

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 18, 1975

1. PRESIDENT:

2. The hour of nine having arrived, the Senate will come to order.

3. Will our guests in the Gallery please stand as we have prayer by

4. Father George E. Nelis, St. Patrick's Church, Springfield, Illinois.

5. FATHER NELIS:

6. (Prayer given by Father Nelis)

7. PRESIDENT:

8. Reading of the Journal. Senator Kosinski.

9. SENATOR KOSINSKI:

10. Good morning, Mr. President and members of the Senate. I move
11. that the reading and approval of the Journals of Wednesday, June 11th,
12. Thursday, June 12th, Friday, June 13th, Monday, June 16th, Tuesday,
13. June 17th, all 1975, be postponed pending arrival of the printed
14. Journal. I so move, Mr. President.

15. PRESIDENT:

16. You heard the motion. All in favor say Aye. Opposed Nay.
17. The motion carries. Committee reports.

18. SECRETARY:

19. Senator Donnewald, Chairman of Assignment of Bills, assigns
20. the following to committee:

21. Education - House Bills 3047 and 3050; Finance and Credit
22. Regulations - House Bills 3042, 3045, 3046; Revenue - House Bill
23. 2189.

24. PRESIDENT:

25. A Message from the House.

26. SECRETARY:

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

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

32. House Bills 339, 3035, 3038, 3039, 3043, 3044, 3058, 3061, 30...

33. PRESIDENT:

1. Senator Clarke.

2. SENATOR CLARKE:

3. Mr. President, 3061 is a Revenue Committee bill from the House.

4. It deals with a very important matter in our Tax Reform Program.

5. Senator Course is not on the Floor, but I talked to him yesterday

6. about having a meeting of the Senate Revenue Committee to hear this

7. bill, and I would like to ask permission to have it assigned and

8. permission granted to read a first time, assigned to committee so

9. that we could have a hearing on 3061.

10. PRESIDENT:

11. Is leave granted? Leave is granted.

12. SECRETARY:

13. House Bill 3061.

14. (Secretary reads title of bill)

15. 1st reading of the bill.

16. PRESIDENT:

17. Well, as soon as Senator Donnewald is here, we'll advise him about

18. the assignment. By leave...is there leave to assign House Bill 3061

19. to Revenue for hearing at its next meeting which is today as I under-

20. stand. Leave is granted.

21. SECRETARY:

22. 3085, 3093, 3095, 3098, 3103, 3104, and 3105.

23. PRESIDENT:

24. Continue with Messages 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 that

28. the House of Representatives has concurred with the Senate in the

29. following bills, along with House Amendments:

30. Senate Bill 45 with House Amendment 1, Senator Fawell is the

31. sponsor.

32. Senate Bill 57 with House Amendment No. 1, Senator Kosinski is

33. the Senate sponsor.

1. Senate Bill 138 with House Amendment No. 1, Senator Dougherty
2. is the Senate sponsor.

3. Senate Bill 173 with House Amendment No. 1, Senator Hynes is
4. the Senate sponsor.

5. Senate Bill 204 with House Amendment No. 1, Senator Sommer is
6. the Senate sponsor.

7. Senate Bill 221 with House Amendment No. 1, Senator Davidson
8. is the Senate sponsor.

9. PRESIDENT:

10. All to the Secretary's Desk.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Senator Clarke, for what purpose do you arise?

13. SENATOR CLARKE:

14. I...I'd just like to inquire, Mr. President, there were two
15. bills that were coming over from the House that the Auditor General
16. talked to you and Senator Partee and Senator Harris about advancing
17. to 2nd reading. And I think they were 3070 and 3071. I...I wondered
18. if they were in the group that came in this morning.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Well, they'll show up on the Calendar tomorrow and then they
21. can be...

22. SENATOR CLARKE:

23. Well, I'll make...I'll make the motion...I'll make the motion
24. when they come up on first reading.

25. PRESIDING OFFICER (SENATOR ROCK):

26. They're on the Calendar today, I'm informed, at the bottom of
27. Page 40. Do you wish to...are...are you going to be the sponsor of
28. those? Senator Kosinski, for what purpose do you arise?

29. SENATOR KOSINSKI:

30. Mr. ...Mr. President and members of the Senate, I'd like to
31. have leave of the Body. Senator Welsh is not here at the present
32. time, but I'd like to make...

33. PRESIDING OFFICER (SENATOR ROCK):

1. We're...we're not there yet. We're not there yet. Okay.

2. Alright. House Bills on 1st reading. Senator Kosinski, for what

3. purpose do you arise?

4. SENATOR KOSINSKI:

5. Here I am again. I am asking to be chief sponsor of the House

6. Joint Resolution 29 which is now in Executive Committee. There was

7. no sponsor on it.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Leave...leave is granted.

10. SENATOR KOSINSKI:

11. Thank you.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Alright, House Bills on 1st reading. House Bill 2790, Senator

14. Partee.

15. SECRETARY:

16. House Bill 2790.

17. (Secretary reads title of bill)

18. 1st reading of the bill.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Senator Partee.

21. SENATOR PARTEE:

22. Mr. President, 2790 is the companion bill to 3077 which is also

23. on the order of 1st reading. They are bills which address themselves

24. solely to functions of the House in terms of their making an additional

25. leader in the House. I'd like to ask that House Bill 2790 be ordered

26. to the order of...that it would be ordered to the order of 2nd reading

27. without reference to a committee.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Partee asks...sought leave of this Body to move House

30. Bill 2790 to the order of 2nd reading without reference. Is leave

31. granted? So ordered. House Bill 3049, Senator Carroll.

32. SECRETARY:

33. House Bill 3049.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER (SENATOR ROCK):
4. I hear you. Senator Carroll.
5. SENATOR CARROLL:
6. Thank you, Mr. President. I ask leave that House Bill 3049
7. bypass the Committee on Education. Senator Palmer is the cosponsor
8. of the bill with me. I've discussed this with him. It was a
9. committee bill in the House, and that it be placed on the order of
10. 2nd reading without reference.
11. PRESIDING OFFICER (SENATOR ROCK):
12. Senator Netsch.
13. SENATOR NETSCH:
14. Could we just know what it deals with and why it should go to
15. 2nd reading?
16. PRESIDING OFFICER (SENATOR ROCK):
17. It's on the Calendar, 3049, okay? Senator Carroll, do you
18. wish to...House Bills on 1st reading, the order of business upon
19. which we are on today. Senator Carroll. Senator Carroll.
20. SENATOR CARROLL:
21. There we go. Thank you, Mr. President. The motion was to
22. advance it to the order of 2nd reading without reference. This is
23. a regulation of the trade schools. It was a committee bill, as I
24. say, in the House. This is to provide for a type of regulation that
25. the Tribune articles had indicated was necessary for the trade schools
26. of our State. It provides for a refund if there was dropping out,
27. a three day cooling off period for signing up, and that they show you
28. statistical data if they are providing a placement service, as to
29. what their experience factor has been in prior placements. We would
30. like to pass it this Session, I would...and that's why I've spoken
31. with the chairman and that's why he's the cosponsor with me, and I
32. would, therefore, again move that it be placed on the order of 2nd
33. reading without reference to the Committee on Education.

1. PRESIDING OFFICER (SENATOR ROCK):

2. Further discussion? Senator Carroll seeks leave to have House
3. Bill 3049 advanced to the order of 2nd reading without reference to
4. committee. Senator Mitchler.

5. SENATOR MITCHLER:

6. Well, I do not, Mr. President and members of the Senate, question
7. what Senator Carroll has explained is contained in the bill, but
8. admittedly, he pointed out that this was introduced after a series
9. of newspaper articles pointing out some of the problems in the voca-
10. tional education area. Now, for a General Assembly to respond that
11. fast on so important of an issue without giving full hearing, I
12. think, is wrong. Now, I know there's problems. There's been problem
13. in that area for years, and any of you that aren't...haven't been
14. aware of it, you certainly haven't been in...touch with your consti-
15. tuency. But this has been brought out by an article, and I think
16. it should get good, full study. I'm not going to contest the action
17. of Senator Carroll. I just want to make...

18. PRESIDING OFFICER (SENATOR ROCK):

19. Hold on, Senator Mitchler. Senator...Senator Newhouse. Senator
20. Newhouse, for what purpose do you arise? I can't hear you.

21. SENATOR NEWHOUSE:

22. I wonder, Mr. President, if they could put the bill number up
23. on the board please.

24. PRESIDING OFFICER (SENATO ROCK):

25. House Bills 1st reading. It's 3049. Thank you. Senator
26. Mitchler, have you concluded? I'm sorry. Alright, the question...
27. Senator Carroll has sought leave of this Body to advance House
28. Bill 3049 to the order of 2nd reading without reference. Is...the
29. question is is leave granted? Senator Fawell.

30. SENATOR FAWELL:

31. Has Senator...have you...have you talked to Senator Palmer and
32. to Senator Shapiro in regard to this? I would agree that it's a
33. fairly...

1. SENATOR CARROLL:

2. I might add, yes, two things. One it was not as a result of
3. the Tribune story. The bills happened to be in, and the story
4. happened to have been written on the same topic in answer to Senator
5. Mitchler. These bills were in study before the article appeared
6. in the Tribune. As to you Senator...Senator Palmer is the joint
7. sponsor with me on this legislation. I don't know if he touched base
8. with Senator Shapiro or not. Senator Palmer is my cosponsor or joint
9. sponsor, and...

10. SENATOR FAWELL:

11. Could you hold off just for a bit while we confer on it, and
12. ...and there may be no problem at all?

13. PRESIDING OFFICER (SENATOR ROCK):

14. Alright, let's have a conference. We'll withdraw the motion
15. for leave. 3051, Senator Welsh. Senator Partee, for what purpose
16. do you arise?

17. SENATOR PARTEE:

18. Well, Senator Welsh isn't here, and I'm sure that he desires to
19. move this bill, and I would seek leave to...

20. PRESIDING OFFICER (SENATOR ROCK):

21. Well, there is going to be an Elections meeting. I think
22. Senator...

23. SENATOR PARTEE:

24. Oh, there is definite? Alright. Well, read the bill then,
25. so we can be...attend to the meeting.

26. PRESIDING OFFICER (SENATOR ROCK):

27. 305...3051.

28. SECRETARY:

29. House Bill 3051.

30. (Secretary reads title of bill)

31. 1st reading of the bill.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Partee seeks leave of the Body to assign 3051 immediately

1. to the Committee on Elections and further seeks leave that it be
2. heard in the scheduled meeting which is scheduled for today immediately
3. after adjournment. Is leave granted? Leave. 3057, Senator Welsh.

4. SECRETARY:

5. House Bill 3057.

6. (Secretary reads title of bill)

7. 1st reading of the bill.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Senator Partee...

10. SENATOR PARTEE:

11. Same motion. Same motion.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Senator Partee seeks leave of this Body to assign 3057 to the
14. Committee on Elections and Reapportionment, and further seeks leave
15. that it be heard in the meeting scheduled for today immediately after
16. adjournment. Is leave granted? Leave. So ordered. 3070, Senator
17. Clarke.

18. SECRETARY:

19. House Bill 3070.

20. (Secretary begins reading title of bill)...

21. PRESIDING OFFICER (SENATOR ROCK):

22. No, no, no. 3070. That's later on. That's 30...3070.

23. SECRETARY:

24. 3070.

25. (Secretary reads title of bill)

26. 1st reading of the bill.

27. PRESIDING OFFICER (SENATOR ROCK):

28. Senator Clarke.

29. SENATOR CLARKE:

30. Mr. President, 3070 and the following bill, 3071, are Audit
31. Commission bills that were developed by the Comptroller's Office,
32. that merely deal with the verification of vouchers and the ability
33. of the Comptroller to verify by preaudit investigation of those

1. vouchers. I know that the Auditor General has talked to both the
2. leaders on both sides, and I would ask leave to have these bills
3. advanced to 2nd reading.

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Clarke seeks leave to have House Bill 3070 advanced to
6. the order of 2nd reading without reference. Is leave granted? So
7. ordered. 3071, Senator Clarke.

8. SECRETARY:

9. House Bill 3071.

10. (Secretary reads title of bill)

11. 1st reading of the bill.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Senator Clarke.

14. SENATOR CLARKE:

15. I ask leave to have 3071 advanced to 2nd reading without
16. reference.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Senator Clarke seeks leave of this Body to have 3071 advanced
19. to the order of 2nd reading without reference to committee. Is
20. leave granted? So ordered. 3077, Senator Partee.

21. SECRETARY:

22. 3077.

23. (Secretary reads title of bill)

24. 1st reading of the bill.

25. SENATOR PARTEE:

26. Mr. President...

27. PRESIDING OFFICER (SENATOR ROCK):

28. Senator Partee.

29. SENATOR PARTEE:

30. House Bill 3077 is a companion bill to House Bill 2790 which
31. we have heretofore sent to 2nd reading. I would make the motion
32. that House Bill 3077 having been read a first time be referred to the
33. order of 2nd reading without reference to a committee.

1. PRESIDING OFFICER (SENATOR ROCK):

2. Senator Partee seeks leave of this Body to have House Bill 3077
3. advanced to the order of 2nd reading without reference to committee.
4. Senator Nudelman, for what purpose do you arise?

5. SENATOR NUDELMAN:

6. Mr. President, if the people in the House of Representatives
7. didn't know before now that they needed more leadership, it seems
8. to me they can now wait until next year. This is preposterous at
9. this stage of the game. Particularly this one, Mr. President. If
10. you'll read it, at least the synopsis, it clearly indicates the
11. situation that they at least should have been aware of before what-
12. ever the last day for passing bills over here. I would resist this
13. motion.

14. PRESIDING OFFICER (SENATOR ROCK):

15. Senator Partee.

16. SENATOR PARTEE:

17. You know, I would just hope that we could see the larger
18. picture and not a miniscule issue such as this. This is the desire
19. of the House of Representatives. Sometimes in order to get along
20. with other people, you have to go along with other people. The fact
21. that this is being moved to the 2nd reading without reference
22. to committee is not final action. It is not a vote on the bill. I'm
23. trying to posturize it. There's no sense in it going to a committee.
24. It'll come out of a committee, and it will still be back on 2nd
25. reading one day. Now, just to be nasty or mean to say to them that
26. you want...don't want to do it because they could have done it earlier,
27. I think, is not using the kind of excellent judgement which you
28. possess, Senator Nudelman. Let's let the bill go to 2nd reading.
29. Anything you want to say about it, you can say it on 3rd reading if
30. ...when it comes up for passage. But we do have a lot of bills over
31. there, and you just...by this kind of thing, you...you commence a
32. course of spiteful recriminations which is not in the best interest
33. of the overall legislative process. What does it hurt?

1. PRESIDING OFFICER (SENATOR ROCK):

2. Senator Nudelman.

3. SENATOR NUDELMAN:

4. Mr. President, I consider Mr. ...Senator Partee's remarks
5. completely out of order. I'm not being spiteful, vengeful or have
6. any recriminations against the House as a Body or a...or any members
7. thereof, but I just point out to Mr. ...Senator Partee that he has
8. set a deadline over here of June 27th and if he thinks that tempting
9. to support that deadline is spiteful and vengeful, I'll see them on
10. June 28th and 29th and 30th on the 4th of July and on Labor Day and
11. we'll still be here fooling around with these nonsensible bills that
12. he is permitting to come across as committee bills and supporting
13. and getting out to the Floor for discussion, and thank you very much.

14. PRESIDING OFFICER (SENATOR ROCK):

15. Senator Knuppel.

16. SENATOR KNUPPTEL:

17. I just want a second loudly and clearly everything that Senator
18. Nudelman has said. We are doing by indirection those things we
19. said we would not do. This is not, and I'm not spiteful or deceitful
20. or anything else, and I'm not unfair, but we had our bills killed.
21. We've had bills in committee. We've got twenty some bills here on
22. 1st reading today marked committee bills. We'll have twenty-five
23. tomorrow. I don't see any damn reason in the world that we ought to
24. treat the people in the House better than we treat our own people,
25. and I...I appreciate how fair Senator Partee is, but he's treating
26. those people better than he treated ours, and I don't care to be
27. here either. We handle...on the day when we get into controversial
28. things, we're lucky if we handle fifty bills. This is twenty-five more
29. bills laid on our desk, another half a day.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Harris.

32. SENATOR HARRIS:

33. Would it be helpful to refer this bill to the Executive Appoint-

1. ments Committee, Executive Appointments and Administration Committee,
2. which is scheduled for a meeting at one this afternoon. That
3. committee could hear this bill, and proceed in that fashion. Would
4. that cure Senator...the point Senator Nudelman raises?

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Partee.

7. SENATOR PARTEE:

8. Well, since there is a meeting, that's just as well. I don't
9. have any problem with that at all.

10. PRESIDING OFFICER (SENATOR ROCK):

11. Alright, Senator Partee seeks leave to have 3077 assigned to
12. the Executive Committee on Appointments and further asks leave that
13. it be heard in the committee meeting scheduled for one o'clock
14. today. Is leave granted? So ordered. You're...Senator Nudelman,
15. for what purpose do you arise?

16. SENATOR NUDELMAN:

17. I thought we were still addressing ourselves to that bill, and
18. I was just going to try and point out that this whole process of
19. assigning it to committee or not assigning to committee doesn't make
20. any difference. It's a non-needed bill that's taking up our time,
21. and by putting it in committee, you're taking up more time, the time
22. of the committee, and I just object to the whole procedure, and this
23. bill, it seems to me, is the key bill to...to object to this procedure.
24. It's so not needed and nonsensible and time consuming, and whether
25. you send it to committee or not, I would not move to send it to
26. committee. I would move to reject it, but if you're going to accept
27. it, there's no sense in sending it to committee, and I, on that basis,
28. would not make any objection if it's moved to 2nd. It's not a
29. question of committee or no committee. It's a question of being here
30. at all, and our accepting it.

31. PRESIDING OFFICER (SENATOR ROCK):

32. 3074, Senator Weaver.

33. SECRETARY:

1. House Bill 3074.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER (SENATOR ROCK):
5. 3082, Senator Egan.
6. SECRETARY:
7. House Bill 3082.
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER (SENATOR ROCK):
11. Senator Egan, for what purpose do you arise?
12. SENATOR EGAN:
13. Yes, Mr. President, I wonder if I could have leave of the Body
14. to have this assigned to the Committee on Executive Appointments so
15. that it could be heard today.
16. PRESIDING OFFICER (SENATOR ROCK):
17. Senator Egan seeks leave to have 3082 assigned to the Committee
18. on Executive Appointments and Administration and it be posted for
19. this afternoon's meeting. Is leave granted? 3089, Senator Mitchler.
20. Senator Knuppel, for what purpose do you arise?
21. SENATOR KNUPPEL:
22. This one, of all of them, and I like Bob, this one of all is
23. one of the most ridiculous. They're laughing in the streets. In
24. the restaurant this morning, everybody was asking me do I have
25. anything to do with this bill, and if this is the kind of bill that's
26. going to run us past, it's just ridiculous. This, I mean, I don't
27. understand why we make joint rules and follow this procedure.
28. SECRETARY:
29. House Bill 3089.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER (SENATOR ROCK):
33. Senator Mitchler, for what purpose do you arise?

1. SENATOR MITCHLER:

2. Mr. President, House Bill 3089 is a bill from the Committee on
3. Labor and Commerce in the House, sponsored by Representative Schoeber-
4. lein. He asked me to sponsor it in the Senate, and asked me to ask
5. leave of the Senate to advance the bill from 1st reading to 2nd read-
6. ing without reference to committee. This bill recreates the Commission
7. on Labor Laws, and extends the commission which is a temporary
8. commission, another year. I would ask leave of the committee to
9. advance it to 2nd.

10. PRESIDING OFFICER (SENATOR ROCK):

11. Senator...Senator Mitchler has sought leave of this Body to
12. advance House Bill 3089 to the order of 2nd reading without reference.
13. Is leave granted? So ordered. 3073, Senator Harber Hall.

14. SECRETARY:

15. House Bill 3073.

16. (Secretary reads title of bill)

17. 1st reading of the bill.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Did you want to move to move that without reference, Senator
20. Netsch? Senator...

21. SENATOR NETSCH:

22. Mr. ...Mr. President...

23. PRESIDING OFFICER (SENATOR ROCK):

24. Senator Netsch.

25. SENATOR NETSCH:

26. ...if such a motion is made, I will object and...and request
27. that it be voted on.

28. PRESIDING OFFICER (SENATOR ROCK):

29. I have already read the editorials, thank you. Senator...
30. Senator Harber Hall.

31. SENATOR NETSCH:

32. No, I didn't need to read the editorials. I've read the bill.

33. PRESIDING OFFICER (SENATOR ROCK):

1. Any other members have a House Bill on 1st reading they wish
2. to pick up? What about 3073? Senator Netsch, for what purpose do
3. you arise?
4. SENATOR NETSCH:
5. I heard the bill read. I did not hear what happened to it.
6. I'm just simply asking...
7. PRESIDING OFFICER (SENATOR ROCK):
8. On House Bills on 1st reading, we read them all when there's
9. a sponsor. And then it goes to the Committee on Assignment of Bills...
10. SENATOR NETSCH:
11. Very well, and then it will go in the usual...very well.
12. PRESIDING OFFICER (SENATOR ROCK):
13. That is correct.
14. SENATOR NETSCH:
15. Thank you very much, Mr. President.
16. PRESIDING OFFICER (SENATOR ROCK):
17. You're quite welcome. I also read the editorial. Thank you.
18. Senator Knuppel, for what purpose do you arise?
19. SENATOR KNUPPEL:
20. I'm going to move to Table all bills on 1st reading this
21. morning for the reason that those bills were dead in the House. I've
22. been pretty quiet during this Session. I've voted for some things
23. that I didn't want to vote for because I thought they were good.
24. I can guarantee you that I can waste more damn time, raise more
25. hell, cause more problems than all those bills are going to cause.
26. Now, I...I'm just tired. I don't want them. Now, I'm going to
27. move to Table every damn bill on 1st reading this morning. Now,
28. I'd like to have a second the motion.
29. PRESIDING OFFICER (SENATOR ROCK):
30. Thank you. Your...your motion is out of order. House Bill...
31. on the order of House Bills on 2nd reading. Your motion, Sir, is
32. out of order because you are not the sponsor of those bills. Thank
33. you. You're out of order. House Bills on 2nd reading. House Bill 3...

