. that they have been, in fact, paying currently. The Office
9. of Education has been paying currently. But the Comptroller
10. has told them that he doesn't think they have statutory authority to
11. do that, and that, in fact, if we don't pass this bill, they
12. can't be paid at all, now...so, for the reimbursement of bilingual.
13. And the total fiscal impact is thirteen million dollars a
14. year, so it's approximately three million dollars a quarter, so
15. on that basis, I would withdraw my...my opposition, even though
16. my...my arguments to the contrary were still good ones.

17. PRESIDENT:

18. That...that is, of course, a personal opinion. Any
19. further discussion? Senator Bruce.

20. SENATOR BRUCE:

21. Well, perhaps Senator Buzbee has removed his objections,
22. but I...I still think that this bill would be...well held until
23. such time as we can see what happens to other bills on trans-
24. portation and Special Education. This is an acceleration of
25. payments. Although they are paying currently this year, we
26. have the transition year, and the question is according to at
27. least one of staff memos, is what do we do this year for the
28. fiscal year that we are in and payments next year, and if this
29. has any impact at all on next year's payments, I think we
30. ought to very seriously consider what we are doing. If it does,
31. in fact, accelerate payments...we are paying currently we are
32. told this year...the problem is that if we've already paid
33. this year's claims, what happens next year and when do we start

1. paying? I think it would be wise to take a look at this
2. bill in relationship to two other bills that are presently on
3. changing both the formula and the amount of money that's going
4. to be going for schools.

5. PRESIDENT:

6. Senator Brady.

7. SENATOR BRADY:

8. Yes, Mr. President and fellow members. When we talk
9. about a fiscal impact of thirteen million dollars, we're not
10. talking about a new amount. The appropriated amount is
11. thirteen million dollars in bilingual education. The question
12. here is that in the...the past year the program was paid on
13. a current quarterly basis. They have now received a opinion
14. where they feel that that would be impossible to do. So, what we're
15. talking about, is not paying for bilingual this year. The
16. appropriated amount is thirteen million and lasing that, and
17. it's not new funds, it's what we appropriated for bilingual.
18. This will give us an opportunity to pay for bilingual education
19. in a manner we have in the past, and this legislation...this
20. language is meant to clean it up, so that they can continue to
21. pay it in the fashion that they have paid it in the past. It
22. was not a reimbursed item. It was a current quarterly pay-out,
23. and I urge the support of the members of this Body for this legislation.

24. PRESIDENT:

25. Any further discussion? Senator Palmer, may if he desires
26. close the debate.

27. SENATOR PALMER:

28. I just wanted to repeat exactly what Senator Brady said
29. that this does not require any additional payment. It's only an
30. authority to pay quarterly what we would like to do now and that
31. the Office of Education has asked to pass this so they can do
32. what they're doing. I move for a favorable roll call.

33. PRESIDENT:

1. The question is, shall House Bill 3536 pass? Those in
2. favor will vote Aye. Opposed will vote Nay. The voting is open.
3. Have all voted who wish? Take the record. On this question,
4. the Ayes are 46, the Nays are 6, with none Voting Present.
5. House Bill 3536 having received a constitutional majority is
6. declared passed. Is there leave to return to the order of
7. Senate Bills on 3rd reading? Leave. Leave is granted. Senate
8. Bill 1608, Senator Knuppel.

9. SENATOR KNUPPEL:

10. Mr. President and members of the Body, this is

11. PRESIDENT:

12. One moment...wait a moment. Let's read the bill.

13. Just a moment, Senator. We want to read the bill first.

14. SECRETARY:

15. Senate Bill 1608

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. This is the annual appropriation for the Department of
22. General Services in the amount of sixty-three plus million
23. dollars. I move the...I move for a favorable roll call.

24. PRESIDENT:

25. Any discussion? The question is, shall Senate Bill 1608 pass?

26. Those in favor vote Aye. Opposed Nay. The voting is open.

27. Have all voted who wish? Take the record. On this question,
28. the Ayes are 36, the Nays are 18, with none Voting Present.

29. Senate Bill 1608 having received a constitutional majority is
30. declared passed. Resolutions...the adjournment resolution.

31. Just a moment.

32. SECRETARY:

33. The Senate...

1. PRESIDENT:

2. We're not getting ready to leave, Senator. We're just
3. going to adopt it before the House leaves, and then you'll
4. be recognized next, Senator Dougherty.