1. House Bill 396, Senator Kenneth Hall. House Bill 449, Senator
2. Dougherty. House Bill 612, Senator Brady. House Bill 736, Senator
3. Hickey. House Bill 743, Senator Vadalabene. House Bill 852,
4. Senator Joyce. House Bill 983, Senator Brady. House Bill 984,
5. Senator Brady. House Bill 1086, Senator Demuzio. House Bills on
6. 2nd reading. That's the appropriation for the Commerce Commission.
7. Do you wish to move that?
8. SECRETARY:
9. House Bill 1086.
10. (Secretary reads title of bill)
11. 2nd reading of the bill. No committee amendments.
12. PRESIDING OFFICER (SENATOR ROCK):
13. Any amendments from the Floor? 3rd reading. House Bill 1103,
14. Senator Netsch. House Bill 1274, Senator Demuzio. House Bill 1303,
15. Senator Kenneth Hall. Read the bill. House...House Bill 1303.
16. SECRETARY:
17. House Bill 1303.
18. (Secretary reads title of bill)
19. 2nd reading of the bill. The Committee on Appropriations offers
20. two amendments.
21. PRESIDING OFFICER (SENATOR ROCK):
22. Senator Hall.
23. SENATOR HALL:
24. Thank you, Mr. President and members of the Senate. This
25. reflects the cut that was made in the Appropriations Committee, and
26. I move its adoption.
27. PRESIDING OFFICER (SENATOR ROCK):
28. Senator Hall moves the adoption of Committee Amendment No. 1
29. to House Bill 1303. All those in favor signify by saying Aye. All
30. those Opposed. The Ayes have it. The amendment is adopted.
31. Amendment No. 2, Senator Kenneth Hall. Senator Hall moves the
32. adoption of Committee Amendment No. 2 to House Bill 1303. All those
33. in favor signify by saying Aye. All those Opposed. The Ayes have

1. it. The amendment is adopted. Any further amendments? Senator
2. Weaver, for what purpose do you arise?
3. SENATOR WEAVER:
4. Mr. President, I have an amendment. It'll be here momentarily.
5. If you want to come back to this, just hold it on 2nd for just a
6. minute and come back. If...Mr. President, if we go ahead and advance
7. it, will you bring it back, Senator Hall, for...for a possible
8. amendment? We're trying to get some more information...
9. SENATOR HALL:
10. Well, would you be kind enough to let me see the amendment?
11. SENATOR WEAVER:
12. Certainly.
13. PRESIDING OFFICER (SENATOR ROCK):
14. Alright, Senator Hall indicates he will bring it back. Any
15. further amendments at this time? 3rd reading. 1399, Senator Savickas.
16. No. 1426, Senator Knuppel. 1502, Senator Howard Mohr. Yeah. Read
17. the bill, Mr. Secretary, 1502.
18. SECRETARY:
19. House Bill 1502.
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDING OFFICER (SENATOR ROCK):
23. Any amendments from the Floor? 3rd reading. 1506, Senator
24. Palmer. 1557, Senator Palmer. 1589, Senator Shapiro. 1659,
25. Senator Don Moore. 1662, Senator Schaffer. 1732, Senator Brady.
26. 1837, Senator Don Moore. 1968, Senator Nudelman. 17...1979, Senator
27. Hickey. 2099, Senator Latherow. 2160, Senator Brady. 2296, Senator
28. Nudelman. 2355...2296, Mr. Secretary.
29. SECRETARY:
30. House Bill 2296.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. The Committee on Education offers one
33. amendment.

1. PRESIDING OFFICER (SENATOR ROCK):

2. Amendment No. 1, Senator Nudelman. There's a committee amend-
3. ment, Senator. Senator, you wish to move its adoption?

4. SENATOR NUDELMAN:

5. Move the adoption of Committee Amendment No. 1.

6. PRESIDING OFFICER (SENATOR ROCK):

7. Senator Nudelman has moved the adoption of Committee Amendment
8. No. 1 to House Bill 2296. All those in favor signify by saying Aye.

9. All those Opposed. The Ayes have it. The amendment is adopted.

10. Any further amendments? 3rd reading. 2355, Senator Netsch. Senator

11. Netsch.

12. SENATOR NETSCH:

13. Mr. President, I was asked by the Republican Leadership yester-
14. day to hold this for a moment. I don't know whether they've pre-
15. pared their amendment.

16. PRESIDING OFFICER (SENATOR ROCK):

17. Who...who was...

18. SENATOR NETSCH:

19. I think it was Senator Harris' amendment I was told. I'll
20. hold it, but we'll come back to it then.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Alright. Alright, we'll just...they indicate that they're
23. pulling it out, so we'll just come right back. 2435, the Chair
24. would like to move that as soon as he gets off the podium. I hate

25. to take undue advantage. Thanks very much. 2...2576, Senator

26. Davidson. 2692, Senator Schaffer. 2784, Senator Egan. 2991,

27. Senator Bloom. Senator Donnewald.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. House Bill 2...on 2nd reading...the order of 2nd reading, House
30. Bill 2435. Read the bill.

31. SECRETARY:

32. House Bill 2435.

33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Elections and Reappor-
2. tionment offers one amendment.

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. The Committee Amendment offered in the committee by Senator
8. Dougherty to House Bill 2435, in fact, reinstates the provisions
9. of Senate Bill 18 which we have formerly discussed. It does, in
10. fact, call for party affiliation, declared party affiliation, before
11. one is entitled to vote in a Primary election of the respective
12. parties. Now, there...there is a significant difference between
13. Senate Bill 18 as discussed and the amendment to 2435, Amendment No. 1.
14. The difference being that the...the period or the so-called lock out
15. period is, in fact, only twenty-eight days. The single most ob-
16. jectionable feature, at least, as I understood the debate with respect
17. to Senate Bill 18, was that the lockout period was in excess of three
18. months so that one would have to declare his party affiliation prior
19. to the time that one knew who, in fact, the nominees of the respective
20. parties were going to be. That was because the lock out period was
21. prior to the time for filing nominating petitions. By virtue of...
22. of this amendment, we are incorporating the twenty-eight day period
23. similar, in fact, identical to that period of registration period.
24. So that in twenty-eight days prior to a Primary election, if in fact
25. one moves, one cannot reregister, and if in fact, one has not at
26. that point declared his party affiliation, he cannot vote. The amend-
27. ment, I think, is a good one. It is intended solely to strengthen
28. the tw^o party system in the State of Illinois, and I would move its
29. adoption.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Senator Wooten.

32. SENATOR WOOTEN:

33. Mr. President and colleagues, I rise in wholly anticipated

1. opposition to this, I'm sure. The objection I had is not to the
2. duration of the lock out, but the fact of the lock out. As I have
3. said before, I believe that if you are a forward looking politician,
4. you use the freedom people presently have at Primary elections to
5. recruit members into your party. I must say that this bill which is
6. the third manifestation, I would call it, of what is truly a protean
7. piece of legislation is back before us now after having been defeated
8. in its prior two forms, five months, three months, now we're down
9. to one month. The period of time is not the point in question. It's
10. the fact of the lock out. I would simply hope that all members of
11. the Floor are aware of the nature of the amendment. I would solicit
12. without further oratory a No vote. We've gone over this ground many,
13. many times, but I think the most felicitous time to administer the
14. final coup de grace of this bill is right now in rejecting the amend-
15. ment.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. Senator Morris.

18. SENATOR MORRIS:

19. Well, I think my opposition to this bill and this concept has
20. been articulated rather clearly. The one thing that I think is...is
21. bad about this bill, and Senator Rock says it will strengthen the
22. two party system, that may be the case where he comes from, but where
23. I come from, it will hurt the growth of my party which is the
24. Democratic party. In our area which is a growing Democratic area,
25. we use the Primary election process as that process where we recruit
26. people to get involved in the Democratic or the Republican party. I
27. think by putting in the lock out provisions of this bill, you're
28. going to discourage any involvement in the political party system
29. by people who are not sure of what party they would like to join
30. and like shopping around. Another statistic that I read recently
31. is that a gallop poll was taken and eighty some percent of the gra-
32. duating high school seniors in our country fancy themselves as
33. political independents. I'm one who's a Democrat and have no qualms

1. about being a Democrat, and I'm proud of it, but I think the way
2. that we are to recruit people to either the Democratic or Republican
3. party in the future is going to be by getting them involved in the
4. Primary election process. This, my friends, locks them out. The third
5. factor here is that there's going to be a great number of people who
6. don't get an opportunity to vote because of this ridiculous law.
7. Many people will not even be an affiliate of a political party accord-
8. ing to this law because they will not have voted in the 1974 Primary
9. which was a low turnout primary, and they will not have had an
10. opportunity to affiliate at their county courthouse or where ever
11. it may be. The first time they're going to be told they can't vote
12. is the day they walk into the polling place and the Primary election
13. day, and they're going to be told by the judge, sorry, you can't
14. participate in this today. They're going to question what country
15. they are actually living in. I think this is a bad bill. It has
16. been beaten twice in this Chamber, and I think the fact that it
17. keeps rising its ugly head is just an indication of the poor legis-
18. lation we have and the poor manner in which this bill has been con-
19. tinually resurrected. I would hope Senator Rock would be a statesman
20. and Table the bill, but if he won't, I hope that we will do that for
21. him by rejecting this amendment today. This is an amendment to a
22. bill which had nothing to do with the Primary election. The only
23. thing the bill that we're dealing with, 2435, has to do with is the
24. notice time for central committee meetings, and I would hope that we
25. would not gut that bill and put on this ridiculous amendment. Please
26. vote No.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Senator Netsch. Senator Netsch.

29. SENATOR NETSCH:

30. I believe most of the points have now been made on Senate
31. Bill 18, and I think they were well understood anyway. I would
32. underscore only one thing. The...even though the time period has
33. been diminished for prior party registration, the bill continues

1. what is a basic fallacy and that is that participation in Primaries
2. is a private matter to be conducted solely for the benefit of those
3. who take a blood oath to a particular party. That is not the case.
4. A Primary is an integral part, an absolutely essential part, and in
5. many areas of this State, the only part of the elective process. If
6. it is closed to a vast majority of the voters who for reasons of
7. their own are not willing or are unable to make that prior commitment,
8. then what we are saying is that the elective process itself is not
9. as free and open as we have always maintained and as all of our
10. constitutions, State and Federal, proclaim. Political parties are
11. not private clubs. They are open to everyone to participate in and
12. that's the way they should be. This bill is directly contrary to
13. that thesis.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Senator Glass.

16. SENATOR GLASS:

17. Well, Mr. President, in rising in opposition to this bill, I
18. would quote the eloquent Senator McCarthy who once said in debate
19. that everything that has been said that needs to be said on this
20. bill has been said, but everything that bears to...bears repeating
21. has not yet been repeated. And I would just repeat what some of the
22. previous speakers have said with reference to the lock out provisions
23. of the bill, and I would point out to the members of the Senate on
24. this side of the aisle that this bill would grandfather in those
25. voters who voted in a Primary after March 1, 1974, and to refresh
26. the memories of the Republicans, that was not a particularly good
27. year for Republicans, and I think to...to pass this bill would put
28. our party in a particularly poor position. It's a dangerous bill,
29. particularly for the Republican party, and I hope we would defeat it
30. by defeating this amendment. I think it's important that this amend-
31. ment be beaten and would urge the members to vote No.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senator Nimrod.

1. SENATOR NIMROD:

2. Yes, Mr. ...Mr. President and fellow Senators, I rise in support
3. of this amendment, and I would say this that certainly I have heard
4. from those who were opposed to this concept in the past...

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Just...just a moment, Senator. It seems to me that the noise
7. level has risen sharply in the last few minutes. Could we please
8. have order. Proceed.

9. SENATOR NIMROD:

10. The facts just do not bear out what the concerns of those who
11. have written and risen in opposition to this bill seem to be standing
12. for. I would say, Senator Morris, you ought to read your local
13. newspapers because, certainly, in your area the...the political writers
14. there have certainly pointed out an example for you that Illinois has
15. a much larger participation in Primaries...of the partially closed
16. Primaries than does their neighboring State of Wisconsin. Somewhere
17. between ten and fifteen percent, and if you need a copy of that
18. article, I'd be happy to give it to you. I would think that we
19. should note that forty out of forty of the fifty states have some form
20. of a closed Primary, and I would hope that we would not say that this
21. is going to be a closed operation for those within a party. Everyone
22. is able to participate, and I think it is a fact that this will
23. increase voter participation and will restore integrity, and certainly,
24. the two party system. It in no way inhibits or prohibits the candi-
25. dacy of any independents, and I did hear that there was some concern
26. about this 1974 date. Senator Rock has assured me that he is going
27. to accept an amendment which I'm going to follow up with after this,
28. that's going to reduce that date back to 1968 which by comparison
29. is...gives you the '68 and '72 Primaries where the Republicans did
30. especially well. So, the facts are that some ninety-eight percent of
31. the...of the present, affiliated, Primary voters are being included in
32. this encompassing Act with the second amendment, and I would...strongly
33. urge us to allow this bill to be put into its form which the sponsor

1. desires, and I rise in support of this particular amendment.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Senator Davidson.

4. SENATOR DAVIDSON:

5. Mr. President and members of the Senate, I rise in opposition
6. to this amendment on three factors. One, as you all know, we
7. addressed this in the Elections Commission...Committee. This bill
8. as it is now was almost identical to Senate Bill 18 which was handled,
9. debated, torn apart, up and down, and otherwise, and defeated in
10. this House in this Senate prior time. This...let's not talk about
11. what's good for Republicans or Democrats, let's talk about what's
12. good for the voters of the State of Illinois. Now, this bill if this
13. amendment goes on takes a bill that had to do about notification...
14. notice about ten day meeting for central committee. Most of the
15. people other than the newspapers who have reported it, know not what
16. this bill now does. The majority of the people who were concerned
17. about Senate Bill 18 thought that was laid to rest when it was defeated.
18. Now, here...here it is resurrected under another name...

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Just...just a moment. Senator Soper indicates that he cannot
21. hear nor can I, and I don't think any of the rest of the membership
22. can hear Senator Davidson. So would...could we please have order,
23. and let's remove the conferences to the rotunda. Proceed.

24. SENATOR DAVIDSON:

25. And that this bill will lock people in in their Primary without
26. any notification to the individual voter for them to have an oppor-
27. tunity to change. Now, the voters of this country today, as most of
28. you know, are no longer affiliated Republican-Democrat or Democrat-
29. Republican, whichever you want to say first, a majority of them are
30. wanting to be independents or switch. This bill with no notification
31. other than a notice to the deputy registrars and/or a public notice
32. in the newspaper which most of them will miss, will have no knowledge
33. that they cannot change their affiliation...for thirty days prior or

1. twenty-eight days prior to the Primary election. They're going to
2. go in and the person who's going to reap the ire of these people
3. is going to be the judge in that election booth that says a polling
4. place says you can't vote if you're going to change your party. Now,
5. this is only going to cause lots of voters to be disgruntled, dis-
6. satisfied and disillusioned. I urge the defeat of this motion.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Dougherty.

9. SENATOR DOUGHERTY:

10. Thank you, Mr. President. Mr. President and fellow members of
11. the Senate...

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. Just a moment, Senator. Could we have order please.

14. SENATOR DOUGHERTY:

15. As a matter-of-fact, I think every member of this Body should
16. be alert to what we are trying to say. It is my very firm belief
17. that I have joined with many others, Senator Nimrod and I have worked
18. on this for a long time. Now, Senate Bill...or House Bill 2435 as
19. amended is to all the effect the same as Senate Bill 18 which was
20. earlier defeated. I think Senator Nimrod and myself and others and
21. many others are agreed that the one way of the preservation of
22. American Democracy, if you will, is in the maintenance of a two party
23. system, and this complies nationwide. I am chauvinistic in my
24. Americanism, and I do want to maintain that, that which I think has
25. kept us free for a long time, and I see this trend that we're getting
26. into wandering around. I would remind you all that George Orwell's
27. 1984 is only nine years away, and this is the beginning of the end
28. of the e things that are going to take place.

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. Just a moment.

31. SENATOR DOUGHERTY:

32. Shut up back there. And this is vitally important to me.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Could we please have order. Would the Sergeant-at-Arms clear
2. the aisles. Stop the conferences, and turn up the air conditioner.
3. SENATOR DOUGHERTY:

4. This is vitally important to me as an American. And I...I
5. firmly believe in the two party system's preservation thereof. Now,
6. this bill as amended does provide and we discussed this with Senator
7. Nimrod and others yesterday, and I'm willing to move this date back
8. to 1968, which as has been said before will take care of about ninety-
9. eight percent of the people who...who participate in Primaries. This
10. bill also provides that any...any citizen can go in and change
11. their party affiliation prior to the last day of registration. If
12. they are not...if they wish to change, well, they are grandfathered
13. in by the terms of this Act from that date on, but they can change
14. any time prior to the last day of registration, and then they are
15. only locked in for a thirty day period. Now, this gives them a
16. chance they will know who the Primary candidates are, they will be able
17. to make their choice, and if they don't care to remain in that
18. Primary, they can just stay away and they can then follow through on
19. the General Election and make the selection of their choice. But
20. it's my belief, it's my very firm belief that this is the one way
21. we're going to preserve that which we have tried to do for a long period
22. of time. It's withering away and it's completely...it's completely
23. driving away from what we have lived with for so long. It's the beginning
24. of the end if we're going to pursue this, and it's my very firm
25. belief that this would...the amendments will be offered providing
26. for the cut off to 1968, providing for the registration and the noti-
27. fication to election officials. And when you call for an election,
28. when you notify it with your proclamation, your...your...the press
29. notice as to the election will contain the necessary information,
30. and if they don't read, they don't need to read, and they are not
31. capable of reading. And this is the one way of doing it, if they're
32. ...interested at all in the American way of life, they will read
33. everything pertaining to the American process. I think this is a good

1. bill, and I would like to have my colleagues join with me in the...
2. bringing this bill into existence. Thank you.

3. PRESIDING OFFICER (SENATOR DONNEWALD):
4. Senator McCarthy.

5. SENATOR McCARTHY:
6. Yes, Mr. President and members of the Body, I didn't particularly
7. intend to verbalize on this subject, but I'm in favor of this amend-
8. ment: I'm in favor of this amendment in spite of the fact that
9. eighty-seven percent of the people...the gallop poll may indicate
10. that they don't want to be bound to a party affiliation. I'm in favor
11. of this amendment, Mr. President...

12. PRESIDING OFFICER (SENATOR DONNEWALD):
13. Just a moment. Could we please have order. Senator Netsch,
14. someone is complaining about your...the voice...the noise level.
15. Senator Soper is complaining about the noise level on the other side.
16. Proceed.

17. SENATOR McCARTHY:
18. But I think the opponents of this amendment are succumbing to
19. propaganda. The propaganda is vote for the man not the party. Vote
20. for the man not the party. That statement has been repeated and
21. repeated, printed and printed, believed and believed, but unfortu-
22. nately, Mr. President, for this country, it has not ever been proved
23. to be true. You don't vote for the man rather than the party if
24. you want the parties to mean something in the governmental system.
25. We have seen heretofore a destruction nearly of the Democratic Party
26. through the system of taking away patronage, because the only glue
27. that the Democrats had to hold their party together was jobs, and
28. that's an honest type of glue. We now see a near destruction of the
29. Republican Party because their financing has been disrupted, and so
30. when you end up with the Democratic Party unglued and the Republican
31. Party unglued, you in fact have no parties and all you end up is
32. with one party being the people that repeat and repeat, print and
33. print, say and say be independent, vote what you know, and the only

1. thing that you're going to know is what you hear and what you read.
2. That ends up with a one party, Mr. President, and in reply to Senator
3. Netsch, she opposes this amendment on the thesis that people are
4. unwilling to take the time to participate in the Primary. I agree
5. with her that people should take the time to study the science of
6. the...the political process so that they will realize the party
7. primary participation in the two party system in America will be a
8. sound investment of their time. I think this is the type of amendment
9. that would strengthen the two party system. And in conclusion, Mr.
10. President, let me just ask this question to the members of this Body.
11. How many of the Republicans and how many of the Democrats would
12. vote for President of the United States or Governor of the State of
13. Illinois based upon the man contrary to their party affiliation? If
14. that's the test, I think this amendment will pass.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Senator Fawell.

17. SENATOR FAWELL:

18. Well, just briefly, I might say, Senator McCarthy, not too long
19. ago in an eastern state, that's exactly what happened. The people
20. set a plague on both your Houses to our national two party system,
21. and they went with an independent for Governor. And I will predict
22. that that's what's going to occur if we are foolish enough to pass
23. a bill such as this. The whole idea, it seems to me, is to encourage
24. people to partake in the political process, and the way you do that
25. is to have them become active in the political Primary when we set
26. about electing the officials of our party as well as nominating the
27. candidates who will appear on the ballot in November. We simply
28. aren't going to be able to do that if you have a lock out, if you
29. make it more difficult than the process is right now, and the process
30. seemingly is difficult enough that a great deal of people, and I think
31. largely through much of what we as politicians do, simply decide that
32. even as easy as it is, they will not march down and vote and that is
33. the way they now join a political party. As far as I am concerned,

1. that's great. At least we have the opportunity in the Primary if
2. we bring out attractive candidates, if we bring out people who will
3. run for office in the political party who are attractive and will
4. say what I think the people are waiting for statesmen to say...

5. PRESIDING OFFICER (SENATOR DONNEWALD):

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

7. Proceed.

8. SENATOR FAWELL:

9. If we will simply use the process we have right now, and recog-
10. nize what is happening, the vast majority of the people being declared
11. as independents, not Republicans or Democrats we can disabuse their
12. idea that we can force people so that they will come into the Demo-
13. cratic Party or the Republican Party and try to make it as easy as
14. possible and do our job of presenting those kind of candidates, those
15. kinds of policies and those types of nominees, then I think we need
16. not worry about the two party system, but in all due respects, Senator
17. Dougherty and...and Senator McCarthy and Senator Nimrod, the people
18. will rebel if something like this occurs, and you probably are going
19. to insure the fact that the independent party will be...will come
20. about and it will...we'll indeed have a three party system because
21. the people will not stand for this type of legislation just being
22. thrust down their throats. They've had enough of the partisan poli-
23. tics of both political parties. They don't trust us any farther than
24. they can throw us, and for us to then add insult to the injuries of
25. Watergate and all the other things that the politicians throughout
26. this nation have been doing is...is not in this age of consumerism
27. in this industrial era in which we live, changing times to be taking
28. this step, I am convinced, is entirely the wrong direction in which
29. to go.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Senator Newhouse.

32. SENATOR NEWHOUSE:

33. Thank you, Mr. President. There's no question that people are

1. walking away from both political parties. No question, they're
2. walking away at a rapidly increasing rate. They're walking away
3. because they see the parties as a private preserve for a few people
4. in leadership. Seeing it as an exclusive club, what we are about to
5. do is to accentuate that probability. It looks as if the two parties
6. have gone into the back room and are now saying a pox on everybody
7. else except our own private interests. If the parties are unwilling
8. to compete to get people to join, then the parties possibly ought to
9. go out of existence. The facts of life are that the parties in
10. preference to the kind of competition that would offer...that would
11. draw people in, the kind of programs that will offer people some kind
12. of hope, the kind of integrity that would give people some kind of
13. confidence, are substituting instead a dragoon, and you can't dragoon
14. people into political parties. If most people wind up on the outside,
15. that means...it's a terrible idea. The only way that this situation
16. is going to be resolved that if a two party system is to exist is
17. that the Republican Party and the Democratic Party have to offer the
18. voters something that the voters consider to their own best interest.
19. In the absence of this, there will be another kind of a system. Yes,
20. the independent movement is growing, and perhaps, it's to the detri-
21. ment of what's happening right now. I would hope instead that that
22. would have been interpreted at a...as a reason why the parties ought
23. to proffer something to all the minorities that they have excluded,
24. and by minorities I don't specifically mean racial or otherwise, I mean
25. ordinary voters who are concerned about their own specific voter problems,
26. and that's the exclusion that's taking place and that's the exclusion to
27. which the parties better address themselves. Short of that, no kind
28. of statute you're going to pass is going to make people register in
29. a Primary. That's what the objective of this is. It's wrong. It
30. ought to be defeated.

31. PRESIDING OFFICER (SENATOR DONNEWALD):

32. Senator Howard Mohr.

33. SENATOR MOHR:

1. Mr. President, I'm not going to belabor the subject, but I
2. would...I paid attention to what Senator Dougherty said, and I think
3. he hit it right on the head when he said the country is founded on
4. the two party system. Many of the people that have spoken here this
5. morning and that speak from time to time before this Body complain
6. about the...the political process and many of the people that stay
7. home that do most of the complaining have never really tried to take
8. part in any political organization or activity. I've maintained that
9. if you're...if you don't like something, you get involved and take
10. part in it and correct it. I still think the two party system is the
11. answer.

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. Senator Rock may close the debate. Oh, Senator Harris. Excuse
14. me, I was trying to...

15. SENATOR HARRIS:

16. Well, I appreciate that. I just...I think there's one point that
17. I would like to add to the consideration about this amendment. I
18. believe it's ex post facto legislation, and that is that it has the
19. effect of locking into a fixed registration circumstance those people
20. who participated in the Primary in the past without the knowledge
21. that the prospective consideration of this amendment might have been
22. developed by a Legislature subsequent to their Primary participation,
23. and I really believe that this amendment is unconstitutional for that
24. reason. The amendment should be rejected for a lot of, and I would
25. say, most of the other criticisms of it that have been raised here
26. today, but I believe this is one question that has not been touched
27. on to buttress the position of rejection of this amendment.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Senator Hickey.

30. SENATOR HICKEY:

31. Mr. President, I won't talk for very long. I think we've all
32. been talking too long, but there's one thing that I do want to say.
33. I agree with all the people who worry about the demise of the two

1. party system. I think it's a real danger, and it's a danger to the
2. survival of this country and of democracy itself, but this concept
3. seems to me has very little to do with the two party system. It...
4. it principally has something to do with the one party system, and
5. it seems to me that most of the people who are...are supporters of
6. this concept are wanting to maintain one party systems in their
7. areas, and there are some of us who are in areas which are changing
8. or which have...shown some signs of change at least, and in order to
9. have a two party system in many areas, I think we all have to vote
10. against this amendment and this bill. Thank you.

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Senator Bruce.

13. SENATOR BRUCE:

14. Well, Mr. President and members of the Senate, I would just
15. like to make the point that open competition for voters in my opinion
16. will strengthen a two party...system of government, not weaken it.
17. It is when the parties don't have to compete to get voters to come
18. to their parties that we have difficulty. When the two parties have
19. to put the best candidates forward, know that voters are not locked
20. into one party or the other, that is when they compete. Not when you
21. have the voters locked up, locked in and locked out. And that's what
22. this bill will do. I would read to you, Mr. President, a letter that
23. appeared in the Sun Times and I think the writer was exactly correct.
24. It states, our registration procedure in Illinois is too restrictive
25. and cumbersome. In my research, I discovered that just about one
26. hundred years ago in 1876 before registration laws were adopted, eighty
27. percent of voting age Americans voted. By 1924 when most of the
28. states had adopted registration laws, only forty-eight percent of
29. voting age Americans voted. We ought to give these people every
30. opportunity to register. That was signed by Senator James Donnewald,
31. Democrat of Breese, and he was talking about his registration bill
32. and the fact that we ought to give voters every opportunity to regis-
33. ter and vote. I concur with Senator Donnewald's letter and his

1. opinions that registration laws ought not to be restrictive, that we
2. ought to open up the parties. We ought to open up the election
3. procedure. Thank you, Mr. President.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. That's the bill that you were opposed to, Senator. Senator Rock
6. may close the debate.

7. SENATOR ROCK:

8. Thank you. I will ignore those out of context remarks with
9. respect to your letter on another bill, but let me just in response
10. to a couple of the points none of which, frankly, were valid, but
11. just let me respond. Senator Harris made the point that in his
12. judgement this amounts to an unconstitutional ex post facto law. I
13. could not disagree more. There is no lock in period. The opportunity
14. for every registered voter is there to change his or her party affilia-
15. tion up to twenty-eight days prior to the election. With respect to
16. Senator Newhouse's point as to the growth or nongrowth or inchoate
17. growth of the independent movement. I say to the independents, God
18. Bless them. I hope they grow and multiply like rabbits. What we
19. are saying here is that if, in fact, there is an independent move-
20. ment, run independent candidates, don't run under a party label.
21. We in the parties are pretty restrictive on who we want to be our
22. candidates and who runs in our Primaries. I think if you're
23. going to be honest, let's be honest. If there's a third party or
24. an independent party movement, let's run as independents. Finally,
25. I think in answer to Senator Hickey, this has very much to do with
26. the two party system, and it has very much to do with open competition,
27. intramural open competition, so that our parties can, in fact, put
28. forth the best candidates for the people. I think that this bill
29. will allow the members of the parties, respective two parties, or three
30. parties, or four parties or how many ever we wish to have, to vote for
31. rightfully and justifiably vote for their nominees, the nominees that
32. they wish to march behind and shoulder to shoulder with in the...the
33. November elections. All we're saying is that Democrats, please vote

1. in the Democratic Primary. Republicans, please vote in the Republican
2. Primary, but let's don't have Republicans voting in...for Democratic
3. candidates in the Democratic Primary or vice versa. The competition
4. will be strengthened, not lessened. I would urge the...the adoption
5. of Amendment No. 1.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. The question is shall Amendment No. 1 to House Bill 2435 pass.
8. All those in favor vote Aye. All those opposed not...No. The voting
9. is open. (Machine cut-off)...voted who wish? Have all those voted
10. who wish? Take the record. (Machine cut-off)...question, the Ayes
11. are 28, the Nays are 27. Amendment No. 1 to House Bill 2435 is
12. adopted. Are there further amendments? Senator Bruce.

13. SENATOR BRUCE:

14. I...I wonder, Mr. President, if we could verify the roll call.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Which side would you wish to verify, Senator?

17. SENATOR BRUCE:

18. Oh, let's try the affirmatives and I'll leave my option open
19. to...

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. Request is made for the affirmative vote. Will the members
22. please be in their seats. The Secretary will call the affirmative
23. votes.

24. SECRETARY:

25. The following voted in the affirmative: ...

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. The Secretary indicates that the machine was not functioning
28. properly. Another roll call will need to be taken. No, not...the
29. roll call will not be taken again by vote. We'll run it again. It
30. will be the...what the board has indicated. Senator Chew is correct.
31. Another printout of the identical...of the same vote.

32. SECRETARY:

33. The following voted in the affirmative:

1. Berning, Brady, Carroll, Chew, Course, Daley, Donnewald,
2. Dougherty, Egan, Hynes, Knuppel, Kosinski, Lane, Lemke, McCarthy,
3. Howard Mohr, Nimrod, Nudelman, Palmer, Philip, Rock, Romano,
4. Savickas, Smith, Soper, Vadalabene, Welsh, Mr. President.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Is Senator Berning on the Floor? Senator Berning on the Floor?

7. Take his name from the...take him off...take him off the record.

8. Senator Rock requests that the negative vote be verified. The

9. Secretary will call the names of those voting in the negative.

10. SECRETARY:

11. The following voted in the negative:

12. Bell, Bloom, Bruce, Buzbee, Clarke, Davidson, Demuzio, Fawell,
13. Glass, Graham, Harber Hall, Kenneth Hall, Harris, Hickey, Johns,
14. Joyce, Latherow, Merritt, Mitchler, Morris, Netsch, Newhouse, Roe,
15. Schaffer, Sommer, Weaver, and Wooten.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. Senator Bloom on the Floor? Senator Harber Hall on the Floor?

18. On that question, the Ayes are 27, the Nays are 27. The amendment

19. fails. Are there further amendments? 3rd reading. Senator Nimrod,
20. for what purpose do you arise?

21. SENATOR NIMROD:

22. Yes, my...I have Amendment No. 2 on the Secretary's Desk, and
23. since that amendment failed, it's out of order, and I would like
24. to ask permission to be able to return this to 2nd reading for pur-
25. pose of amendment so that my amendment can be rewritten.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Is there leave? You don't mean immediately? You mean...

28. SENATOR NIMROD:

29. Not immediately. I...I have to rewrite the amendment because
30. it's in a different context now...

31. PRESIDING OFFICER (SENATOR DONNEWALD):

32. Well, Senator Rock has the right to control the bill, and he
33. indicates that he will return the bill when you are prepared. 3rd

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1. reading. Senator Bruce.

2. SENATOR BRUCE:

3. I...I don't disagree with Senator Rock's right to bring the
4. bill back to 3rd reading. What I do disagree with is the fact that
5. we go out of a special order of business to get back to it. Now, I
6. did not...you know, I didn't say leave. I...Senator Rock and I have
7. discussed it. I have no problem with him bringing the bill back,
8. but I do have some sort of objection to bring the bill back whenever
9. Senator Nimrod wants to bring it back.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Senator Rock.

12. SENATOR ROCK:

13. I don't think that suggestion was even made.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. That's correct. The Chair recognizes that fact. I think you
16. got in a little bit of a hurry. That can be raised at the proper
17. time, if it need be raised at all. Any further...no, we've already
18. advanced that to 3rd. Are there any other bills on the order of
19. 2nd reading that need to be advanced? Senator Netsch...Senator
20. Netsch, are you ready to advance any bill that...2355? Is there
21. leave to proceed with House Bills on 3rd and return them to the order
22. of 2nd reading for the purposes of amendment? Leave is granted.
23. Senator McCarthy. Just a moment. What bill did you wish to call
24. back to the order of 2nd reading? Senator McCarthy.

25. SENATOR MCCARTHY:

26. Yes, 1536 and 2074. Now, 1536 we'll dispose of rather quickly.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. House Bill 1536.

29. SENATOR MCCARTHY:

30. Yes, Mr. President...

31. PRESIDING OFFICER (SENATOR DONNEWALD):

32. On the order of 2nd reading. Senator McCarthy.

33. SENATOR MCCARTHY:

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1. Yes, Mr. President, I...there is an amendment on the Secretary's
2. Desk on 1536, which is an amendment that reduces the penalty to a
3. Class B misdemeanor. This was agreed in Judiciary Committee, and
4. if the Secretary would indicate that he has the amendment, subject
5. to any question, I'd move its adoption.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. The motion is to adopt Amendment No. 1 to House Bill 1536. All
8. those in favor indicate by saying Aye. Those opposed No. The Ayes
9. have it. The amendment is adopted. Are there further amendments?
10. 3rd reading. Senator McCarthy.

11. SENATOR McCARTHY:

12. Yes, Mr. President, 2074...

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. We are now on the order of 2nd reading on 2074. Senator McCarthy.

15. SENATOR McCARTHY:

16. Yes, Mr. President, I have two amendments on the Secretary's
17. Desk. The first amendment provides that in the event there is no
18. representative receiving a majority of the...ballots cast. Then
19. there's a provision for where the employer...for a run off, and I
20. don't think that's a...a controversial amendment at all. If there
21. are any questions on it, I'd be happy to answer them. If there are
22. none, I would move for its adoption.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Is there further discussion? Senator Fawell.

25. SENATOR FAWELL:

26. I'm sorry, but...but what does the amendment do?

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Senator McCarthy.

29. SENATOR McCARTHY:

30. This is the amendment that provides that if the choice of no
31. representative receives a majority of the valid ballots cast, then
32. the employer shall not recognize any exclusive bargaining representa-
33. tive for at least twelve months. Do you understand that one?

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1. PRESIDING OFFICER (SENATOR DONNEWALD):
2. Is there further discussion? Senator McCarthy moves that
3. Amendment No. 1 to House Bill 2074 be adopted. All those in favor
4. say Aye. Those opposed No. The Ayes have it. The amendment is
5. adopted. Senator Buzbee. Just a moment. A request for a roll call
6. has been made. All those in favor of the adoption of Amendment No. 1
7. indicate by voting Aye. Those opposed No. The voting is open.
8. (Machine cut-off)...it's Amendment No. 1, Senator Latherow. (Machine
9. cut-off)...on Amendment No. 1. (Machine cut-off)...voted who wish?
10. Have all...have all those voted who wish? Well, the amendment was
11. described and...and explained twice. On that question...have all
12. those voted who wish? Take the record. On that question, the Ayes
13. are 19, the Nays are 27, 2 Voting Present. Amendment No. 1 to
14. House Bill 2074 fails. Senator McCarthy.

15. SENATOR MCCARTHY:
16. Well...

17. PRESIDING OFFICER (SENATOR DONNEWALD):
18. Just a moment. Just a moment, please. Senator Buzbee, for
19. what purpose do you arise?

20. SENATOR BUZBEE:
21. Thank you, Mr. President. A point of personal privilege.

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

24. SENATOR BUZBEE:
25. Mr. President, tomorrow evening this Senator is going to have
26. the distinct, honor and privilege of installing the officers of
27. Illini Girls State, and this...this morning, some of the members of
28. Illini Girls State are here in the Gallery to the rear of this
29. Chamber which is the southwest Gallery, and Miss Blackburn, the
30. Director of Illini Girls State is here. I wonder if they would
31. please rise and let the Senate recognize them.

32. PRESIDING OFFICER (SENATOR DONNEWALD):
33. Please rise and be recognized. Senator McCarthy...

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1. SENATOR McCARTHY:

2. Well...

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. On...on House Bill 2074, Amendment No. 2:

5. SENATOR McCARTHY:

6. I wonder...I...I would like to just leave that bill on 2nd
7. reading with pending amendments for the...at the present time.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. The bill...if the sponsor requests that it be held on 2nd, it
10. will be. Is there leave? Leave is granted. Senator Kenneth Hall,
11. did you wish to move a bill back from 3rd to the order of 2nd? The
12. number of the bill please.

13. SENATOR HALL:

14. House Bill 2222.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. House Bill 2222. Do we have leave to return to the order of
17. 2nd reading for the purpose of amendment? Leave is granted. Senator
18. Hall.

19. SENATOR HALL:

20. Having voted on the prevailing side, I move the vote by which
21. ...to put the amendment on. It would be Amendment No. 2 to House
22. Bill 2222, that that amendment lie on the Table.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Now, just a moment. You mean to...we want to reconsider the
25. vote by which Amendment No. 2 was passed?

26. SENATOR HALL:

27. Right, I want to reconsider.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Alright. All those in favor of reconsidering...

30. SENATOR HALL:

31. The...the amendment....

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Just a moment. Senator Hall, explain what the amendment you

1. wish to strike did.

2. SENATOR HALL:

3. Alright. It amends the Vehicle Code and provides for protec-
4. tive head gear, glasses, goggles, or shields for persons operating
5. or riding upon a motorcycle. That's what the amendment does.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Is there further discussion? Senator Hall moves to reconsider
8. the vote by which Amendment No. 2 passed. All those in favor say
9. Aye. Those opposed No. The Ayes have it. The amendment...the amend-
10. ment is now reconsidered. Senator Hall moves to Table Amendment No.
11. 2. All those in favor say Aye. Those opposed No. The Ayes have it.
12. Senator Hall.

13. SENATOR HALL:

14. Now, that...I just wanted to take the amendment off. That was
15. all.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. 3rd reading. Are there further amendments? 3rd reading. Are
18. there any other bills on the order of 3rd reading that members wish
19. to return to the order of 2nd for the purpose of amendment? House
20. Bill 212. Just a moment. Senator Partee.

21. SENATOR PARTEE:

22. Just hold it. I have...I need to talk to Senator Chew again.
23. Take 2258 out of the record if it's in there. Just hold it.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. We are on House Bill 212, Senator Partee. That...that's correct.
26. That's correct. That's correct. We're...we're on...we're on House
27. Bill 212. Senator Nudelman. Senator Nudelman moves that House Bill
28. 212 reurn to the order of 2nd reading for the purpose of an amend-
29. ment. Is there leave? Leave is granted. Senator Nudelman.

30. SENATOR NUDELMAN:

31. Thank you, Mr. President. This...this amendment would delete
32. the requirement that the telephone company be apprised of the fact
33. that a wire tap was being...a legal wire tap was being made. It

1. cleans up the bill, and then avoids an unnecessary step. I move the
2. adoption of the amendment.

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Is there further discussion? All those in favor of the adoption
5. of Amendment No. 1 to House Bill 212 indicate by saying Aye. Those
6. opposed No. The Ayes have it. The amendment is adopted. Are there
7. further amendments? 3rd reading. House Bill 635, Senator Davidson.

8. SENATOR DAVIDSON:

9. Yes, Mr. President, this is amendment for House Bill 635 that
10. Senator Rock had requested, because when we struck the word shall and
11. put in the word may, there was a possibility that an adult may not
12. have to be in attendance to the county detention home, and this adds -
13. shall have at least one adult in attendance on the premises at all
14. times. I move the adoption of the amendment.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Is there...just a moment. I think that we did have leave,
17. Senator. I want to be sure that the record shows that we had leave
18. to return to the order of 2nd reading for the purpose of amendment.
19. Is there leave? Leave is granted. Senator Davidson has explained
20. the amendment. Is there further discussion? The question is shall
21. Amendment No. 1 to House Bill 635 be adopted. All those in favor say
22. Aye. Those opposed No. The Ayes have it. The amendment is adopted.
23. Are there further amendments? 3rd reading. Senator Berning, for
24. what purpose do you arise? Senator Berning.

25. SENATOR BERNING:

26. On...on...

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. I see you returned.

29. SENATOR BERNING:

30. Yes, Sir. On House Bills 3rd read...3rd reading, there is
31. House Bill 15. I'd leave...like leave of the Body to bring it back
32. to 2nd reading.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Senator Berning requests that House Bill 15...

2. SENATOR BERNING:

3. 15.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. ...be returned to the order of 2nd reading. Is there leave?

6. Leave is granted. That bill is now on 2nd reading. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President. Now then, I would like...I move to
9. reconsider the vote by which Amendment No. 1 was adopted, and...and

10. I'll explain. The amendment is incorporated in another amendment

11. which Senator Rock will offer the minute we remove Amendment No. 1.

12. So, I move to reconsider the vote by which Amendment No. 1 was

13. adopted.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Senator Berning moves to reconsider the vote by which Amendment

16. No. 1 was adopted. All those in favor indicate by saying Aye. Those

17. opposed No. The amendment is now reconsidered. Senator Berning now

18. moves to Table Amendment No. 1 to House Bill 15. All those in favor

19. say Aye. Those opposed No. The Ayes have it. The amendment is

20. Tabled. Amendment No. 2 by Senator Rock. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President. I am...let me say I am delighted to

23. see Senator Berning back with us. He's just a little late. Amendment

24. No. 2 incorporates what Amendment No. 1 did, but the purpose of

25. Amendment No. 2 is to put the bill in the exact shape as it came

26. over from the House. In fact, what happens in the course of human

27. events, Enrolling and Engrossing in the House made a mistake and

28. deleted certain provisions. Now, this is merely...substantively, it

29. does what Senator Berning wishes it to do, but technically, it puts

30. the bill in the Senate in the same shape as that when it came over

31. from the House, or was supposed to come over from the House. And

32. I would move the adoption of Amendment No. 2.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Is there further discussion? The question is shall Amendment
2. No. 2 to House Bill 15 pass. All those in favor say Aye. Those
3. opposed No. The Ayes have it. The amendment is adopted. Are there
4. further amendments? 3rd reading. House Bill 581. Senator Nimrod.
5. ...Senator Nimrod moves that House Bill 581 be returned to the order
6. of 2nd reading. Is there leave? Leave is granted. The bill is now
7. on 2nd reading. Senator Nimrod.