5. SECRETARY:

6. ...Senate Joint Resolution No. 79 introduced by Senator
7. Rock.

8. (Secretary reads SJR 79)

9. PRESIDENT:

10. Senator Rock moves the adoption of the resolution. All
11. in favor say Aye. Opposed Nay. The Ayes have it. The resolution
12. is adopted. Senator Dougherty is recognized.

13. SENATOR DOUGHERTY:

14. Thank you, Mr. President. I will like to ask waiver of
15. the six day rule.....the six day notice rather, on the meeting of
16. the Committee on Local Government for House Bills 3857, 3948 and
17. 3955. for a meeting to be held on Monday...

18. PRESIDENT:

19. Is leave granted?

20. SENATOR DOUGHERTY:

21. ...June 22nd at 9:00 a.m.

22. PRESIDENT:

23. Is leave granted? Leave is granted. Senator Nudelman
24. ...Senator Nudelman.

25. SENATOR NUDELMAN:

26. Thank you, Mr. President. I would ask leave of the
27. Body that Senator Lane and I be shown as chief sponsors of
28. House Bill 1080. We've discussed that with Senator Hynes who
29. is presently the sponsor, and I further move on behalf of the
30. Committee on Insurance that this bill be...discharged from the Committee
31. on Insurance and be placed on the order of 2nd reading.

32. PRESIDENT:

33. Is leave granted? Leave is granted. What was the number,

1. Senator?

2. SENATOR NUDELMAN:

3. 1080.

4. PRESIDENT:

5. House Bill 1080. Senator Knuppel.

6. SENATOR KNUPPTEL:

7. Mr. President, I've discussed it with the Chairman of

8. the Labor Committee and I'd like to have Senate Bill 1847

9. discharged from committee and placed on the order of 2nd reading.

10. PRESIDENT:

11. Is leave granted? Leave is granted. Senator Daley.

12. Just a moment. There are questions. Just a minute. Someone

13. have a question? I saw furrowed brows, and...Senator Howard Mohr.

14. SENATOR HOWARD MOHR:

15. ...What is that bill, Senator?

16. PRESIDENT:

17. Senator Knuppel.

18. SENATOR KNUPPTEL:

19. That bill deals with the...with the pay for court reporters

20. for the Industrial Commission. They want to try to get an amend-

21. ment that will allow them to charge more per page. They haven't

22. had an increase in their salary for some time. Now, that's what

23. the bill is all about. That's all it's about.

24. PRESIDENT:

25. Senator Mohr...Howard Mohr.

26. SENATOR MOHR:

27. You say you have talked to somebody on this side?

28. PRESIDENT:

29. Senator Knuppel.

30. SENATOR KNUPPTEL:

31. I talked to Senator Savickas. He said he had no objection

32. if I wanted to place it on...

33. PRESIDENT:

1. Well, he was on that side when he talked to him. Any
2. further discussion? Senator Harber Hall, a question?
3. SENATOR HARBER HALL:
4. No.
5. PRESIDENT:
6. Okay. Senator Daley.
7. SENATOR DALEY:
8. Mr. President and fellow Senators, I'd like to waive the
9. six day notice rule on House Bill 3308, 3825, 3856 and 3705.
10. I've cleared these with the minority representative of the
11. Judiciary Committee. To be heard today on June 17th, in Room 400.
12. PRESIDENT:
13. Any discussion? Is there leave? Leave is granted. Now,
14. just a minute. Senator Daley...Senator Daley, would you give
15. us those numbers again? I'm not sure that the Secretary got
16. them?
17. SENATOR DALEY:
18. House Bill 3308, House Bill 3825, House Bill 3856 and
19. House Bill 3705.
20. PRESIDENT:
21. Thank you. Senator Dougherty, you're next.
22. SENATOR DOUGHERTY:
23. Thank you, Mr. President. I may have been there. I
24. said Monday. The meeting will be held...the waiver will be
25. for a meeting on Tuesday, June the 22nd at nine o'clock, the
26. Committee on Local Government.
27. PRESIDENT:
28. Thank you, Senator, for correcting that...
29. SENATOR DOUGHERTY:
30. Thank you, Sir.
31. PRESIDENT:
32. Senator Harber Hall.
33. SENATOR HARBER HALL:

1. Well, there was a bill that Senator Nudelman was talking
2. about a minute ago, and I didn't hear any explanation of the
3. bill. We...Nudelman. We discharged it. I...I think it was
4. Senate Bill 1080, but...