8. SENATOR NIMROD:

9. Thank you, Mr. President. This amendment is in accordance with the
10. request of the committee, and I have discussed it with the...those
11. that were concerned, and Senator Demuzio has some question on it.
12. What it does is that it requires a district offices on the ratio that's
13. allocated to be opened by these local area offices that administer Title
14. III funds for senior citizens. And it would take care and make sure
15. we have representation in all these areas for people to acquire both
16. services of...of the...the local people would not have to travel those
17. distances in order to acquire these services, and I would move for the
18. adoption of this amendment.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Is there further discussion? The question is shall Amendment
21. No. 1 to House Bill 581 pass. All those in favor indicate by saying
22. Aye. Those opposed No. The Ayes have it. The amendment is adopted.
23. Are there further amendments? Senator Buzbee.

24. SENATOR BUZBEE:

25. A point of personal privilege, again, Mr. President.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Well, just a minute. I have to announce the result.

28. SENATOR BUZBEE:

29. Very well.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Amendment No. 1 is adopted to 581. Are there further amendments?
32. 3rd reading. Senator Buzbee.

33. SENATOR BUZBEE:

1. Mr. President, another group from Illini Girls State...

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. State your point.

4. SENATOR BUZBEE:

5. ...is here in the southwest Gallery, and I would ask that that

6. group of girls from Illini Girls State stand and be recognized.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Don Moore, House Bill 1848. You wish to return that

9. to the order of 2nd reading for the purpose of amendment? Is there

10. leave? Leave is granted. The bill is now on 2nd reading. Senator

11. Don Moore.

12. SENATOR MOORE:

13. Thank you, Mr. President. This is an amendment that was

14. recommended by the Pensions Committee in the Senate, and what it does,

15. it deletes Lines 30, 31 and 32 on Page 1...1, 2, 3, 4 on Page 2. It

16. is a amendment that, as I said was recommended by the committee. I'd

17. move its adoption.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Is there further discussion? The question is shall Amendment

20. No. 1 to 18...House Bill 1848 pass. All those in favor indicate by

21. saying Aye. Those opposed No. The Ayes have it. The amendment is

22. adopted. Are there further amendments? 3rd reading. House Bill

23. 1849, Senator Don Moore.

24. SENATOR MOORE:

25. I would like leave to move this back to the order of 2nd reading.

26. for the purpose of...

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Leave is granted.

29. SENATOR MOORE:

30. Thank you, Mr. President. This amendment was also requested

31. by the Pensions Committee in the Senate. This is a similar bill to

32. Senate Bill 747 allowing the, as far as firemen are concerned, trans-

33. ferring from one department to the other and paying in the amount of

1. money if they're over age. I'd move its adoption.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Is there further discussion? The question is shall Amendment
4. No. 1 to 18...House Bill 1849 pass. All those in favor say Aye.
5. Those opposed No. The Ayes have it. The amendment is adopted. Are
6. there further amendments? 3rd reading. Senator Bruce, House Bill
7. 1291. You wish...he asks leave to bring the bill back to the order
8. of 2nd reading. Leave is granted. Senator Bruce.

9. SENATOR BRUCE:

10. Yes, Mr. President, I now move...

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Just a moment. May we have order.

13. SENATOR BRUCE:

14. Yes, Mr. President, I am offering Amendment No. 2, but I would
15. first move to Table Amendment No. 1. No. 2 does the same thing only
16. it reduces the board by two.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Well, your motion...your proper motion is to reconsider the
19. vote by which Amendment No. 1 did pass. That move is made. All those
20. in favor say Aye. Those opposed No. The Amendment No. 1 is recon-
21. sidered. You now move to Table Amendment No. 1. All those in favor
22. of Tabling Amendment...No. 1 to House Bill 1291 indicate by saying
23. Aye. Those opposed No. The Ayes have it. The amendment is Tabled.
24. Amendment No. 2, Senator Bruce.

25. SENATOR BRUCE:

26. No. 2 reduces the number on the board to eight and makes one
27. of them a hospital...physician in an administrative capacity within
28. a hospital and a nurse within an administrative capacity in a hospital.
29. I move its adoption.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Is there further discussion? The question is shall Amendment
32. No. 2 to House Bill 1291 pass. All those in favor say Aye. Those
33. opposed No. The Ayes have it. The amendment is adopted. Are there

1. further amendments? Senator Bruce, Amendment No. 3.

2. SENATOR BRUCE:

3. Yes, there's a typographical error. The...the word on is
4. changed to the word for. I move its adoption.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Senator Bruce moves for the adoption of Amendment No. 3 to
7. House Bill 1291. All those in favor indicate by saying Aye. Those
8. opposed No. The Ayes have it. The amendment is adopted. Are there
9. further amendments? 3rd reading. Senator Johns, on House Bill 1822.
10. Senator Johns requests that 1822 be returned to the order of 2nd
11. reading for the purpose of amendment. All those...do we have leave?
12. Leave is granted. Senator Johns. The bill is now on 2nd reading.

13. SENATOR JOHNS:

14. Mr. President and members of the Senate, this amendment is a
15. definition of the word - new consumer, and it goes on a credit billing...
16. Creditor Billing Errors Act. And I would appreciate your approval
17. of this amendment.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Is there further discussion? All those in favor of the adoption
20. of Amendment No. 2 to House Bill 1822 indicate by saying Aye. Those
21. opposed No. The Ayes have it. The amendment is adopted. Are there
22. further amendments? 3rd reading. House Bill 829, Senator Don Moore.

23. SENATOR MOORE:

24. Thank you, Mr. President. I would like leave of the Body to
25. bring House Bill 829 back for the purpose of amendment...to the order
26. of 2nd reading for the purpose of amendment.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Yes, is there leave to bring 8...House Bill 829 to the order
29. of 2nd reading for the purpose of amendment? There is leave. The
30. bill is now on 2nd reading. Senator Don Moore.

31. SENATOR MOORE:

32. Senator Mitchler has an amendment on the Secretary's Desk that
33. I have no objection to.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Mitchler, do you wish to explain the amendment?

3. SENATOR MITCHLER:

4. Mr. President and members of the Senate, the amendment to House
5. Bill 829 is to correct a defect that came over in regards to the
6. rear license plate of members of the Illinois General Assembly, both
7. the House and Senate. As the bill had it, it deleted a part that
8. would have reference to show on the rear license plate House or Senate,
9. and therefore, you would have had a duplication of numbers. So, this
10. is a corrective amendment. It should be no opposition to it. It's
11. agreed to by the sponsors and all those interested in the bill, in-
12. cluding Senator Charles Chew. Move for adoption.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Is there further...is there further discussion? The question is
15. shall Amendment No. 2 to House Bill 829 pass. Those in favor indicate
16. by saying Aye. Those opposed No. The Ayes have it. The amendment
17. is adopted. Are there further amendments? 3rd reading. Senator
18. Nimrod, House Bill 6...Senator Don Moore, for what purpose do you
19. arise?

20. SENATOR MOORE:

21. Yes, just on this particular bill, I want to apologize to
22. Senator Nimrod...yesterday when he did offer an amendment, and I said
23. he never did have a good amendment. I want to apologize to him. He
24. finally did come up with a good one. I'm sorry, Senator.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Senator Nimrod for House Bill 696. You wish to return that to
27. the order of 2nd reading for the purpose of amendment? Is there
28. leave? Leave is granted. The bill is now on 2nd reading. Senator
29. Nimrod.

30. SENATOR NIMROD:

31. Mr. President and fellow Senators, on this bill, it pertains
32. to townships, and what it does it requires the supervisor of general
33. assistance to make a request in order of provide general assistance

1. recipients, public aid recipients, with additional township funds
2. to help support them in nursing homes, and I would move for the
3. adoption of the amendment.
4. PRESIDING OFFICER (SENATOR DONNEWALD):
5. Is there further discussion? The question is shall Amendment
6. No. 1 to House Bill 696 pass. All those in favor indicate by saying
7. Aye. Those opposed No. The Ayes have it. The amendment is adopted.
8. Are there further amendments? 3rd reading. Senator Vadalabene as
9. to House Bill 2957. Senator Vadalabene, do you wish to return House
10. Bill 2957 to the order of 2nd reading for the purpose of amendment?
11. SENATOR VADALABENE:
12. For the purpose of amendment, yes.
13. PRESIDING OFFICER (SENATOR DONNEWALD):
14. Is there leave? Leave is granted. Senator Vadalabene.
15. SENATOR VADALABENE:
16. Yes...
17. PRESIDING OFFICER (SENATOR DONNEWALD):
18. I cannot see Senator Vadalabene. Would you please stand up.
19. SENATOR VADALABENE:
20. Yes, I'm standing up.
21. PRESIDING OFFICER (SENATOR DONNEWALD):
22. The bill is now on 2nd reading. Senator Vadalabene.
23. SENATOR VADALABENE:
24. Yes, what I want to do on Line 24 by inserting functions the
25. words - or guards or armored car companies, and I move for the adoption
26. of the amendment.
27. PRESIDING OFFICER (SENATOR DONNEWALD):
28. Is there further discussion? The question is shall Amendment
29. No. 1 to House Bill 2957 pass. All those in favor say Aye. Those
30. opposed No. The Ayes have it. The amendment is adopted. Are there
31. further amendments? 3rd reading. Senator McCarthy, do you wish to
32. return to the order of...do you wish to consider House Bill 2074
33. which is now on 2nd reading? Alright. Are there other...any other

1. bills on 3rd reading that wish to be returned to the order of 2nd
2. for the purpose of amendment? Senator Newhouse. What was the number?
3. House Bill 222. Do we have leave to return to the order of 2nd read-
4. ing? Leave is granted. Senator Newhouse.

5. SENATOR NEWHOUSE:

6. Senator Buzbee has an amendment to be offered on 222, Senator.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Buzbee wishes to offer Amendment No. 1 to House Bill 222.

9. Just...it is Amendment No. 1 I've been advised. Senator Buzbee.

10. SENATOR BUZBEE:

11. Very well, Mr. President. This brings House Bill 222 into
12. conformity with a bill that we passed out of the Senate a few weeks
13. ago, which says...deletes the word three and inserts in lieu thereof
14. therefore, the word five which says that a person has five years to
15. buy back into the State Pension System. Plus we have added another
16. line which again we...brings into conformity with a bill we passed
17. last...last...a couple of months ago which says they've got to pay
18. a five percent interest per annum from the date retirement payments
19. were suspended to the date of repayment, and I would move adoption
20. of Amendment No. 1 to House Bill 222.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Is there further discussion? The question is shall Amendment
23. No. 1 to House Bill 222 pass. Those in favor indicate by saying Aye.
24. Those opposed No. The Ayes have it. The amendment is adopted. Are
25. there further amendments? Senator Rock with Amendment No. 2 to
26. House Bill 222. Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
29. I have spoken with the sponsor about this. He was gracious enough
30. to hold it until we had this drafted. I did not have it drafted in
31. time for the committee meeting, unfortunately. Amendment No. 2 would
32. ...would read as follows. I understand copies are being distributed,
33. but it...it adds one paragraph to this bill, and it says - that for

1. any member retiring after July 1, 1975 with thirty but less than
2. thirty-five years of service after having attained age fifty-
3. five, the retirement allowance shall be reduced by one half of one
4. percent for each month that total creditable service of the member
5. computed in months is less than the total number of months contained
6. in thirty-five years of creditable service. For purposes of this
7. reduction, twelve months shall be considered one year of service.
8. If this amendment is adopted, and I am going to move its adoption and
9. hope it's favorably acted upon, six percent for...per year from
10. thirty-five years of service, the alternate basis of figuring the
11. full retirement under the law would mean a twelve percent cut in
12. pension benefits, and I would move its adoption.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Is there further discussion? The question is shall Amendment...
15. Senator Berning...or Senator Harris.

16. SENATOR HARRIS:

17. Well, I think we all appreciate that there is a lot of stuff
18. going on here and it's hard to keep track...

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. I agree, would the Chamber be in order please.

21. SENATOR HARRIS:

22. I...I believe there is a very serious question of precedent
23. involved in this amendment. What will the future impact be if this
24. amendment to the Pension system...this amends the State Employees
25. Pension System. Does it not, Senator Rock?

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Senator Rock.

28. SENATOR ROCK:

29. That is...that is correct.

30. SENATOR HARRIS:

31. Yes. Is there not a serious precedent...question here that
32. might impact down the road on the entire system?

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Senator Rock.

2. SENATOR ROCK:

3. Well, the precedent to the extent that we are...we are, in fact,
4. making a change. Now, I have discussed this with Senators Berning
5. and Shapiro, and there was an alternate proposal that they made that,
6. frankly, in my judgement established an even more serious precedent.
7. This one is...is totally in...in my opinion very, very restrictive
8. because it takes into...into effect or it affects only those who
9. have, in fact, more than thirty years of State service, and I think
10. the...the impact, the fiscal impact...

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Just...just a moment, Senator. Now, the noise level is to a
13. point where the membership cannot hear the discussion or debate.
14. Would the members please be in their seat or seats. Let's hold down
15. the conversations. Please proceed, Senator Rock.

16. SENATOR ROCK:

17. Well, again, Senator Berning did, in fact, draft an alternate
18. proposal which accomplished in his judgement the very same thing
19. that I attempt...I am attempting to accomplish here, however, I...I
20. felt and do feel and have so informed him that the alternate he
21. proposed in fact would...would more relate to Senator Harris' expressed
22. concern. It established, in my judgement, too great a precedent.
23. This is totally more restrictive, and I think the fiscal impact on
24. the fund in terms of dollar amount and in terms of applicability to
25. members of the system is...is very, very restrictive.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Is there further discussion? Senator Berning.

28. SENATOR BERNING:

29. Well, what we really are considering is a, again, a specially
30. tailored amendment, and there is no question that what it will have
31. a serious impact for the future. Whether we can justify making a
32. change in what is generally accepted as sound actuarial funding and
33. participation in a pension program, whether that should be toyed with

1. so to speak, in order to accommodate special situations is one of the
2. policy decisions that this Body should make. When we...when we
3. attempt to provide special provisions which will accrue accessively
4. in my opinion to the benefit of individuals, we are not keeping faith
5. with the basic philosophy of a pension system and imposing an additional,
6. prospective burden, there isn't any other way that it can be justified,
7. and in that sense, I feel the amendment should be rejected.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. Is there...Senator Rock.

10. SENATOR ROCK:

11. Just to respond to that, I think that Senator Berning has cast
12. appall or a shadow over this amendment which...which rightfully does
13. not belong there. This amendment attempts in some small way to make
14. more equitable the system under which our State employees operate,
15. and what it says is in...instead of a...for one who has more than
16. thirty but less than thirty-five years of service, the reduction
17. will be commensurate with the years less than thirty-five, so that
18. instead of a thirty percent reduction in the pension benefit, the...
19. the reduction will be based on only two years less than thirty-five
20. or twelve percent. I think it's a fair and equitable way of address-
21. ing a problem that some of our State employees have, and I would move
22. the adoption of Amendment No. 2.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Is there further discussion? Shall Amendment No. 2 to House
25. Bill 222 be adopted. All those in favor say Aye. Those opposed No.
26. The Ayes have it. There is a request for a roll call. Roll call
27. will be had. All those in favor of adoption of Amendment No. 2 to
28. House Bill 222 indicate by voting Aye. Those opposed No. The voting
29. is open. Have all those voted who wish? Take the record. On that
30. question, the Ayes are 29, the Nays are 23. House...Amendment No. 2
31. to House Bill 222 is adopted. Are there further amendments? 3rd
32. reading. Senator Morris, 854. Senator Glass, House Bill 1697. Is
33. there leave to return to the order of 2nd reading for the purpose of

1. amendment? Leave is granted. Senator Glass, House Bill 1697 is
2. now on 2nd reading.

3. SENATOR GLASS:

4. Thank you, Mr. President. This bill...was one that I asked
5. to have removed from the Consent Calendar in order to amend it. It
6. was an amendment that I agreed to put on in...in committee that will
7. allow school boards to make leases in excess of ten years but only
8. on the two-thirds vote of the full membership of the board, and I
9. would move for its adoption.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Is there further discussion? The question is shall Amendment
12. No. 3 to House Bill 1697...strike that. It is correct. It is
13. Amendment No. 1 to House Bill 1697. All those in favor say Aye.
14. Those opposed No. The Ayes have it. The amendment is adopted.
15. Are there further amendments? 3rd reading. Senator Morris, House
16. Bill 857. Do you wish to return that to the order of 2nd reading?
17. Is leave granted? 854, I'm sorry. House Bill 854. Is there leave?
18. Leave is granted. The bill is now on 2nd reading. Senator Morris.

19. SENATOR MORRIS:

20. This is a technical amendment offered by the Department of
21. Transportation which originally drafted the bill to bring it in
22. compliance with the request of some members of the Agriculture
23. Committee which heard the bill.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. Is there further discussion? The question is shall Amendment
26. No. 1 to House Bill 854 be adopted. All those in favor say Aye.
27. Those opposed No. The Ayes have it. The amendment is adopted. Are
28. there further amendments? 3rd reading. Senator Knuppel, House
29. Bill 2153. Do you wish that returned to the order of 2nd reading?
30. Is there leave? Leave is granted. Senator Knuppel, the bill is now
31. on 2nd reading. 2153, House Bill. Senator Knuppel. Senator
32. Knuppel. I've been advised, Senator Knuppel, that Senator Newhouse
33. has the amendment that...is this Amendment No. 2?

1. SENATOR KNUPPEL:
2. Yes, but we have to Table...there's Amendment No. 3 I think.
3. Table Amendment No. 1.
4. PRESIDING OFFICER (SENATOR DONNEWALD):
5. Alright. Having...your having voted on the prevailing side of
6. Amendment No. 1, you wish to have that vote...reconsider the vote
7. by which that passed?
8. SENATOR KNUPPEL:
9. Right.
10. PRESIDING OFFICER (SENATOR DONNEWALD):
11. All those in favor say Aye. Those opposed No. The Amendment
12. No. 1 is reconsidered. You now move to Table Amendment No. 1. All
13. those in favor say Aye. Those opposed No. The amendment is Tabled.
14. Now, Senator Knuppel.
15. SENATOR KNUPPEL:
16. Now, I'd like to offer Amendment No. 2. Does the Clerk have
17. it?
18. PRESIDING OFFICER (SENATOR DONNEWALD):
19. Amendment No. 2.
20. SENATOR KNUPPEL:
21. Glass has the amendment, as I understand it.
22. PRESIDING OFFICER (SENATOR DONNEWALD):
23. Senator Glass, do you wish to explain the amendment?
24. SENATOR GLASS:
25. Thank you, Mr. President. This amendment was worked out with
26. ILE and Senator Knuppel. It has to do with allowing persons of
27. both sex equal access to physical education and interscholastic
28. athletic programs or comparable programs. I believe it it acceptable
29. to the sponsor. I would move its adoption.
30. PRESIDING OFFICER (SENATOR DONNEWALD):
31. Is there further discussion? The question...question is shall
32. Amendment No. 2 be adopted. All those in favor say Aye. Those opposed
33. No. The Ayes have it. Amendment No. 2 is adopted. Are there further

1. amendments? 3rd reading. Senator Knuppel as to House Bill 1704,
2. do you wish that returned to the order...

3. SENATOR KNUPPEL:

4. I'd like to have it returned to 2nd reading.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Is there leave? Leave is granted. Senator Knuppel, it is
7. House Bill 1704 is now on 2nd reading.

8. SENATOR KNUPPEL:

9. As I understand it, Senator Nimrod has an amendment to that
10. piece of legislation.

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Is Senator Nimrod...Senator Nimrod. We are addressing ourselves
13. to Amendment No. 1. Senator Nimrod.

14. SENATOR NIMROD:

15. Mr. President and fellow Senators, this amendment has to do
16. with some changes for...with the Energy Resource Commission, and
17. as a result of a commission hearing yesterday, it changes the pro-
18. cedure for the BED filing a request, and we have unanimous agreement
19. on both sides by all members of the Senate who are representatives
20. to the Energy Commission, and I would move for the adoption of the
21. amendment.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Is there further discussion? All those in favor of Amendment
24. No. 1 to House Bill 1704 indicate by saying Aye. Those opposed No.
25. The Ayes have it. The amendment is adopted. Are there further
26. amendments? 3rd reading. Senator Johns, as to House Bill 2538. Do
27. you wish that returned to the order of 2nd reading? Is there leave?
28. Leave is granted. Senator Johns, the bill is now on 2nd reading.
29. 2538 is the bill number. Senator Johns.

30. SENATOR JOHNS:

31. Mr. President, this amendment changes the wording under Line 6
32. and inserting in lieu thereof the following certificate of authority
33. as an armed guard or investigator...

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Just a moment, Senator. Proceed.

3. SENATOR JOHNS:

4. It just changes the wording and drops it, the armed guard or
5. investigator, if he's under twenty-one years of age or as an unarmed
6. guard if he's under eighteen years. This does not permit this teen-
7. ager to carry a gun as an investigator, and he...this just gives more
8. leeway to hire the younger generation in jobs of this capacity.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Is there further discussion? The question is shall Amendment
11. No. 3 to House Bill 2538 pass. All those in favor say Aye. Those
12. opposed No. The amendment is adopted. Amendment No. 4...yes.

13. SENATOR JOHNS:

14. Pardon me, Mr. President. I think Senator Richard Newhouse has
15. a...

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. Well, I'm going to request that he come to the...Senator Newhouse,
18. as to Amendment No. 4. Proceed.

19. SENATOR NEWHOUSE:

20. Thank you, Mr. President. Amendment No. 4 to the bill does
21. this. This is a bill that provides for training for...for guards
22. and professional service. The industry has come to me and said that
23. there are certain areas in which these guards do not use guns, and
24. where guns are not required to be carried, this amendment would...
25. would relieve the...the applicant from having to have taken certain
26. courses which he can take and qualify for a gun if that becomes
27. necessary. That's what the amendment does. I've talked with the
28. sponsor and others, and they're agreed to the passage of it. I'd
29. appreciate a most favorable roll call.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Is there further discussion? The...the question is shall
32. Amendment No. 1 pass. All those...be adopted. All those in favor...
33. Amendment No. 4, I beg your pardon. We are addressing ourselves to

1. Amendment No. 4 to House Bill 2538. All those in favor say Aye.
2. Those opposed No. The Ayes have it. The amendment is adopted.
3. Are there further amendments? 3rd reading. Senator Weaver, as to
4. House Bill 2571. You wish that returned to the order of 2nd reading?
5. Is there leave? Leave is granted. The bill is now on 2nd reading.
6. Senator Weaver.
7. SENATOR WEAVER:

8. Thank you, Mr. President. This would add to this bill or
9. clarify the bill an amendment that was suggested in committee which
10. would refer only to those in...in professional services, in the
11. field of medicine, dentistry and nursing. So, I would move adoption
12. of this amendment.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Is there further discussion? The question is shall Amendment
15. No. 1 to House Bill 2571 be adopted. All those in favor say Aye.
16. Those opposed No. The Ayes have it. The amendment is adopted.
17. Are there further amendments? 3rd reading. We shall now, apparently,
18. we've exhausted that...Senator Graham, for what purpose do you arise?

19. SENATOR GRAHAM:

20. Might as well do this too. I'd like leave to return House
21. Bill 2560 to the order of 2nd reading for the purpose of Tabling an
22. amendment.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Is there leave? Leave is granted. The bill is now on 2nd
25. reading. Senator Graham.

26. SENATOR GRAHAM:

27. Now, Mr. President, I move you that the vote by which Amendment
28. No. 1 to 2560 was made will be reconsidered.

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. The motion is to reconsider the vote by which Amendment No. 1
31. was adopted. All those in favor say Aye. Those opposed No. The
32. Ayes have it. The amendment now will be...be considered. The motion
33. now is to Table Amendment No. 1.

Recall
6/18/76
HB 2591

1. SENATOR GRAHAM:
2. ~~also~~ move.
3. PRESIDING OFFICER (SENATOR DONNEWALD):
4. And all those in favor say Aye. Those opposed No. The Ayes
5. have it. The amendment is Tabled. Senator Graham.
6. SENATOR GRAHAM:
7. Back to 3rd.
8. PRESIDING OFFICER (SENATOR DONNEWALD):
9. 3rd reading. Are there further amendments? 3rd reading.
10. (Machine cut-off)...Carroll, is it your desire to recall House Bill
11. 2591 for the purpose of amendment?
12. SENATOR CARROLL:
13. That is my desire, Mr. President. I would ask leave.
14. PRESIDING OFFICER (SENATOR DONNEWALD):
15. Is leave granted? Leave is granted. The bill is now on 2nd
16. reading. Senator Carroll.
17. SENATOR CARROLL:
- ✓ 18. Senator Knuppel had an amendment, I will offer it either way.
19. PRESIDING OFFICER (SENATOR DONNEWALD):
20. Senator Knuppel, as to Amendment No. 1 to House Bill 2591.
21. SENATOR KNUPPEL:
22. All the amendment does is broaden the definition of...of dis-
23. crimination to include more groups. It was limited to ethnic and
24. ...and religious, and now it includes race, color, creed and sex.
25. PRESIDING OFFICER (SENATOR DONNEWALD):
26. Is there further discussion? The question is shall Amendment
27. No. 1 to House Bill 259...91 be adopted. All those in favor say Aye.
28. Those opposed No. The Ayes have it. The amendment is adopted.
29. Are there further amendments? 3rd reading.
30. SENATOR KNUPPEL:
31. The other one is to the next bill.
32. PRESIDING OFFICER (SENATOR DONNEWALD):
33. Senator Carroll, that...that is your bill also? You wish to

H B
2592
6/18/75
2nd Reading

1. return that?

2. SENATOR CARROLL:

3. Yes, I would ask leave that...that 2592 be returned to the
4. order of 2nd reading...

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Is there leave? Leave is granted. House Bill 2592 is now on
7. the order of 2nd reading. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Again, the amendment broadens the definition from...of discrimina-
10. tion from religious and ethnic to race, color, creed or sex.

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Is there further discussion? The question is shall Amendment
13. No. 1 to House Bill 2592 be adopted. All those in favor say Aye.
14. Those opposed No. The amendment is adopted. Are there further
15. amendments? 3rd reading. We'll now go to the order of 3rd reading,
16. and we will begin with House Bill...House Bill...just a moment.
17. Senator Dougherty, for what purpose do you arise?

18. SENATOR DOUGHERTY:

19. I'd like to make an inquiry, Mr. President.

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. You may inquire.

22. SENATOR DOUGHERTY:

23. The...the bill on House Bills on 1st reading. I would like
24. to have this bill...I mean if this is the time to do it, I'm merely
25. seeking some information.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. We would ask leave of the Body to revert to that order of
28. business. Is there leave? Leave is granted. Senator Dougherty.

29. SENATOR DOUGHERTY:

30. House Bill 2909 is on 1st reading, and I would wonder if this
31. bill could be put on the order of 2nd reading for the purpose of
32. determining or not. It's my fault. I had suggested another Senator
33. take the bill, and some how, he forgot and I forgot to remind him of

1. it. It's my fault, and I would like to get this bill out to be
2. heard. It's not a live or die thing, but the House sponsor is vitally
3. interested, and I would like to have it placed on the order of 2nd
4. reading.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Is there leave? Leave is granted. House Bill 2909...just a
7. moment. The bill must be read.

8. SECRETARY:

9. House Bill 2909.

10. (Secretary reads title of bill)

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. 2nd reading. Senator Palmer, for what purpose do you arise?

13. SENATOR PALMER:

14. Mr. President, before you start 3rd reading, and if I'm in
15. order, I'd like to make a motion for House Bill 1557 to be re-referred
16. to Education Committee for further study.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Is there leave? Leave is granted. Senator Palmer, the Chair
19. wishes to inquire where 1557 where it presently stands...

20. SENATOR PALMER:

21. It's presently on 2nd reading.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. The motion is to take it from the order of 2nd reading and return
24. it to the...

25. SENATOR PALMER:

26. Re-refer it to the...

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. ...Committee on Education. Well, we asked leave and leave was,
29. in fact, granted. Senator Schaffer refer...going to the order of
30. 3rd reading, I understand that you have an amendment to House Bill
31. 1441? Do we have leave to return to the order of 2nd reading for
32. the purpose of amendment? Leave is granted. Senator Schaffer, the
33. ...we are now on 2nd reading as to House Bill 1441. Senator Schaffer.

1. SENATOR SCHAFFER:

2. Mr. President, the amendment I have creates a technical problem
3. that was created by the first Amendment No. 1 and Amendment No. 2.
4. The procedure I'd like to follow, Mr. President.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Just a moment.

7. SENATOR SCHAFFER:

8. The procedure I'd like to follow is to move to Table Amendment
9. No. 1 and the same for No. 2...

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. You wish to reconsider the vote by which Amendment No. 1 was
12. adopted. All those in favor indicate by saying Aye. Those opposed
13. No. The Amendment No. 1 is reconsidered. Your motion now is to
14. Table Amendment No. 1. All those in favor say Aye. Those opposed No.
15. The Ayes have it. The amendment is Tabled. Senator Schaffer.

16. SENATOR SCHAFFER:

17. Same procedure for Amendment No. 2.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Senator Schaffer moves...having voted on the prevailing side
20. moves to reconsider the vote by which Amendment No. 2 was adopted.
21. All those in favor say Aye. Those opposed No. The Ayes have it.
22. The amendment is...Amendment No. 2 is reconsidered. He now moves
23. to Table Amendment No. 2. All those in favor say Aye. Those opposed
24. No. The Ayes have it. The Amendment No. 2 is Tabled. Senator
25. Schaffer.

26. SENATOR SCHAFFER:

27. Amendment No. 3 simply puts Amendment No. 2 and Amendment No. 1
28. back in the bill in the correct form. The staff on both sides are
29. aware of this, and in fact, they alerted me to the problems. I move
30. to adopt Amendment No. 3.

31. PRESIDING OFFICER (SENATOR DONNEWALD):

32. Is there further discussion? The question is shall Amendment
33. No. 3 be adopted. Those in favor indicate by saying Aye. Those

1. opposed No. The Ayes have it. The amendment is adopted. Are there
2. further amendments? 3rd reading. Senator Don Moore.

3. SENATOR MOORE:

4. On a point of personal privilege, Mr. President.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. State your point.

7. SENATOR MOORE:

8. Standing behind me is the daughter of one of our colleagues,
9. former Senator Junie Bartulis, Gail Bartulis, who is down here with
10. the Illini State Girls. I would like the Body to recognize her if
11. they would.

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. Senator Harber Hall, for what purpose do you arise?

14. SENATOR HALL:

15. Mr. President, this morning House Bill 3073 was read a first
16. time, indicated that I was the principal...or the Senate sponsor of
17. that measure. I would like with the consent I previously had from
18. Senator Nudelman, to have him shown as principal sponsor of 3073.

19. PRESIDING OFFICER (SENATOR DONNEWALD):

20. Is there leave? Leave is granted. Senator Nudelman, for what
21. purpose do you arise?

22. SENATOR NUDELMAN:

23. Mr. President, following through on that, I would ask leave that
24. this bill be assigned to the Judiciary Committee for hearing imme-
25. diately.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Is there leave? Leave is granted. Senator Sommer.

28. SENATOR SOMMER:

29. Mr. President, on a matter of personal privilege. I'd like
30. to point out to the members of the Senate and all those here that
31. today is the thirty-third birthday of Senator Prescott Bloom of
32. Peoria.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Senator Bloom was clapping. House Bills...Senator Savickas,
2. for what purpose do you arise?
3. SENATOR SAVICKAS:
4. Well, I didn't know what order of business we were on and I
5. was going to make a motion on a...on a bill to discharge a committee.
6. PRESIDING OFFICER (SENATOR DONNEWALD):
7. We...we are on the order of 3rd reading, Senator. House Bill
8. 1439, Senator Egan. House Bill 1441. Senator Rock.
9. SENATOR ROCK:
10. I wonder if we might...Senator Egan, I alerted him about an
11. hour ago that he was first on the agenda. He is just getting off
12. the telephone and coming on the Floor. I wonder if the Secretary
13. might read the bill. Senator Egan is ready.
14. PRESIDING OFFICER (SENATOR DONNEWALD):
15. Read the bill. House Bill 1439. Read the bill. 3rd reading.
16. SECRETARY:
17. House Bill 1439.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. PRESIDING OFFICER (SENATOR DONNEWALD):
21. Senator Egan.
22. SENATOR EGAN:
23. Thank you, Mr. President and members of the Senate. The...the
24. bill does precisely as the Calendar indicates, and it prohibits the
25. dismissal of teachers solely on the basis of physical or mental,
26. temporary incapacity, and I would ask for your favorable consideration.
27. PRESIDING OFFICER (SENATOR DONNEWALD):
28. Senator Graham.
29. SENATOR GRAHAM:
30. Senator, who...who makes the decision and by what guidelines
31. do they make such a decision as to temporary, mental or physical
32. incapacity?
33. SENATOR EGAN:

1. Well, it's a...

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Senator...Senator Egan.

4. SENATOR EGAN:

5. Senator Graham, it's a...it's a medical determination that is

6. certified by the...the attending physician.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Graham.

9. SENATOR GRAHAM:

10. Is that...would that be a physician selected by the school

11. teacher or a physician selected by the board?

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. Senator Egan.

14. SENATOR EGAN:

15. I frankly don't know the answer to that question. I...I would

16. assume that...that the board would have the opportunity to ask

17. medical advice in the case, but I...I think primarily, the attending

18. physician, the personal physician of the teacher, I'm...I'm sure

19. that his certificate would be...would be valid, and if they want

20. to check that out, independent medical examination is available.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Senator...oh, Senator Graham.

23. SENATOR GRAHAM:

24. I'm...I'm wondering, of course, if a mental incapacity is...the

25. judgement is made by a physician or is made by a psychologist or

26. who makes this decision? I'm just curious. I don't have the bill

27. in front of me.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Senator Egan.

30. SENATOR EGAN:

31. The attending physician. It would have to be a medical deter-

32. mination, Senator. And it's only a temporary condition. If...if it's

33. permanent, it doesn't apply.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Glass.

3. SENATOR GLASS:

4. Thank you, Mr. President. I'd like to ask the sponsor a
5. question.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. He indicates he'll yield.

8. SENATOR GLASS:

9. Senator Egan, following up on Senator Graham's question, I'm
10. a little bit disturbed about the temporary part of it. I take it
11. someone would make the determination if the teacher were temporary...
12. temporarily mentally incapacitated. Is there any definition of
13. temporary? Could it...could it be, you know, maybe for five years?
14. That would be temporary, or it doesn't...there doesn't seem to be
15. any...any time on it. Other...am I correct other than the des-
16. cription temporary?

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Senator Egan.

19. SENATOR EGAN:

20. That is correct, Senator Glass, but it's a medical determination,
21. and however they do that in the medical profession, I would accept
22. it myself. I don't think five years is a temporary condition.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Senator Berning.

25. SENATOR BERNING:

26. Thank you, Mr. President. Proceeding a step further, would
27. there not be justification, Senator Egan, for defining temporary
28. with some sort of limit insofar as the amount of time, instead of leaving
29. it just absolutely open to judgement. I submit to you, Sir, that
30. every patient in a mental institution is considered temporary and
31. subject to treatment and rehabilitation. It's...the this open ended
32. kind of determination which seems unjustified. I would submit that
33. there should be some sort of definite boundaries for this sort of

1. thing, and then the second point I'd like to...or question then
2. is, does the individual's compensation accrue during the time of
3. the temporary disability? We do have sick leave you know. Is this
4. in addition?

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Senator Egan.

7. SENATOR EGAN:

8. Well, Senator Berning, the...the emolument of absence...that
9. ...that amount of money which a disabled teacher receives is not
10. affected by this. This only says that the...the teacher who is
11. temporarily disabled cannot be discharged. Now, concerning your other
12. question, the...the medical determination is made according to their
13. standards, and I...I would accept their standards. The putting a
14. lid on the length of time that it would take for a condition to be
15. temporary, I think, would...would be opposed by the medical practi-
16. tioners, and in fact, all mental patients are not considered disabled
17. temporarily. There are many permanently disabled people in mental
18. institutions, and it's a medical determination, Senator. I...I
19. accept that determination.

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. Senator Berning.

22. SENATOR BERNING:

23. Well, I...I'm of course pleased that...that you are willing to
24. defer to a...medical determination, but the concern that I have is
25. that that medical determination may commit the...any school district
26. to an indeterminate period of time. And conceivably, to the indeter-
27. minate obligation to pay a...an individual who cannot be dismissed.
28. This doesn't hold true in any other situation that I'm aware of,
29. certainly not in private practice...private employment and so far as
30. I know, in no other governmental employment situation. There has to
31. be a reasonable termination point beyond which the services of an
32. individual are not available, and consequently, they should and could
33. be replaced.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Is there further debate? The question is shall House Bill 1439
3. pass. All those in favor vote Aye. Those opposed No. The voting
4. is open. Have all those voted who wish? Take the record. On that
5. question, the Ayes are 43, the Nays are 3, 7 Voting Present. House
6. Bill 1439 having received a constitutional majority is declared
7. passed. House Bill 1441, Senator Schaffer. Read the bill.

8. SECRETARY: ^{THIS} bill has been ^{also} amended, and it deletes the

9. House Bill 1441.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. House Bill 1441 as amended is different than as it reached the
16. Senate. It now has the support of the State Police and the Department
17. of Transportation. It does two things. It designates the area in
18. a vehicle, a car, which a blue light can be mounted, and it includes
19. under the authorization of blue lights, rescue squad members. Now,
20. most rescue squad members were already covered because they were also
21. firemen, but in the outlying areas, we and I suspect all over the
22. State, we're having some rescue squads that aren't connected with
23. fire districts even though they perform exactly the same function, and
24. these people were not included under the blue light provision as pro-
25. vided by law today. I know of no opposition to the bill as amended.
26. Be happy to answer any questions. Appreciate a favorable roll call.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Is there further discussion or debate? The question is shall
29. House Bill 1441 pass. All those in favor vote Aye. Those opposed
30. No. The voting is open. All those voted who wish? Take the record.
31. On that question, the Ayes are 53, the Nays are none. House Bill
32. 1441 having received a constitutional majority is declared passed.
33. House Bill 1443, Senator Schaffer. Read the bill.

1. SECRETARY:

2. House Bill 1443.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. This bill has been...also has been amended, and it deletes the
9. reference to publication. It simply provides that a school board
10. in addition to the publications that they do, they also shall have
11. available at the school board office a list of expenditures to
12. recipients over one hundred dollars. Mr. Cardoni is in the Gallery.
13. I believe it's amended. The school boards are not in opposition to
14. the bill. It does provide some additional information to the public.
15. I'm informed by many school boards that this information is already
16. available, but in some areas it is not, and it is appropriate that
17. the public have this information.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Is there further discussion? Senator Rock.

20. SENATOR ROCK:

21. Does this apply to the City of Chicago?

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. Senator Rock, at the moment, I can't honestly tell you that
26. question. I don't think it does, but let me double check. It
27. only applies to counties in Class 1 and Class 2 counties.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Senator Rock.

30. SENATOR ROCK:

31. Well, I...I...as I read it, it does apply to the City of
32. Chicago and frankly...

33. PRESIDING OFFICER (SENATOR DONNEWALD):

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1. He indicates it does.

2. SENATOR ROCK:

3. Frankly, you know, what...I...the amendment certainly puts the
4. bill in better shape than it...than it was introduced. The problem
5. that I see is that you are allowing any resident of the school dis-
6. trict to request a report of expenditures in the aggregate paid
7. on behalf of recipients of a hundred dollars or more giving the name
8. of the person, firm, corporation, and total amount received by each,
9. and this listing shall include all wages, salaries, expenditures
10. over a hundred dollars. The problem that I see is with the size of
11. the Chicago School Board, if in fact there were a group of irrate
12. citizens who wanted to harrass the Board, it seems to me they could
13. file in one at a time and just confound the Board with requests of
14. this kind, and take up all the time of the administrative staff just
15. putting these reports together. Now, there is a budget, of course,
16. published by the Chicago Board, and I just...I'm a little...I can
17. appreciate what you're trying to do that this information should be
18. available, but with the problems that we have and the magnitude of
19. our Board and its budget, this could get a little unwieldy.

20. PRESIDING OFFICER (SENATOR DONNEWALD):

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. I happen to agree with Senator Rock, and quite frankly, this
24. isn't aimed at Chicago because as you do point out, I've seen your
25. school budget, and if that isn't enough detail for somebody, well,
26. then they're...then they just love figures. I'd like to take the
27. bill from the record and we'll have an amendment.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Take it from the record. Take it from the record. House Bill
30. 1444, Senator Knuppel. Read the bill.

31. SECRETARY:

32. House Bill 1444.

33. (Secretary reads title of bill)

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1. 3rd reading of the bill.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. Mr. Chairman and members of the Body, House Bill 1444 is designed
6. to allow criminal charges to be brought by information by the State's
7. attorney after a hearing for probable cause and to bypass grand jury
8. proceedings. Been the history here in Illinois that grand jury pro-
9. ceedings delay the administration of justice and a survey run by
10. Justice Gulley shows by as much sometimes as seventy-one days. This
11. bill is a...will facilitate the handling of criminal cases. The grand
12. jury in most criminal cases is nothing more than a rubber stamp, as
13. was brought out before the State's Attorney Study Commission out of
14. four thousand and some...attempts to get true bills, thirty-eight
15. hundred and some were returned as true bills. This is a step, I
16. think, in the right direction in the modernization of...of criminal
17. procedure. It does not abolish the grand jury. A charge may be made
18. yet by indictment...if that's the way the State's attorney would
19. prefer to go, and it leaves the grand jury with its investigative
20. powers to conduct those hearings that it would like to conduct in an
21. investigatory nature. I think this is good legislation. As a member
22. of the State's Attorney Study Commission, I think it's necessary
23. legislation in the dispatch of criminal justice, and I would urge
24. a favorable roll call.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Senator Nudelman. Senator Fawell.

27. SENATOR FAWELL:

28. Yes, Mr. President, I rise in opposition to the bill. I...I
29. recognize that I...I gather more...progressive thought these days
30. are that the grand jury is outmoded and ought to be eliminated. A
31. lot of very fine people believe that that is so, and maybe I'm old
32. fashioned in this regard, but I...I do not believe so, and as Senator
33. Knuppel has pointed out quite correctly, this does not do away with

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1. the grand jury in the sense that it is prohibited. But this bill and
2. other bills after we get through with the grand jury proceeding in
3. this Session, will have pecked it away so that it'll be quite
4. enfeebled. I think some have estimated that many of the prosecutors
5. will simply elect to go ahead and...and go along with an indictment.
6. I don't know if...where the preliminary hearing bills are that require
7. a preliminary hearing be held before the...the prosecutor can go ahead
8. on his own and simply chose to indict somebody. And I know that there
9. are many who say that the...the State's attorney just controls the
10. grand jury anyway. I, in my time, have presented cases to the grand
11. jury and there have been some grand juries where that certainly could
12. not be said. Now, maybe I'm not a strong enough character that can
13. control a grand jury, but all in all, I think that the grand jury
14. system and the secrecy of the grand jury system which to a great
15. degree is also being pecked away at in this Session, is something that
16. we ought not to discard without a great deal more thought than I fear
17. we are giving to it, and thus, I would oppose this bill because what
18. it does mean in the final analysis is that the State's attorney just
19. as he can now with a misdemeanor through an information simply decide
20. he wants to file a case and more or less go ahead and...and do so,
21. he's going to have that authority. I don't think that authority
22. should be in any one man which is what we will be doing, and thus, I
23. ...I do oppose the bill.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. Is there further discussion? Senator Nudelman.

26. SENATOR NUDELMAN:

27. Mr. President, I rise in support of this bill. I would point
28. out to this Body that this bill is very similar to a bill of mine
29. which passed out of here with very small opposition, and is now on
30. 3rd reading in the House. It's very similar to a bill which came
31. over from the House with very small opposition and is now here on
32. 3rd reading, and I would submit...submit to Senator Fawell and all
33. Senators that this bill would speed up the processes of the courts,

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1. particularly in smaller counties that don't have a full-time grand
2. jury so that the prosecutor can if he feels it's wise go before a
3. judge without waiting for the impaneling of a grand jury which may
4. be a month or two months away and seek to...to proceed with the
5. criminal procedures. I think it's a good bill. It doesn't take any-
6. body's rights away from them, and I think that we should pass it with
7. a vast majority to show that we are truly interested in the causes
8. of justice.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Is there further debate? Senator Knuppel, do you wish to close,
11. or you want to vote?