5. PRESIDENT:

6. House Bill 1080, it was.

7. SENATOR HARBER HALL:

8. House Bill. Can...can somebody explain what that bill is and
9. why it should be discharged..

10. PRESIDENT:

11. It's already discharged, but he'll give you an explanation...

12. SENATOR HARBER HALL:

13. I know it is...

14. PRESIDENT:

15. Senator Nudelman. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President, as to the Senate Revenue
18. Committee, by error Senate Bill 1766 was not on the original
19. notice. We have put it on a supplemental notice, but I would
20. still ask to waive the six day posting notice for Senate Bill
21. 1766 which was postponed from a previous meeting.

22. PRESIDENT:

23. Is leave granted? Leave is granted. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President and Ladies and Gentlemen of
26. the Senate. In the attempt to accomodate the membership in
27. view of the large amount of work we have done the past couple
28. of days, we just...just a few moments ago adopted Senate
29. Joint Resolution 79, which was the adjournment resolution
30. calling...for us to return on Monday at noon. There was, however,
31. one technical error in that resolution, and I'm going to move
32. to reconsider the vote by which Senate Joint Resolution 79 was
33. adopted. The Chair has informed me that in order to expedite

1. and save a legislative day, that there will, in fact, be a
2. Perfunctory Session tomorrow for the purpose of reading in
3. committee reports of those committees that will, in fact, meet
4. this afternoon. So for that reason, Mr. President, I'm
5. moving to reconsider the vote by which Senate Joint Resolution
6. 79 was adopted.

7. PRESIDENT:

8. Thank you, Senator Rock, and I'm happy you caught that.
9. I...I completely missed it. You heard the motion. All in
10. favor say Aye. Opposed Nay. The Ayes have it. The motion...
11. the resolution is reconsidered. Senator Smith.

12. SENATOR SMITH:

13. I request or ask that the six day rule be suspended so
14. that we may hear House Bills 3208 and House Bill 3659 as of
15. Wednesday, June the 23rd.

16. PRESIDENT:

17. Is there leave? Leave is granted. Senator Brady.

18. SENATOR BRADY:

19. Yes, Mr. President, I'd like leave of the Body to be
20. shown as co-sponsor of House Bill 3838 with the sponsor's
21. permission already...

22. PRESIDENT:

23. Is leave granted? Leave is granted. Senator Morris.

24. SENATOR MORRIS:

25. Mr. President, would this be the proper time to make a
26. motion to discharge the Executive Committee on House Joint
27. Resolution 101 which was brought up Monday, and Senator Rock
28. asked that we wait until later in the week.

29. PRESIDENT:

30. It is indeed, sir.

31. SENATOR MORRIS:

32. Okay. I...I would then make a motion that we discharge
33. the House...the Senate Executive Committee from consideration

1. ...further consideration of House Joint Resolution 101 and
2. for immediate consideration. This is the resolution which is
3. necessary in Waukegan, the Waukegan Port District, and that's
4. P-o-r-t not P-o-r-k, is in the process of expanding the harbor
5. facilities and this resolution will cost the State no money.
6. It is a technicality that is necessary for the corp of engineers
7. in order to go ahead and build this harbor with local funds.

8. PRESIDENT:

9. I thought you were going to say that's Port and not Chablis
10. You heard the motion. All in...you heard the motion. All in
11. favor will say Aye. Opposed Nay. Pardon...the Ayes have it.
12. The bill is discharged. Oh, you're making a serious objection,
13. Senator. All right. Objections have been heard. Senator Rock.

14. SENATOR ROCK:

15. Well, let me suggest that the same procedure be followed
16. as was followed with House Joint Resolution 94, that the
17. committee, in fact, be discharged, but the resolution, 101, be
18. placed on the Secretary's Desk so that everybody might have
19. an opportunity to read it.

20. PRESIDENT:

21. Senator Savickas is recognized.

22. SENATOR SAVICKAS:

23. Yes, as a member of the Executive Committee, I object to
24. this procedure. We should hear it in committee fully, debate
25. it thoroughly and pass it in an orderly process, so I renew my
26. objection.

27. PRESIDENT:

28. Senator Morris.

29. SENATOR MORRIS:

30. Well, I'm...you know, willing to listen to his objection
31. if he...you know, if...if the Senate Executive Committee is, in
32. fact, going to meet, which I think is...is a major consideration.
33. Senator Johns said at this moment there's not plans to have another

1. meeting of that this year. If Senator Savickas would like to
2. examine the resolution, I'll give it to him. It's totally
3. perfunctory. It's not...you know, there's no money involved.
4. It's strictly a technicality that's necessary because of the
5. corp of engineers. I...

6. PRESIDENT:

7. Senator Savickas.

8. SENATOR SAVICKAS:

9. Well, if it's not that important, we don't even have to
10. hear it or consider it. So, I object. Let...if that's important,
11. we should have a committee hearing on it.

12. PRESIDENT:

13. The motion is to discharge and you're requesting a roll
14. call, is that what you're saying? All right. The question is
15. ...what's the number of it...House...(machine cut off) thirty
16. votes. The question is, to discharge House Joint Resolution
17. 101. Would you put that on the board? Oh, yeah, I can't see
18. it. You're right. House Joint Resolution 101, do you have it
19. here, sir? We don't need it. All right. It's in committee.
20. The motion is to discharge House Joint Resolution 101 from
21. any further consideration by the Executive Committee. All in
22. favor will say Aye...vote Aye. Opposed will vote Nay. The
23. voting is open. Have all voted who wish? Take the record. On
24. that question, the Ayes are 37, the Nays are 2, with none Voting
25. Present. House Joint Resolution 101 is discharged. The motion
26. carries. Senator Morris.

27. SENATOR MORRIS:

28. At Senator Rock's suggestion then, we will leave this on
29. the Calendar for action later on. I've passed copies of this
30. out, and any members who have questions, I'll be happy to answer
31. them.

32. PRESIDENT:

33. I think they're already passed out. I see someone waving one.

1. Senate Joint Resolution 79 again.

2. SECRETARY:

3. Senate Joint Resolution 79 introduced by Senator Rock
4. (Secretary reads SJR 79)

5. PRESIDENT:

6. Senator Rock moves the adoption of this resolution.
7. All in favor will say Aye. Opposed Nay. The resolution is
8. adopted. Messages from the House.

9. SECRETARY:

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

11. Mr. President - I am directed to inform the Senate
12. that the House of Representatives has passed bills with the
13. following titles in the passage of which I'm asked to ask
14. the concurrence of the Senate...instructed to ask the concurrence
15. of the Senate, to-wit: House Joint...House Bill 3851, 3891,
16. 3976 and 3977.

17. PRESIDENT:

18. Rules.

19. SECRETARY:

20. A message from the House by Mr. O'Brien, Clerk.

21. Mr. President - I am directed to inform the Senate
22. that the House of Representatives has refused to concur with
23. the Senate in the adoption of their amendments to a bill with
24. the following title, House Bill 3820 with Senate Amendments 1,
25. 2, 3 and 4.

26. PRESIDENT:

27. Secretary's Desk.

28. SECRETARY:

29. A message from the House by Mr. O'Brien, Clerk:

30. Mr. President - I am directed to inform the Senate
31. that the House of Representatives has concurred with the Senate
32. in the passage of a bill with the following title: Senate
33. Bill 1637 together with House Amendment No. 5.

1. PRESIDENT:

2. Secretary's Desk.

3. SECRETARY:

4. A message from the House by Mr. O'Brien, Clerk.

5. Mr. President - I am directed to inform the Senate
6. that the House of Representatives has concurred with the Senate
7. in the passage of a bill with the following title: Senate
8. Bill 1646 together with House Amendments 7 and 9.

9. PRESIDENT:

10. Secretary's Desk.

11. SECRETARY:

12. A message from the House by Mr. O'Brien, Clerk.

13. Mr. President - I am directed to inform the Senate
14. that the House of Representatives has concurred with the Senate
15. in the passage of a bill with the following title: Senate
16. Bill 1628 together with House Amendments 7, 8, and 15.

17. PRESIDENT:

18. Secretary's Desk. Resolutions.

19. SECRETARY:

20. Senate Resolution 392 introduced by Senator Daley, relative
21. to a Senate Judiciary Committee.

22. PRESIDENT:

23. Senator Daley.

24. SENATOR DALEY:

25. Mr. President and fellow Senators, this resolution was
26. introduced on behalf of myself and Senator Moore, the minority
27. spokesman, requesting the resolution to be adopted on the basis
28. that the Senate Judiciary Committee will form a subcommittee to
29. study the adoption process to determine the existence or non-
30. existence of alleged abuses in that area as well as formulate
31. a legislative response if necessary as well as to...to report
32. its findings to the full Senate in the Fall term. I ask for the
33. suspension of the rules for the immediate consideration of this

1. resolution.