12. SENATOR KNUPPEL:

13. I want...I want to close.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Senator Knuppel.

16. SENATOR KNUPPEL:

17. Just in summing up, I want to say this that everybody who's
18. apprehended and charged will have the right to a preliminary hearing
19. on probable cause for...whether there's an information or an indict-
20. ment. Justice delayed is justice denied. This is as much for the
21. person who is charged as it is for the people. Swift justice in those
22. cases where the person comes to trial, I think, is more of a deterrent
23. than harsh penalties. This is truly...this is truly a far too long
24. delayed move in criminal justice for the State of Illinois, and I
25. suggest a favorable roll call.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. The question is shall House Bill 1444 pass. Those in favor
28. vote Aye. Those opposed No. The voting is open. (Machine cut-
29. off)...voted who wish? Take the record. On that question, the Ayes
30. are 47, the Nays are 5, 1 Voting Present. House Bill 1444 having
31. received a constitutional majority is declared passed. Senator Rock,
32. for what purpose do you arise?

33. SENATOR ROCK:

1. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
2. I'm asking leave at this time to go out of order and go to a House
3. Bill on 3rd reading which is...is, in fact, out of order. However,
4. I have had numerous requests from members of the Body that they would
5. wish that I would call it and dispose of it. It's House Bill 199.
6. I wonder if I could have leave to go to that order of business.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Is there leave? Leave is granted. House Bill 199 on 3rd...on
9. the order of 3rd reading. Senator...read the bill.

10. SECRETARY:

11. House Bill 199.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Senator Rock.

16. SENATOR ROCK:

17. Thank you...thank you, Mr. President, excuse me, Ladies and
18. Gentlemen of the Senate. House Bill 199 came over from the House
19. with about a hundred and twenty-three cosponsors. And what it does,
20. it...it's a new Act which creates what...what is to be called a
21. Delinquency Prevention Commission. It calls for the appointment of
22. ...of a commission consisting of fifteen members of...to be appointed
23. by the Governor and an executive director to be appointed by the
24. Governor, and what it attempts to do is deal with the...with the
25. myriad problems in...in delinquency prevention and shore up the
26. various community agencies across this State. Now, there is currently
27. in...within the ambit of the Department of Corrections what's called
28. a community services line item for certain monies to be appropriated
29. for this purpose. The proponents of this legislation, however, feel
30. that by virtue of the establishment of this commission, those stated
31. purposes will, in fact, be better served. So, the commission is one
32. aspect of the bill. The second is that there has been much talk
33. about what's called the juvenile file. That was moved from the

1. Department of Corrections to the Department of Law Enforcement. It
2. is a continuing agency. It has been in existence for many years.
3. This bill would also transfer that file and the operation thereof
4. to this commission. We heard lengthy testimony both opposed and
5. proposed with respect to this bill in the Executive Committee. It
6. received a favorable vote in committee. The Director of the Department
7. of Corrections is, of course, opposed to it because it removes this
8. function from his department, however, I think the...the bill is a
9. good one in that it focuses upon the area that is so near and dear to
10. us and that is the prevention of juvenile delinquency. The thrust
11. of the department is, frankly, more oriented to after the fact.
12. Once the Act has been committed, then they...then they relate in
13. terms of their manpower and they have, in fact, rendered many of these
14. community agencies merely parole officers. We are interested in the
15. area of prevention and hence the origin and of...of House Bill 199.
16. There was a request for a fiscal note. I have requested that from
17. the department. The estimated cost is one million two hundred thou-
18. sand dollars, which is currently in the department's budget. It's
19. an easy matter to transfer from that budget or even if it's not
20. transferred, under our...under the statutory rules, the budget follows
21. the function. I would urge a favorable vote.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Graham.

24. SENATOR GRAHAM:

25. Just to give some history of this juvenile file. This baby
26. was born and raised to maturity in the City of Rolling Meadows. It
27. started out by being a Rolling Meadows project in 1961 or '63. The
28. State became a participant in it, realizing of course that the
29. Department of Corrections as we set it up, had the decision that commis-
30. sions were not always the best thing to have. In this particular
31. area, I'm not so sure that the functions of this department have
32. indicated that perhaps this is true and I stand in support of Senator
33. Rock's bill.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Wooten.

3. SENATOR WOOTEN:

4. Some questions of the sponsor prior to a comment.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. He indicates that he will yield.

7. SENATOR WOOTEN:

8. What will be the practical effect, Senator, on the people who
9. now work in these areas for the Department of Corrections in my
10. area as well as yours? Are you proposing that those same people be
11. transferred to the jurisdiction of this new commission?

12. PRESIDING OFFICER (SENATOR DONNEWALD):

13. Senator Rock.

14. SENATOR ROCK:

15. Yes. If...if you look at Section 9 on Page 5 of the bill, the
16. resources including all personnel of the community services section,
17. and all personnel and materials with respect to the Juvenile Officers
18. Identification File shall, in fact, be transferred to this Delinquency
19. ...Prevention Commission. In the transfer, the standard clause that
20. we put in all of these bills is that the transfer of such personnel
21. shall not affect the status of the employees under the Civil Service
22. or other laws of the State.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Well, then, I suppose the basic question that remains is...why
27. we would make the transfer from a present department, the Department
28. of Corrections, to a separate commission. I know the...I think the
29. Commission on Children has registered their opposition to this, and
30. many groups whose opinion I respect, and I must say, I...I don't
31. know that much in detail about this. Why do they oppose this and
32. why is it necessary to set up a separate commission? This would
33. leave Corrections dealing only with institutions and parole.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Senator Rock.

3. SENATOR ROCK:

4. Well, let me...let me point out first that much of the opposi-
5. tion and when I say much, I think even that emanating from the
6. Commission of...on Children revolved around the...the Juvenile Infor-
7. mation File which the commission felt, I know, and some others felt
8. was not circumscribed enough to insure the confidentiality and the
9. protection of those individuals who are, in fact, listed or enumerated
10. among that file. So, I don't think their opposition was directed to
11. the creation of this commission so much as it was this other aspect.
12. Now, the fact is that the file has been in operation for many, many
13. years. There are, in fact, some questions that were raised by
14. special task force study committee of the Department of Corrections,
15. but...but the file itself has been in existence, and all we're doing
16. is transferring it from where it now reposes which is the Department
17. of Law Enforcement and which department, in fact, has indicated it
18. has no opposition to the transfer. It was transferred from Corrections
19. to Law Enforcement, I think, two years ago and now we're just trans-
20. ferring it to this commission. Now, with respect to the establishment
21. of the commission, I think the...the general thrust is one, frankly,
22. of...of philosophy. The Department of Corrections focuses more on
23. rehabilitation and parole services than they do on prevention, and
24. the community agencies throughout this State and they are...they are
25. legion, in fact, and I have been contacted at one time about a year
26. ago or two, there were, in fact, fifty operating...fifty community
27. agencies dealing with the question of prevention operating south of
28. Springfield, in the southern reaches of our State, up in Quincy, in
29. your town. The fact is that about twenty-five of those have now
30. effectively gone out of business due to the Department of Corrections
31. so-called regionalization plan. The people in the community feel
32. that they would be better served and those agencies could better serve
33. the clientele by...by establishing a separate commission whose sole

1. thrust is prevention, not dealing with parole and rehabilitation,
2. but prevention of delinquency, and that...that frankly is the origin
3. of this bill and the reason that some of us are so strongly supporting
4. it.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. May I interrupt just a moment. Senator McCarthy, for what pur-
7. pose do you arise?

8. SENATOR McCARTHY:

9. Well, I...I rise on a point of personal privilege.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. State your point, Senator.

12. SENATOR McCARTHY:

13. The point of privilege is that we are honored here today to
14. have as our guests the wife of our Majority Leader Senator Donnewald,
15. Ruth Donnewald who's over in the aisle, but before the Sergeant-of-
16. Arms is ordered to...to clear the aisles, I'd like to make the
17. announcement that Mrs. Donnewald, Ruth, is celebrating her anniversary
18. of birth today, and I know that all the members join with me in
19. congratulating her on...on being a spouse of a fine leader and also
20. wish her many more happy birthdays, Mrs. Donnewald.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. That's the same anniversary as Senator Bloom only she's much
23. younger. Senator Rock...oh, just...Senator Wooten.

24. SENATOR WOOTEN:

25. Yes, I just wanted to say that that is an excellent exposition
26. and explanation, Senator Rock, and the only thing that bothers me
27. is that the only communications I've had from my area have been
28. against the formation of the commission which leaves me a little
29. puzzled because as you lay it out, it sounds like a very good idea.
30. And that's why I'm in a bit of a quandary about it.

31. PRESIDING OFFICER (SENATOR DONNEWALD):

32. Just a moment, Senator Rock.

33. SENATOR ROCK:

1. Well, I just...that was a question of a rhetorical nature, at
2. least, but I wish to respond to it. Part of the problem has been
3. and...and frankly a lack of understanding, at the second meeting of
4. the Committee on Executive Appointments where we heard a couple of
5. hours of testimony in favor of the bill. Certain persons who are
6. connected in this field and work in the prevention field and are, in
7. fact, part of these community organizations, their fear was, and this is
8. probably the reason why you have not had the kind of response this...
9. this legislation deserves affirmatively. Part of the problem was
10. that the department, I'm sure, with no malice of forethought, left
11. the impression with some of these groups because I've talked, Senator
12. Kenneth Hall, as a matter-of-fact, had two...two religious people in
13. my office, and their question was, and I'm sure the people from your
14. area had the same question, what about the grant money, and the
15. department had left the mistaken impression that somehow if this bill
16. passed and if the commission was created, the grant money would go
17. a awry or be abated altogether, and we have provided for that, and
18. I pointed this out to the group from East St. Louis that the grant-
19. in-aid, the sponsorship of the programs and projects, will follow
20. with the commission so that while the grants now come under the
21. auspices of the Department of Corrections, the...the grant money
22. will in no way be lost and will...will hopefully be better adminis-
23. tered by virtue of this, and we have provided that the grant-in-aid
24. will continue, but the conduit for it will be this commission as
25. opposed to the department.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Well, Senator Wooten, you're time is exhausted, but proceed very,
28. very briefly.

29. SENATOR WOOTEN:

30. Mr. President, I'm sure I've not asked five minutes worth
31. of questions. There have been more than five minutes worth of
32. response.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. That is on your time, Sir.

2. SENATOR WOOTEN:

3. Yes, I see. That's discrimination.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. So be it.

6. SENATOR WOOTEN:

7. I just wanted to be sure then that I heard correctly. This is
8. not a legislative commission. Fine. Thank you.

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Senator Bell.

11. SENATOR BELL:

12. Well, thank you, Mr. President. I stand in opposition to House
13. Bill 199 and I do it somewhat reluctantly, because I've certainly
14. had my battles in the past with the Department of Corrections. So,
15. where generally I'd like to support you, Senator Rock, I think there
16. are a few things that should be brought to the attention of this
17. Body, and I find it a unique circumstance that I, a Senator from
18. Joliet, with roughly a third of the prison facilities in the State
19. in my area and having done battle with the Department of Corrections
20. in the past, and yes, I have tried to work with them in the...in the
21. past and presently am in opposition to House Bill 199, and I think
22. that Director Sielaff's testimony before a committee should be brought
23. to your...attention, fellow Senators. And I'd like to bring up some
24. of the points of his testimony for your consideration. He points
25. out that further fragmentation of State agencies serving children is
26. just plain not good government. The commission structure for operating
27. a human service program has proven in this State as well as others,
28. to be inefficient and in many cases ineffective. This bill raises
29. serious questions and obstacles in the State's ability to implement
30. the Federal Juvenile Delinquency and Prevention Act of 1974. There
31. are very serious and profound issues in relation to the rights of
32. children and the Juvenile Officers Information File. Community based
33. correctional programming necessitates a focus upon the community as

1. a recipient of service. This bill would in effect cause the Depart-
2. ment of Corrections to start from scratch in building a community
3. service program. Indeed this would be an unnecessary duplication
4. of present services. The entire question of the relationship of the
5. State to the development of locally based youth service bureaus is
6. ignored in this bill, and is an issue that must be addressed. And
7. contrary to the fears of some law enforcement officials, the defeat
8. of House Bill 199 will not eliminate the Juvenile Officers Informa-
9. tion File as this file is specifically, as Senator Rock has pointed
10. out, line itemed in the Fiscal Year of '76 appropriation for the
11. Department of Law Enforcement, and thus, would remain where it has
12. been and where it is most appropriate. This bill provides preferen-
13. tial treatment to one private sector agency and ignores a number of
14. other private child welfare agencies who have demonstrated effective
15. community service throughout the years. Now, I think these are
16. cogents...cogent remarks on the part of Director Sielaff's before the
17. committee hearing testimony in reference to this bill. Might I point
18. out that there is a long list of people that were wanting to support
19. Director Sielaff's point of view that House Bill 199 ought to be
20. defeated. I notice my time has run out, and that five minutes can
21. go awfully fast, but I would suggest that we vote No on 199.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Glass.

24. SENATOR GLASS:

25. Thank you, Mr. President. The dialogue has been excellent on
26. this bill, and Senator Rock's explanation has been good also. But
27. I want to get right to the heart of your point, Senator Rock, which
28. I understood to be that the functions of rehabilitation and correc-
29. tions on the one hand belong in the Department of Corrections, but
30. that this commission would concentrate on prevention. I...I have
31. been looking through some of the literature we...we received on this,
32. and one of the points in opposition to your bill is that the new
33. Juvenile Justice and Delinquency Prevention Act of 1974, enacted by

1. the United States Congress, mandates that the State set up a singu-
2. lar planning and service delivery agency to encompass both correc-
3. tional programs for youth and delinquency prevention, and it's my
4. understanding that they tie Federal funding to such a State agency.
5. Now, philosophically, are you saying that they are wrong, and...and
6. what about the Federal funding?

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Senator Rock.

9. SENATOR ROCK:

10. Well, the question of the Federal funding was, in fact, brought
11. up in committee, and I did pursuant to Senator Bell's recapitulation
12. of Director Sielaff's testimony and your question, I...I did ask
13. him about that, and there is no reason, in my judgement, at least.
14. He would...he would have one believe that the only purported reci-
15. pient of that...of the Federal funds when and if they are available,
16. would be the Department of Corrections. I am of the belief that this
17. commission can, in fact, will qualify under...under those Federal
18. guidelines because the bill does call for persons to be appointed
19. by the Governor, in response to Senator Wooten's question, persons
20. appointed by the Governor so it's an executive commission, who are
21. knowledgeable in the prevention of delinquency and the treatment of
22. delinquents. So, I'm not saying, frankly, that...that once...once
23. a child is adjudicated a delinquent that then he becomes the chattel
24. of the Department of Corrections and the...the commission will have
25. ...no longer have anything to do with him. Quite the contrary, what
26. ...what we're focusing on is that the Department of Correction's
27. primary focus as a matter of philosophy is parole and rehabilitation.
28. Where the primary thrust of this commission is and is intended to be
29. the prevention of delinquency, however, once the...once a youth is
30. adjudicated delinquent, the commission will still operate in...in attempt
31. in foster programs to help that already adjudicated delinquent.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senator Glass.

1. SENATOR GLASS:

2. Well, I...I appreciate your dialogue...I...I want to be sure
3. I get an answer to the question though that the Federal...the Congress
4. seems to be recommending that we do not separate those two functions.
5. The...the prevention of delinquency and...and the correction and...
6. and rehabilitation function, and that that stay within one agency.
7. Do you disagree with that? I mean is that the thrust of your bill?
8. You don't...you don't think they are correct on that assumption?

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Senator Rock.

11. SENATOR ROCK:

12. Well, I frankly have not seen the...the bill as...as it will
13. be coming from the Congress. I do...what I disagree with is the fact
14. that by this type of commission that we will somehow become ineligible
15. for these funds. I think the commission can and intends to and will,
16. in fact, work closely with the Department of Corrections on their
17. mutual problems. What I am saying is that the Department of Correc-
18. tions has, in fact, been...unable to deal adequately with the question
19. of...of prevention of juvenile delinquency. The primary thrust of
20. this commission will be that task and that the...the correlation of
21. the rehabilitation and...and after conviction services will be left
22. to this executive commission in conjunction with the department.

23. PRESIDING OFFICER (SENATOR DONNEWALD):

24. Senator Dougherty.

25. SENATOR DOUGHERTY:

26. Thank you, Mr. President. I am in complete agreement with
27. everything that Senator Rock has said in his explanation of the bill
28. and he's done an excellent job. However, I would like to remind some
29. of the people down here that there's some people that have been
30. around for a long time and particularly in this area. I'm reminded
31. that...of the biblical admonitions going to back to Sialaff and the
32. others that...for Abraham was I am. This has been with us for a
33. long time. In the early thirties, Dr. Clifford Shaw of the University

1. of Chicago became real interested in a...in the problems that are
2. facing the youth...the young people of America today, and he founded
3. this organization and he set it up in my district, what is now my
4. district, and he set up a program at the Residence Square Park which
5. is a park operated by the Chicago Park District and St. Michael's
6. Boys Club which was an ecumenical group of people gathered together
7. to get these first offenders even if they were truants, and to dis-
8. charge them out and...put them on the road to juvenile delinquency
9. and the prevention thereof. They have done an excellent job. Down
10. through the years, they've worked with community leaders everywhere
11. throughout the...particularly in Chicago, and they've done a remarkable
12. job. They've set one up on the west side, and these programs worked
13. very well for years, and it was...it would be to destroy the concept
14. of community participation of these programs is entirely wrong. We
15. are not destroying it. We are supplementing it by virtue of this
16. commission. This is excellent legislation. I believe it should be
17. passed. We have worked long and hard in my particular area,
18. since 1932. Out of this area under the sponsorship of the former
19. President Pro Tem and, my predecessor, Judge Walker Butler, in an
20. effort to implement, they set up the youth commission, but somehow
21. or other the bureaucracy decided that this was not the method of
22. doing it we would put it on a state-wide basis. I want to remain in
23. the community where we know our people and the people know us. I'm
24. referring to the people here who work in these programs, and they do
25. an excellent job, and I would suggest to my colleagues that this an
26. excellent bill that should be approved of.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Senator Newhouse.

29. SENATOR NEWHOUSE:

30. Thank you, Mr. President and Senators. I agree with Senator
31. Dougherty in pointing out the very personalized kinds of services
32. that are available to some extent, and I would remind the Senators
33. in this Body that the volatile nature of juvenile delinquency parti-

1. cularly in urban centers is such that it requires absolutely the
2. closest kind of contact between worker and juvenile. It requires
3. the absolutely closest kind of contact between those who are in
4. decision-making power and those who must execute. During the past
5. several years, there has been a good deal of difficulty in simple
6. communication between those two parties, those two parties that will
7. determine whether or not we do rescue children at an early age and
8. make them into responsible citizens. The fact is we're talking now
9. about the kind of institution, the kind of organization, if you will,
10. that can be responsive on the closest kind of level. Most of those
11. here in this Body stand for the proposition that the best kind of
12. government is the closest kind of government. That same situation
13. would obtain in the case of juvenile delinquency. We must have that
14. nexus, that connection between those who understand the problem
15. and must do the work and those who are in need of services. It's
16. for this reason that it becomes necessary to...to propose a commission
17. such as this. I think that most of us are opposed to the creation
18. of commissions, and certainly, to the...to the creation of commissions
19. that have no real connection with the job it was set out to do. It's
20. absolutely incumbent upon this Body, and it's imperative that we
21. to the earliest and to the greatest possible extent, rescue
22. those youngsters who are in an environment where problems do arise,
23. where there is a good deal of temptation, to put them on the right
24. road, to...place closest to them those workers who can help resolve
25. the problems. That's what this bill is intended to do. I think
26. it's a good bill. It should be passed.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Senator Rock may close the debate.

29. SENATOR ROCK:

30. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
31. I will just briefly reiterate that this House Bill 199 would, in
32. fact, create a Juvenile Prevention...Juvenile Delinquency Prevention
33. Commission, fifteen members, it's an executive commission to be

1. appointed by the Governor. I...I think the discussion has been full
2. and fair, and I would seek a favorable roll call.

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. The question is shall House Bill 199 pass. All those in favor
5. vote Aye. Those opposed No. The voting is open. Have all those
6. voted who wish? Have all those voted who wish? Take the record.
7. On that question, the Ayes are 46, the Nays are 9, 1 Voting Present.
8. House Bill 199 having received a constitutional majority is declared
9. passed. House Bill 1450, Senator Netsch. You wish to call...read
10. the bill.

11. SECRETARY:

12. House Bill 1450.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Senator Netsch.

17. SENATOR NETSCH:

18. Thank you, Mr. ...thank you, Mr. President. As amended, this
19. bill has to do with the testing for venereal disease, and specifically,
20. for syphilis. It...there has always been in the statutes a provision
21. that allowed a marriage certificate to be issued even when someone
22. tested positively. Previously, that had to go to the State Depart-
23. ment of Public Health, which was far removed from the scene of the
24. test and also from any knowledge about the treatment or the circum-
25. stances of the particular incident. The department felt that it...
26. it's own experience over a period of years indicated that this was
27. no longer serving any function, and they would feel much more confi-
28. dent that the requirement of the law was being properly administered
29. if they could rely on the certificate of a physician who was directly
30. involved in the testing. The bill was amended to reflect a concern
31. that had been raised by Senator Moore so that it is very limited in
32. that respect. That is it provides simply that where the testing for
33. syphilis is nevertheless positive, it's still possible to issue a

1. certificate if the certifying physician indicates that there is
2. no danger at all. I might say that...that one reason for this is
3. that in the case of someone whose parents, for example, had syphilis
4. although that person is noncommunicable with it and in no danger
5. whatever, the...the child may, in fact, test positive for the rest
6. of his life. In that circumstance as well as some others, there's
7. no reason to deny the marriage certificate, but it needs to be con-
8. trolled by someone who was familiar with the circumstances of the
9. case. I'll be happy to answer any questions. I think Senator David-
10. son has some.

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. Senator Davidson.

13. SENATOR DAVIDSON:

14. Mr. President and members of the Senate, this bill had been
15. in a agreed bill list, and yesterday, due to the information that
16. was erroneous was given to me, I had objected and requested it taken
17. off so we could debate it. The information was erroneous. I now
18. rise in support of this bill, and this is a good bill and it solves
19. the problem at a local level that doesn't have to be passed through
20. the bureaucratic procedure here in Springfield, the Department of
21. Public Health.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Berning.

24. SENATOR BERNING:

25. I'd like to ask a question of the sponsor since she...

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. She indicates...

28. SENATOR BERNING:

29. ...apparently is knowledgeable in this field.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. She indicates she will yield.

32. SENATOR BERNING:

33. My question merely is this. If...if we are going to...we are

1. going to relax somewhat the requirements, if we are going to relax
2. somewhat these restrictions, and I'm inclined to agree that we
3. ought to since it's difficult to tell anyone whether they can marry
4. or not. Today they don't anyway. But where there is a positive test,
5. would it not be appropriate, Senator, to at least suggest in such
6. legislation as this that the positive test individual be, if not
7. mandated, requested to appear for periodic examinations which would
8. perhaps then prevent a development of active cases...

9. PRESIDING OFFICER (SENATOR DONNEWALD):

10. Just...just a moment. Just a moment, Senator. Would the
11. door keeper and the Sergeant-at-Arms please keep the aisle on the
12. west side clear, both sides as far as that goes. The Sergeant-at-
13. Arms clear that aisle please. The noise is overwhelming. Proceed,
14. Senator Berning.

15. SENATOR BERNING:

16. My...my question has to do solely with public health and the
17. implications which can be inferred as a result of this kind of legis-
18. lation. I'm going to support the bill, but my question merely has
19. to do with the advisability of requiring some kind of periodic follow-
20. up where there was or is an indication of latent infection. It seems
21. to me this can always become active and steps to protect society by
22. establishing the activation of the virus ought to be considered, it
23. seems to me.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. Senator Netsch.

26. SENATOR NETSCH:

27. For the sake of the record and my honor, I first deny your
28. premise, Senator Berning, and then I will proceed to answer the
29. question. There actually there is not a lessening of the standards
30. involved in this amendment to the Act. I think in...in one way, it
31. actually is a tightening of the standards, because under the previous
32. law, it was possible for the marriage certificate to be issued to
33. anyone who tested positive on any venereal disease. Now, as we have

1. rewritten it, it is possible only in the case of syphilis, and that
2. is because of this particular characteristic, that is that it does
3. remain a positive test even though the case has long since and...and
4. may actually never have existed. I would say also that I think it
5. is possible for the...what you have suggested to be part of the rules
6. promulgated by the Department of Public Health. You'll notice in
7. the amendment that the department does have the power to set up the
8. standards under which the certificate can be issued, and it would
9. be possible to include that and finally I would just say that the
10. department's own experience, and the reason why they requested this
11. piece of legislation is that all of the cases, virtually all of the
12. cases, in which a certificate was being recommended, a marriage cer-
13. tificate, there...the person had...in fact, been under intensive
14. care and/or treatment. So, that they found that their involvement
15. was really kind of a useless gesture at that point.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. Is there further debate? The question is shall House Bill 1450
18. pass. Those in favor vote Aye. Those opposed No. The voting is
19. open. Have all those voted who wish? Take the record. On that
20. question, the Ayes are 42, the Nays are none. House Bill 1450 having
21. received a constitutional majority is declared passed. 1453, Senator
22. Harber Hall. Read the bill.

23. SECRETARY:

24. House Bill 1453.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Senator Harber Hall.

29. SENATOR HALL:

30. Mr. President and Senators, this bill amends the County Act in
31. respect to certain rights that counties may do. This particular
32. authorization provides that in the case of appointing members to
33. fire protection districts, those members in counties that have districts

1. that more than one county are involved in, the appointment of the
2. trustees will be done by the county boards. This is one of a series
3. of bills that will eliminate the need for members of the General
4. Assembly to make these appointments. It's something that we've all
5. considered, I know. I hope that we can pass the rest of these bills
6. that are on the agreed Calendar. For some reason, this one isn't.
7. I solicit your support for it individually.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. Senator Graham.

10. SENATOR GRAHAM:

11. The Senator from the 2nd District is the reason this is not
12. on the agreed bill list. I'd like to explain to you why. For those
13. in the downstate counties, this sounds real good. For those of us
14. in the northern suburban counties where we have fire protection districts
15. lying within three counties including the County of Cook who may not
16. have by the virtue of the boundaries the most area in the district,
17. they nevertheless would be empowered under this bill to appoint our
18. fire district trustees. I think it is an inconceivable thing for us
19. to foist off onto the people in the suburban areas the right of some
20. larger county to appoint their trustees, the county seat from which
21. nobody gives a darn what happens out there, and I think that this
22. bill with this respect and with the idea that the fire districts
23. are opposed to this in the country towns, I would think that either
24. Senators Nimrod and/or Berning would join with me in opposition to
25. it and perhaps Senator Nimrod might get up an amendment to strike
26. the enacting clause. This is a bad piece of legislation.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Is there further debate? Senator Harber Hall.

29. SENATOR HALL:

30. Mr. President, I for the first time recognize the problem with
31. this bill and the Senator who just spoke, and I would like to have
32. it taken from the record.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Take it from the record. Senator Mitchler, for what purpose
2. do you arise?

3. SENATOR MITCHLER:

4. Mr. President, I'd like to rise on a point of personal privilege.

5. PRESIDING OFFICER (SENATOR DONNEWALD):

6. State your point.

7. SENATOR MITCHLER:

8. In the rotunda on the first floor, we've had some inquiry about
9. the performers. In the City of Springfield today, the Fox Valley
10. Twirlers from Aurora and the surrounding area have come to Spring-
11. field, and during the noon hour, they're going to be performing their
12. square dancing ability. and later on, they'll be introduced to this
13. ...this State Senate. But they're down there performing, and those
14. of you that would like to look over the rail and in between the
15. voting, take a look. They're very colorful and very talented, and
16. we certainly welcome them to the State Capitol. Thank you.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. How about the bump? The House Bill 1465, Senator Harber Hall.
19. Senator Harber...read the bill.

20. SECRETARY:

21. House Bill 1465.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR DONNEWALD):

25. Senator Harber Hall.

26. SENATOR HALL:

27. This bill relating to counties provides that one of the rights
28. of counties is to acquire and hold title to real property partly in
29. the county and partly within another county. This is done often times
30. in cases of recreation areas. This particular amendment to that
31. right of counties provides that the county may employ people to police
32. that particular area, and...so that they can enforce the peace within
33. the area. It gives them minor police powers, therefore, in the...at

1. the county level. I think it's a good bill. I don't know of any
2. objection to it. I solicit your support.

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Is there further debate? The question is shall House Bill 1465
5. pass. All those in favor vote Aye. Those opposed No. The voting
6. is open. Have all those voted who wish? Take the record. On that
7. question, the Ayes are 43, the Nays are none, 3 Voting Present. House
8. Bill 1465 is declared passed. House Bill 1468, Senator Harris. Read
9. the bill.

10. SECRETARY:

11. House Bill 1468.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Senator Harris.

16. SENATOR HARRIS:

17. As a result of the amendment adopted in the committee, the
18. designation on the Calendar is not descriptive of what this bill
19. now does. The bill just adds to the no passing area defined in the
20. Motor Vehicle Code - school zones in unincorporated areas. It cures
21. the problem that I have in my district, those residents, and also
22. that Representative Washburn has also on 47 in Grundy County. The
23. bill simply does that. It adds the definition into that section in
24. the Motor Vehicle Code of no passing zones, school zones in unincor-
25. porated areas. I would appreciate a favorable roll call.

26. PRESIDING OFFICER (SENATOR DONNEWALD):

27. Is there further discussion? The question is shall House Bill
28. 1468 pass. Those in favor vote Aye. Those opposed No. The voting
29. is open. Have all those voted who wish? Take the record. On that
30. question, the Ayes are 37, the Nays are 6, 3 Voting Present. House
31. Bill 1468 having received a constitutional majority is declared
32. passed. House Bill 1469, Senator Rock. Read the bill.

33. SECRETARY:

1. House Bill 1469.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. Senator Rock.

6. SENATOR ROCK:

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

8. House Bill 1469 was sponsored in the House by Representative Leon,

9. who is the Chairman of their Committee on Banks and Savings and Loans,

10. and this is an amendment to the Illinois Interest Act with respect to

11. allowable charges, and I want to point out as I did in the committee,

12. the Senate Committee on Finance, that this has nothing whatever,

13. nothing whatever to do with the Illinois Usury Act. This concerns

14. it, and as a matter-of-fact, it came out of that committee unanimously.

15. This concerns itself with making available to the State of Illinois

16. some sixty-seven million dollars in Federal funds under an Act passed

17. by the Federal Government called the Emergency Home Purchase Assistance

18. Act of 1974. There is, as I said, some sixty-seven million dollars

19. allocated to the State of Illinois if, in fact, we can and...and are

20. successful in passing this legislation, and what it says is that in

21. the case of any loan made pursuant to the provisions of this Emergency

22. Home Purchase Assistance Act of 1974. In addition to the matters

23. referred to in Paragraphs A and B of this Section, all charges required

24. or allowed by the Government National Mortgage Association whether

25. designated as processing fees, commitment fees, loss reserve, and

26. marketing fees discounts, originating fees or otherwise designated

27. shall not be counted in. In fact, there was testimony that the...the

28. points are about four and a half. This has, again I can only reem-

29. phasize, this has nothing whatever to do with the Illinois Usury

30. Act. It...it just says that these charges shall not be counted in

31. as interest, and I would urge a favorable vote.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senator Merritt.

1. SENATOR MERRITT:

2. Yes, Mr. ...Mr. President and members of the Senate, what Senator
3. Rock has said is exactly true. It did pass out of our committee with-
4. out a dissenting vote, and I would urge members from both sides of
5. the aisle to support it.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Senator Carroll.

8. SENATOR CARROLL:

9. As part of the group, Mr. President, that usually speaks on
10. this matter, I rise in support of this legislation. I think this
11. is a very good way in which we can provide mortgage money in the State
12. of Illinois. The interest rate charged on this Federal program is
13. substantially less than what is now being charged throughout our State,
14. even with these added costs, it would still come out at monies at
15. lower costs to the citizens of Illinois. I think this is a fine way to
16. go, and I would urge everybody on both sides of the aisle to support
17. this legislation.

18. PRESIDING OFFICER (SENATOR DONNEWALD):

19. Is there further debate? The question is shall House Bill 1469
20. pass. All those in favor vote Aye. Those opposed No. The voting
21. is open. Have all those voted who wish? Have all those voted who
22. wish? Take the record. On that question, the Ayes are 53, the Nays
23. 1, 1 Voting Present. House Bill 1469 having received a constitutional
24. majority is declared passed. House Bill 1480, Senator Lane. Read
25. the bill.

26. SECRETARY:

27. House Bill 1480.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER (SENATOR DONNEWALD):

31. Senator Lane.

32. SENATOR LANE:

33. Thank you, Mr. President, members of the Senate. House Bill 1480

1. increases the maximum tax rate limitation for township and district
2. roads with referendum approval. We had no opposition in committee,
3. and I urge your favorable response. Thank you.

4. PRESIDING OFFICER (SENATOR DONNEWALD):

5. Is there further debate? The question is shall House Bill 1480
6. pass. Those in favor vote Aye. Those opposed No. The voting is
7. open. Have all those voted who wish? Take the record. On that
8. question, the Ayes are 54, the Nays are none. House Bill 1480
9. having received a constitutional majority is declared passed. House
10. Bill 1487, Senator Savickas. House Bill 1492, Senator...Senator
11. Dougherty.

12. SECRETARY:

13. House Bill 1492.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. Senator Dougherty.

18. SENATOR DOUGHERTY:

19. Thank you, Mr. President. House Bill 1492 is the exact dupli-
20. cate of Senate Bill 791 that passed out of here some months ago.
21. This merely applies to the appointment of deputy officers in various
22. departments within the...within the Sanitary District. It's designed
23. and affiliated with the Civil Service, and has the approval of the
24. Civic Federation. I ask for a favorable roll call.

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. Is there further discussion? The question is shall House Bill
27. 1492 pass. Those in favor vote Aye. Those opposed No. The voting
28. is open. Have all those voted who wish? Take the record. On that
29. question, the Ayes are 52, the Nays are none. House Bill 1492 having
30. received a constitutional majority is declared passed. Senator Daley,
31. for what purpose do you arise?

32. SENATOR DALEY:

33. A point of personal privilege, Mr. ...

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. State your point.

3. SENATOR DALEY:

4. Mr. President and fellow Senators, I would like to introduce a
5. group of ladies from my ward organization. Under the fine direction
6. of precinct captains from the 11th Ward Democratic Party, Janey
7. Bailey, Mary Taylor, Harriet White and Luella Butler, who are fine
8. Democratic representatives of our organization, the fine ladies from
9. our ward.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Would they please rise and be recognized. House Bill 1494,
12. Senator McCarthy. Read the bill.

13. SECRETARY:

14. House Bill 1494.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. Senator McCarthy.

19. SENATOR McCARTHY:

20. Yes, Mr. President, House Bill 1494 amends the Juvenile Court
21. Act. It defines physical abuse and provides that when the court
22. rules that the minor is a neglected independent and judges him a ward
23. of the court, the court shall enter a finding as to whether or not
24. the minor received physical abuse from his parents, custodian, or
25. guardian. It provides that the court further shall not return the
26. child where there...there is a finding of physical abuse through his
27. parents, custodian or guardian, and until that person seeking custody
28. shows by clear and convincing evidence that, number one, additional
29. physical abuse to the minor is not likely to occur in the future,
30. and two, that it's the best interest that the minor be returned to
31. the custody of such persons. It's similar to Senator Kosinski's
32. Senate Bill 28 which passed earlier in the Session. It was passed
33. out of the Senate Judiciary Committee with the unanimous vote.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Is there further discussion? Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
5. I rise in opposition to House Bill 1494. It's always a little diffi-
6. cult around here to rise in opposition to matters concerning them-
7. selves with child abuse. However, the membership will recall that
8. we did, in fact, pass Senate Bill 28, which is back from the House
9. with a technical amendment. It's sitting on the Secretary's Desk
10. for concurrence. Additionally, we passed Senate Bill 525, which
11. greatly expanded the definition of physical abuse, and I would point
12. out as Senator Fawell pointed out with respect to 525, that this is
13. an amendment to the Juvenile Court Act definition of physical abuse.
14. And I do not think, as a matter-of-fact, I know it is not in con-
15. formity with the guidelines issued by the Federal Department Health,
16. Education and Welfare. I think the definition is...is frankly much
17. too broad, much too general, and I think that by virtue of passage of
18. both Senate Bill 28 and...and Senate Bill 525 which, is I understand,
19. at passage stage in the House that...that we have adequately, more
20. than adequately, we will, in fact, I was just reminded the other day,
21. I read for one of the few times I do read it, a paper from Quincy in
22. which the Missouri Senate had indicated that they had the finest child
23. abuse law in the nation, and the only reason they have is that they
24. copied ours exactly and were able to pass it before we got ours to
25. the Governor's Desk. I think at this point to attempt to expand the
26. definition is just, frankly, premature, unwarranted, and ill-advised.
27. So, I would urge that we abstain from voting on 1494 or vote No.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. Is there further debate? Senator McCarthy may close the debate.

30. SENATOR MCCARTHY:

31. Yes, Mr. President, I...I am a person that believes that this
32. legislation that's here before the Body, and I also believe in the
33. principle of party affiliation meaning something and that the

1. strength of the two party system...he opposes...interdisciplinary
2. goals of conduct upon the parties so that when they do act, they
3. act meaningfully, in behalf of the people that have nominated them
4. in the Primary. And I know if Senator Rock and I both agree that
5. way, and he and I have a perhaps a disagreement here, but I think
6. that Angeline Geo-Karis, the Respresentative, who came over here and
7. testified before the...the Senate Judiciary Committee. She said this
8. bill contains not a good definition of child abuse, but Angeline
9. Geo-Karis, State Representative, says that the definition of child
10. abuse in 1494 is without question the best definition of child abuse
11. in the United States and she didn't limit it to the United States.
12. She said it was a precise, superb definition of child abuse.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Rock, for what purpose do you arise?

15. SENATOR ROCK:

16. Well, on a point of personal privilege, I guess...

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. State your point.

19. SENATOR ROCK:

20. ...as...as one who also firmly and solemnly believes in party
21. affiliation, I have frankly no...no compunction about voting against
22. Representative Borchers's bill, and the fact that it was shored up
23. or...or not shored up by testimony from Representative Geo-Karis, who
24. is also of the opposite party, does not sway me in one width. I
25. think that the Democratic Party, as a matter of principle, should be
26. behind branch banking, and so...I...I would...I would again rise in
27. opposition to House Bill 1494.

28. PRESIDING OFFICER (SENATOR DONNEWALD):

29. The question is shall House Bill 1494 pass. Those in favor
30. vote Aye. Those opposed No. The voting is open. Have all those
31. voted who wish? Take the record. On that...on that question, the
32. Ayes are 30, the Nays are 13, 5 Voting Present. House Bill 1494
33. having received a constitutional majority is declared passed. House

1. Bill 1509, Senator Course. Read the bill. Senator Graham.

2. SENATOR GRAHAM:

3. I might save a little trouble. Senator, if the President would

4. allow you to...to come back to this shortly, I'd like to talk to

5. you about a possible amendment for it, and then we'll return.

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Do we have leave to return to this...

8. SENATOR GRAHAM:

9. See Senator Course, I don't want to delay him.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. ...this bill, 1509? Leave is granted.

12. SENATOR GRAHAM:

13. Come back as soon as...come back to it then as soon as we

14. have our conversation.

15. PRESIDING OFFICER (SENATOR DONNEWALD):

16. Alright. Take it out of the record. 1512, Senator Glass.

17. Read the bill.

18. SECRETARY:

19. House Bill 1512.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Glass.

24. SENATOR GLASS:

25. Thank you, Mr. President and Senators. Senate Bill...rather

26. House Bill 1512 as amended would establish an Energy Labeling Act

27. which would require the placing of the energy consumption labels

28. on the specified appliances. This is a practice that is now under

29. Federal regulation, and it is voluntary. The bill would involve the

30. ...the placing of labels that is consistent...that are consistent with

31. what the Federal Government now specifies. They would disclose to

32. the public the energy consumption and energy efficiency...of appliances.

33. We had support for the bill from the industry in the amended form

1. and I would urge a favorable roll call.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Senator Bell.

4. SENATOR BELL:

5. Yes, I'd like to ask the sponsor of the bill a question, Mr.

6. President.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. He indicates he'll yield.

9. SENATOR BELL:

10. Senator Glass, my analysis of the bill indicates that there

11. is, in fact, as not yet any Federal legislation. You spoke as if

12. there is presently Federal legislation on this.

13. PRESIDING OFFICER (SENATOR DONNEWALD):

14. Senator Glass.

15. SENATOR GLASS:

16. Senator Bell, I described the Federal requirement as voluntary,

17. that is the appliance manufacturers may put the energy efficiency

18. information on the appliances. What I said was that the bill would

19. ...would call for the same type of labeling. It would not be volun-

20. tary. It's correct. The...the Illinois law would require these on

21. ...on the specified appliances.

22. PRESIDING OFFICER (SENATOR DONNEWALD):

23. Senator Bell.

24. SENATOR BELL:

25. Well, I'd like to, Mr. President, rise in opposition in reference

26. to House Bill 1512, and I do it reluctantly in reference to my

27. friend, Senator Glass, but sometimes philosophically, we're...we're

28. oppos'd. I...

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. Just a moment. The noise level has risen appreciably. Would

31. the members be in their seats. Proceed.

32. SENATOR BELL:

33. I should point out that...that the...if there are going to be

1. pre-emptive type of Federal regulations in reference to placing of
2. labeling on energy type items, that I think it's duplicative and...
3. and adds to the bureaucracy of State Government, and getting into an
4. area that's already is being tied up in Federal legislation and
5. Federal bureaucracy. It's a waste of the taxpayer's money to ask
6. business and economic development in Illinois to have to require them
7. to see that...that such labeling is done. It seems to me that...that
8. we should let the Federal program proceed, that we shouldn't, in
9. fact, harrass business in Illinois if...if, in fact, a Federal program
10. is on a voluntary basis. Maybe they're telling us something, but
11. for Illinois to go into making this a mandatory thing where the Federal
12. program is voluntary, that means that those products that are sold
13. in Illinois have to have a further bureaucracy checking them out to
14. see that they meet those particular guidelines that...whatever we
15. may want to impose upon them. This is antibusiness, and I'm not
16. rising here saying that...that that's necessarily bad, but I am saying
17. that we've got enough laws in Illinois and some coming out of this
18. General Assembly and some likely to be acted upon that will cause
19. very likely business to leave the State of Illinois to go to those
20. States that have lower taxation that treat them in a manner that is
21. better from the standpoint of getting products produced. Therefore,
22. it means, Mr. President and members of this Senate, that we're going
23. to add to the burden of the possible job losses that will probably
24. come about in the next few years in Illinois. Illinois has been a
25. great State economically, but we're fast moving into the situation
26. where we're not going to continue in that capacity. It's my feeling,
27. Mr. President, that this type of legislation should best be left at
28. the Federal level, should not be imposed at the State level, and I
29. would ask that we remember that jobs in Illinois have got to be pre-
30. served and that we should encourage rather than through legislation
31. to that particular situation. I urge a No vote.

32. PRESIDING OFFICER (SENATOR DONNEWALD):

33. Senator Mitchler.

1. SENATOR MITCHLER:

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

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. He indicates he'll yield.

5. SENATOR MITCHLER:

6. Senator Glass, I note that this is to be administered by the
7. Division of Energy in the Department of Business and Economic
8. Development, and that the division shall periodically publish speci-
9. fication for appliance energy labels, and that these labels should
10. essentially be in the same form as the labels by the Secretary of
11. Commerce of the United States. Now, how often and who are these
12. people, this Division of Energy, and what expertise do they have in
13. drawing up these specifications for appliance energy labels?