2. PRESIDENT:

3. For the record, that's Senator Don Moore, right?

4. SENATOR DALEY:

5. Yes.

6. PRESIDENT:

7. Senator Daley moves for the suspension of rules for the
8. immediate consideration of this resolution. All in favor will
9. say Aye. Opposed Nay. The Ayes have it. The rules are suspended.
10. Senator Daley now moves for the immediate adoption of this
11. resolution. All in favor will say Aye. Opposed Nay. The
12. Ayes have it. The resolution is adopted.

13. SECRETARY:

14. Senate Resolution 393 introduced by Senator Morris. It's
15. congratulatory.

16. PRESIDENT:

17. Senator Morris. What kind of...congratulatory resolution?
18. Senator Morris moves the suspension of the rules for the immediate
19. consideration of this congratulatory resolution. All in favor
20. will say Aye. Opposed Nay. The rules are suspended. Senator
21. Moore...Senator Morris moves the adoption of this resolution
22. immediately. All in favor say Aye. Opposed Nay. The resolution
23. is adopted.

24. SECRETARY:

25. Senate Resolution 394 introduced by Senators Lemke, Daley,
26. Savickas, Hynes and D'Arco. It's congratulatory.

27. PRESIDENT:

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

1. SECRETARY:

2. Senate Resolution 395 introduced by Senators Lemke, Daley,
3. Savickas, D'Arco, Welsh, Partee, Smith, Chew and Kenneth Hall.
4. It's congratulatory.

5. PRESIDENT:

6. Senator Daley moves the suspension of the rules for the
7. immediate consideration of this resolution. All in favor say
8. Aye. Opposed Nay. The rules are suspended. Senator Daley
9. moves for the immediate adoption of this resolution. All in
10. favor say Aye. Opposed Nay. The resolution is adopted.

11. Introduction of bills.

12. SECRETARY:

13. Senate Bill 204 through 209 ...Senate Bill 2004 through
14. 2009.

15. PRESIDENT:

16. Rules Committee. Just a moment. For what purpose does
17. Senator Morris arise?

18. SENATOR MORRIS:

19. I...I would just like to note that the Senate Committee...
20. Special Committee on Attorney's practices on Workmen's Comp.,
21. which was created by a resolution, will meet fifteen minutes
22. after adjournment in Room 3C in the State Office Building. I'd
23. just like to note because we're supposed to meet at two.

24. PRESIDENT:

25. Senator Daley.

26. SENATOR DALEY:

27. Mr. President and fellow Senators, the Senate Judiciary
28. Committee will meet immediately after this Session in Room 400.

29. PRESIDENT:

30. Conference Committee Report on Senate Bill 1604.
31. Senator Ozinga is...will be recognized.

32. SENATOR OZINGA:

33. Mr. President and members of the Senate, this is the

1. Conference Committee Report on Senate Bill 1604 which was the
2. report we...which was the amendment to Senate Bill 1604 that
3. appropriated two million bucks for the disaster area and we
4. had to correct and that's the reason for the Conference Committee
5. Report. It now sends this money to the Emergency Services and
6. Disaster Agency, and I would move for the concurrence in the
7. Committee Report...adoption...adoption of the Committee Report.

8. PRESIDENT:

9. Senator Ozinga moves for the adoption of the Conference
10. Committee report. Any discussion? All in favor will say...this
11. is final action, and the question is, shall the Senate adopt
12. the Conference Committee Report on Senate Bill 1604? Those in
13. favor vote Aye. Those opposed will vote Nay. The voting is
14. open. This is final action. Have all voted who wish? Take
15. the record. On this question, the Ayes are 47, the Nays are
16. none, with none Voting Present. The Senate does adopt the
17. Conference Committee Report on House...on Senate Bill 1604, and
18. the bill having received a constitutional majority is declared
19. passed. Senator Netsch desires to file a motion on...a notice
20. of motion on House Bill 3834. Having voted on the prevailing
21. side, she gives notice that she will file a motion to reconsider
22. the vote by which it passed. It is filed. It will be reflected
23. in the Journal. Anything else to come before the Senate? Any
24. further business? There'll be a Rules meeting immediately
25. following adjournment...a very short meeting, and the Senate
26. will be in adjournment until Monday...pardon me...pardon me...
27. be until tomorrow morning at nine o'clock for a Perfunctory Session
28. and we'll come back on Monday at noon. The Senate is adjourned.

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33.