14. PRESIDING OFFICER (SENATOR DONNEWALD):

15. Senator Glass.

16. SENATOR GLASS:

17. Thank you, Mr. President. Senator Mitchler, the Division of
18. Energy in the Department of Business and Economic Development is a
19. relatively recent addition to that department. And the Illinois
20. Resources Commission only yesterday, we had a presentation made by
21. that division, and I think in addition to the work they're doing on
22. ...in the conservation area, they would be well qualified to publish
23. these energy consumption readings. I would point out to you that
24. they are the same as prescribed by the Federal Government so that
25. it doesn't take any particular expertise in that regard, and...and
26. so that...that be my answer.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Thank you, Senator Glass. If we do not have those in the
31. division now, it'll mean hiring new employees, and as you pointed
32. out, this division is a newly created division. Another bureaucratic
33. and bureaucracy costing the taxpayer more money, designed to employ

1. people that can go out and harrass private industry, business, cause
2. the consumer to be more confused than they are now, and just to en-
3. large on this what I term a crisis in energy that's created by
4. bureaucracy. Now, these people will be employed. They...they won't
5. know any more about what type of label they put on a toaster or a
6. water heater, but all they'll be doing is taking some so-called expert
7. from Washington, they're coming out of the Department of Commerce
8. and accepting that and transmitting that upon the people of the State
9. of Illinois, particularly the manufacturers of these appliances that
10. will come under these...this Act. Now, mind you, you harrass industry
11. and private enterprise in this State enough, and they'll go over to
12. Iowa, Wisconsin, Missouri and other States to locate, and you know
13. who's going to pay for these little labels that they have to put on
14. and all the research and the compliance, the consumers. And again,
15. you're adding to the cost of the product, and if you want to know
16. what causes inflation, it's legislation like you're sponsoring right
17. now, and this bill ought to go down in defeat quick.

18. PRESIDING OFFICER (SENATOR ROCK):

19. I have a list here. Senator Soper.

20. SENATOR SOPER:

21. The sponsor answer a question.

22. PRESIDING OFFICER (SENATOR ROCK):

23. He indicates he will yield.

24. SENATOR SOPER:

25. Senator, does this deal only with articles that are manufactured
26. in the State of Illinois?

27. PRESIDING OFFICER (SENATOR ROCK):

28. Senator Glass.

29. SENATOR GLASS:

30. Senator, the...the bill deals with appliances defined in the
31. Act and it...it would apply to...to those sold in Illinois, yes.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Soper.

1. SENATOR SOPER:
2. Sold or manufactured in Illinois?
3. SENATOR GLASS:
4. Under Section 4...
5. PRESIDING OFFICER (SENATOR ROCK):
6. Senator Glass.
7. SENATOR GLASS:
8. ...of the bill, it provides that...what it involves is offers
9. for sale, sells appliances at retail.
10. PRESIDING OFFICER (SENATOR ROCK):
11. Senator Soper.
12. SENATOR SOPER:
13. In other words, if the appliance is manufactured in...in Wis-
14. consin and it's sent to Illinois, then it has to have this label
15. that you speak of on it?
16. PRESIDING OFFICER (SENATOR ROCK):
17. Senator Glass.
18. SENATOR GLASS:
19. That...that would be correct, Senator.
20. PRESIDING OFFICER (SENATOR ROCK):
21. Senator Soper.
22. SENATOR SOPER:
23. Now, what...if the...if the article does not have the label on
24. it, what...what are the penalties?
25. PRESIDING OFFICER (SENATOR ROCK):
26. Senator Glass.
27. SENATOR GLASS:
28. Any person who violates any provision of this Act is guilty of
29. a business offense.
30. PRESIDING OFFICER (SENATOR ROCK):
31. Senator Soper.
32. SENATOR SOPER:
33. Dollars or what, five hundred dollar fine or take his license

1. away from him or what?

2. PRESIDING OFFICER (SENATOR ROCK):

3. Senator Glass.

4. SENATOR GLASS:

5. I...I can't give you the amount of the fine, Senator, although

6. it is a fine only.

7. PRESIDING OFFICER (SENATOR ROCK):

8. Up to five hundred dollars, I believe, for a business offense.

9. Senator Soper.

10. SENATOR SOPER:

11. That's what I thought. Now, if...if the appliance company

12. doesn't want to put this on, then they can't sell the article and

13. the...and the franchisee or so forth has to close his shop in the

14. State of Illinois. Is that right?

15. PRESIDING OFFICER (SENATOR ROCK):

16. Senator Glass.

17. SENATOR GLASS:

18. Well, I...I suppose under the law they're...they're all required

19. to have the label on, yes. And it applies to any person who regularly

20. offers for sale or sells appliances at retail and invites others to

21. purchase them. Those...those would be the people that have to comply.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Will the Page stop banging the book back there. We're having

24. a hard enough time hearing. Senator Soper.

25. SENATOR SOPER:

26. Yes, thank you, Mr. President. It comes to my mind that if

27. you require this, and...and it's a special label that you're asking

28. to be put on this, and the manufacturer doesn't have that label,

29. then you're going to put this man out of business, and more so, I

30. think that the industry that does manufacture appliances in the

31. State of Illinois have enough trouble at this time without requiring

32. another...another stamp or a label. Now, you take...you take in

33. my district, we have...we have GE, Hotpoint, now moved out of the

1. State, and they're down in Lexington, Kentucky and someplace in
2. Alabama. We had Ce-co Steel move down to Alabama. Now, if we have
3. all of the industry, and we talk about being necessary to have employ-
4. ment in order to save our...our tax base in this State, you're going
5. to move everybody out of this State, and I don't know if you're...
6. whether you're going to raise rabbits and sell them for chicken meat
7. or what, but you're sure not going to help industry and the business-
8. men by this...this sort of thing. I think the Federal Government
9. and the protection of the laboratory people where they're certified
10. and these things are put on, I think we...we've harassed business enough,
11. and I think if you want the free enterprise system, you'll have to
12. heat this or else you'll...you'll have no employment because you
13. won't have anybody to employ them. I think this is a very bad bill.

14. PRESIDING OFFICER (SENATOR ROCK):

15. Senator Egan, for what purpose do you arise?

16. SENATOR EGAN:

17. Mr. President, I rise on a point of personal privilege to
18. announce that we have with us today in the Gallery behind the clock
19. distinguished guests, Mr. and Mrs. Hynes, the parents of our
20. colleague Senator Tom Hynes, and with them his uncle from Gallway
21. County, Ireland, and his Aunt Mary Walsh. If you would rise please
22. and be...recognized.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Will the Hynes' please rise and be recognized. Senator
25. Demuzio.

26. SENATOR DEMUZIO:

27. Well, I can only say that this bill was heard in the Agricul-
28. ture, Conservation and Energy Committee. It came out eight to one.
29. As I recall correctly, it had the support of the Retail Merchants
30. Association after the amendment was offered. I think that quite
31. the contrary to some of the comments that I've heard on the other
32. side of the aisle today, I'd much rather see the State of Illinois
33. be the leader in this particular area rather than looking to the

1. Federal Government like we do to everything else, and I'll support
2. the bill.

3. PRESIDING OFFICER (SENATOR ROCK):

4. Senator Latherow.

5. SENATOR LATHEROW:

6. Thank you, Mr. President. I'd just like to make one very short
7. statement and then ask a question of the Senator. I hesitate very
8. much to think that we're putting the operation of this particular
9. piece of legislation into the hands of a group that this suggests.
10. And I might say to Senator Glass, do you anticipate the rudeness and
11. arrogance and resistance of the law that we have received from the
12. Illinois Energy Commission from this particular division that you're
13. putting that to...that you had with us there?

14. PRESIDING OFFICER (SENATOR ROCK):

15. Senator Glass.

16. SENATOR GLASS:

17. Thank you, Mr. President. Senator Latherow, your question is
18. ...is an appropriate one. We...we have got to change the attitudes
19. of some of the people within that department. It's my belief that
20. they have talented people there, and they're going to have to work
21. with the Legislature, and I...I don't fear putting this authority
22. in their hands. We will continue the oversight over them that...
23. that should be maintained, and I would hope we get some cooperation.

24. PRESIDING OFFICER (SENATOR ROCK):

25. Senator Latherow.

26. SENATOR LATHEROW:

27. Well, I might say I don't think I'm in any position to question
28. their ability, but I want to say that I wouldn't want to see one
29. nickel spent to that outfit over there that has the arrogance
30. that they have and the failure to follow the description of the law
31. and what they're supposed to do.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Egan.

1. SENATOR EGAN:

2. Senator Glass, wouldn't this require that an engineer be in-
3. housed if he performs the functions involved here?

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Glass.

6. SENATOR GLASS:

7. Well, an engineer? I...I don't...I don't think so, Senator.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Senator Nimrod.

10. SENATOR NIMROD:

11. Mr. President, I'd like to ask Senator Glass one question please.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Indicates he will yield. Senator Nimrod.

14. SENATOR NIMROD:

15. Do I understand that the purpose of this bill is to make sure
16. that we do have efficient use of energy of the appliances of which
17. we're trying to label?

18. PRESIDING OFFICER (SENATOR ROCK):

19. Senator Glass.

20. SENATOR GLASS:

21. Well, yes, Senator Nimrod, that...that is an appropriate ques-
22. tion. The purpose of the bill is simply to inform the public about
23. the appliances that they purchase. What the energy efficiency is,
24. and in this...these days of...of energy shortage, certainly, this
25. is the kind of legislation we need. It's not a burden on business,
26. in fact, as it was stated, the Illinois Retail Merchants support
27. the bill and General Electric appeared in support of the bill also.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Well, I...if...if the bill did what you were saying it's
32. supposed to do, I think you'd have a good bill. However, I do want
33. to call your attention to the fact that this bill does a lot more

1. than that, and it is a dangerous bill. It not only takes care of
2. the notice informing the public which it will not doing a very well
3. job, but it does one, three, four other things here. As was said,
4. it will require the cost to go up. The cost will go up because manu-
5. facturers from different States and the appliances are shipped on a
6. nationwide basis, and Senator Soper pretty well covered that, but I
7. think that what we're saying is we're giving this division the authority
8. to adopt regulations which...adopt standard testing procedures. I
9. mind to tell you that they will go into a plant, General Electric
10. or any other plant, and they will set up the procedures. The division
11. then also, it says here, it may require any person who has attached
12. an energy consumption label to present that evidence as testimony
13. and jurisdiction. That means they'll have to come here and provide
14. testimony on all their equipment. In addition to that this division
15. may require that energy test results be submitted by any person in
16. the manner which they prescribe. They are judge and jury, and I
17. want to tell you that this would cause utter chaos and certainly if
18. we look to underwriters, we require people to go and have those kind
19. of tests, the Federal Government under the Occupational Safety and
20. Health Act already requires safety regulations. And they do require
21. certain requirements to be built and incorporated into all of these
22. appliances. Now, suddenly the State of Illinois, if we just turned
23. over the operation of the State jurisdiction to the Federal Govern-
24. ment, now you're trying to get the State Government involved again
25. into regulating those same entities. It's the wrong approach to
26. acquire the...the end in which you seek, and I think what you're doing
27. is building a big bureaucracy to acquire some of the very minor
28. approach. I would hope that you would withdraw this bill, bring it
29. back and do what you want to accomplish, but under its present terms,
30. it would be a very, very bad bill, and certainly, one that I think
31. would cause chaos.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Any further discussion? Senator Glass may close the debate.

1. SENATOR GLASS:

2. Thank you, Mr. President and Senators. I am somewhat surprised
3. with the degree of opposition to the bill which is very much in the
4. interest of the public, in order to inform the consumer what the
5. energy impact is on appliances that he purchases. The labels that
6. are to be affixed to the appliances are those that are already attached
7. on a voluntary basis under specification by the Department of Commerce.
8. It is not an imposition on business, as I indicated with the amend-
9. ment that was put on the bill. It had the support of the Illinois
10. Retail Merchants Association. General Electric at the hearing also
11. indicated support of the bill. It's, as I indicated, it is not a
12. significant imposition on...on business. It's something that will
13. inform the consumer and make...enable him to make a more intelligent
14. analysis of his energy consumption needs and requirements, and I
15. would ask for a favorable roll call.

16. PRESIDING OFFICER (SENATOR ROCK):

17. The question is shall House Bill 1512 pass. Those in favor
18. will vote Aye. Those opposed will vote Nay. The voting is open.
19. Have all voted who wish? Take the record. On that question, the
20. Ayes are 21, the Nays are 27, 1 Voting Present. House Bill 1512
21. having failed to receive a constitutional majority is declared lost.
22. On the order of House Bills on 3rd reading, House Bill 1513. Mr.
23. Secretary.

24. SECRETARY:

25. House...House Bill 1513.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Glass.

30. SENATOR GLASS:

31. Thank you, Mr. President and Senators. House Bill 1513 is a
32. bill that would call for the recycling of waste paper that is generated
33. from our State offices. It would cut down on the production of new

1. paper through the recycling of our old paper, and it would allow
2. the State of Illinois to provide an example to private industry by
3. recycling its own paper. I think it's a good concept and energy
4. saving bill. I would ask for a favorable roll call. I'll be glad
5. to answer any questions.

6. PRESIDING OFFICER (SENATOR ROCK):

7. Any discussion? Senator Bell.

8. SENATOR BELL:

9. Yes, thank you, Mr. President. I'd like to address a few
10. questions to Senator Glass in reference to House Bill 1513.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Indicates he will yield. Senator Bell.

13. SENATOR BELL:

14. Senator Glass, who's going to...who in the State is going to
15. do the recycling?

16. PRESIDING OFFICER (SENATOR ROCK):

17. Senator Glass.

18. SENATOR GLASS:

19. The Secretary of State, Senator Bell, is given that assignment.

20. PRESIDING OFFICER (SENATOR ROCK):

21. Senator Bell.

22. SENATOR BELL:

23. Alright, that being the case, what type of equipment and
24. facilities does the Secretary of State already have? I'd like to
25. know how extensive their operation is, and could their equipment and
26. facilities accommodate all of the State Government without imposing
27. a undue burden on the Secretary of State's Office?

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Glass.

30. SENATOR GLASS:

31. Senator Bell, you were in the committee hearing on this. I
32. don't know that I can...can quote you any specifics on that. The
33. Secretary of State has no opposition to the bill. I don't think it

1. would be a significant impact, and I...I think that it would, as
2. I've indicated earlier, set an example for the State to recycle and
3. reuse its own paper.

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Bell.

6. SENATOR BELL:

7. Well, Mr. President and members of the Senate, again this is
8. a...this is a bill that while it's laudable in purpose and did come
9. out of the committee in which I'm minority spokesman of with a rec-
10. commendation Do Pass. It certainly is not representative entirely
11. of my philosophy in that it mandates...mandates that all departments
12. will participate in this program, and I'm not so sure from the people
13. that I've talked to that the Secretary of State's Office is really
14. geared to be able to handle the volume...the tremendous volume that
15. this would impose upon them. Now, I would also like to point out
16. that this bill was introduced in the 78th General Assembly in the
17. House, and it failed there last year. I don't know what makes it
18. better this year, maybe the times are different, and again, I'd like
19. to reiterate that with my good friend Senator Glass while this
20. represents, you know, motherhood, apple pie, flag and all those kind
21. of good things that there are some cost factors here to be considered,
22. and a imposition of duties on the Secretary of State who is already
23. ...already overloaded with additional duties from legislation passed
24. in this General Assembly. I'd recommend a No vote.

25. PRESIDING OFFICER (SENATOR ROCK):

26. Senator Weaver, for what purpose do you arise?

27. SENATOR WEAVER:

28. Thank you, Mr. President. I think that probably a better
29. solution to this problem would be the elimination of all duplicating
30. equipment in the Capitol complex and then we wouldn't have so much
31. to recycle.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Latherow. Senator Bloom, did you seek recognition? You

1. did not. Senator Mitchler.

2. SENATOR MITCHLER:

3. Mr. President and members of the Senate, I'm reading the Act,
4. and what this would do according to the Act I have before me, require
5. the Secretary of the State and the Department of General Services to
6. collect from all of the various buildings under control of the Secre-
7. tary of State which means the driver's license processing station up
8. in Kane County and different places to pick up this material and to
9. see that it's recycled. Now, there's a lot of coca cola and...con-
10. sumed in both the State House and many of the office buildings around
11. here, both in cans and bottles, and all kinds of waste go into the
12. waste disposal. Now, is this going to be sorted so that you take the
13. glass over from the coca cola bottles and the tin cans from the pepsi
14. cola and so forth and sort this all out and then submit it to the
15. highest bidder. And now let me tell you, right now, if you can dispose
16. of paper to a paper mill, they don't even want it, and you can ask
17. any junk dealer on that because if you're involved in Boy Scouts where
18. they pick this up, they can't even pick it up and dispose of it. You
19. talk to any junk dealer and he can't...he can't dispose of it. So,
20. I...I don't know. I think you're just putting a big burden here.
21. You're going on something that...this recycling of the paper which
22. costs more than the virgin timber in the first place, and don't let
23. this thing about running out of forest lands scare you because they've
24. been in a replenish and reforestration program for many, many years.
25. Bad bill, vote No.

26. PRESIDING OFFICER (SENATOR ROCK):

27. Senator Carroll.

28. SENATOR CARROLL:

29. Thank you, Mr. President. I just received a call from the former
30. member of the Senate, Senator Neistein, who was here when a similar
31. bill to this was being discussed about using recycling for State
32. envelopes. Senator Neistein asked me to ask the following questions,
33. Senator Glass. He wanted to know if we were including the recycling

1. of toilet paper.
2. PRESIDING OFFICER (SENATOR ROCK):
3. Senator Glass.
4. SENATOR GLASS:
5. Paper is not any further defined in the bill, Senator.
6. PRESIDING OFFICER (SENATOR ROCK):
7. Any further discussion? Senator Schaffer.
8. SENATOR SCHAFFER:
9. Well, I...I rise in support of this bill. Frankly, there's probably no group of people in the State that creates more unnecessary paper work and waste than this particular Body and the group across the hall, all those forms we thrust down the throats of the taxpayers with such regularity seems that it's only appropriate that we do something to conserve paper. That way we can probably pass more bad legislation to require more forms so that we'll have more to conserve.
16. PRESIDING OFFICER (SENATOR ROCK):
17. Any further discussion? Senator Nimrod.
18. SENATOR NIMROD:
19. Mr. President, one question of Senator Glass.
20. PRESIDING OFFICER (SENATOR ROCK):
21. He indicates he will yield. Senator...
22. SENATOR NIMROD:
23. This...this bill requires us just to collect and sell the paper to someone else for purpose of recycling. Is that right?
25. PRESIDING OFFICER (SENATOR ROCK):
26. Senator Glass.
27. SENATOR GLASS:
28. It calls, Senator Nimrod, for each building and office used by the State to separate waste paper from other waste and recovery and sale of the waste paper for recycling purposes to the person or firm submitting the highest bid.
32. PRESIDING OFFICER (SENATOR ROCK):
33. Senator Nimrod.

1. SENATOR NIMROD:

2. Okay. When...when that cost of collecting it and selling it
3. exceeds that which we receive, is there anything that stops the
4. program?

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Glass.

7. SENATOR GLASS:

8. No, there is not. It's simply a direction to separate and
9. sell to the highest bidder.

10. PRESIDING OFFICER (SENATOR ROCK):

11. Any further discussion? Senator Glass may close the debate.

12. SENATOR GLASS:

13. Well, thank you, Mr. President. I think that we have become a
14. State and certainly a nation of throw aways. We throw away paper
15. and we throw away used items instead of reusing and recycling them.
16. Now, all of us know that there are mountains of paper produced by
17. State Government. A lot of it is produced by our colleagues, some
18. of whom who...spoke against the bill, and I would only say to you
19. that this is a good approach. It's not a burden of any kind that...
20. that we should reject. It's something that's very reasonable, having
21. paper separated from other kinds of refuse sold to the highest bidder
22. for recycling purposes. It would help the State of Illinois set a
23. good example for all of the people in the State for the recycling of
24. paper and I would urge a favorable roll call.

25. PRESIDING OFFICER (SENATOR ROCK):

26. The question is shall House Bill 1513 pass. Those in favor
27. will vote Aye. Those opposed will vote Nay. The voting is open.
28. (Machine cut-off)...voted who wish? Have all voted who wish? Take
29. the record. On that question, the Ayes are 30, the Nays are 14, 2
30. Voting Present. House Bill 1513 having received a constitutional
31. majority is declared passed. You're second in line. Senator Mitchler
32. has requested a verification. Will all the members please be in
33. their seats. And Senator Chew also requested a verification. Can

1. you and Senator...you and Senator Mitchler want the affirmative
2. and negative or just the affirmative? One time, okay. Senators
3. Chew and Mitchler have requested a verification. Will the Seanators
4. please be in their seats. The Secretary will read the affirmative
5. votes.

6. SECRETARY:

7. The following voted in the affirmative:

8. Bloom, Brady, Bruce, Buzbee, Carroll, Davidson, Demuzio,
9. Donnewald, Egan, Glass, Kenneth Hall, Hickey, Johns, Joyce, Knuppel,
10. Kosinski, Lane, Lemke, McCarthy, Morris, Netsch, Newhouse, Rock,
11. Roe, Schaffer, Sommer, Vadalabene, Welsh, Wooten, Mr. President.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Senator Lemke on the Floor? Take his name from the roll call.
14. Senator Partee is on the Floor. Senator Bruce on the Floor? Take
15. his name from the roll call. Senator Glass. Senator has requested
16. that the matter be placed on the order of Postponed Consideration.
17. So ordered. On the order of House Bills on 3rd reading. The order
18. of House Bills on 3rd reading. House Bill 1518, 1518. Mr. Secretary.
19. Senator Donnewald.

20. SENATOR DONNEWALD:

21. Yes, Mr. President, I would ask leave of the Body to return
22. House Bill 1518 to the order of 2nd reading. Do I have leave?

23. PRESIDING OFFICER (SENATOR ROCK):

24. Senator Donnewald requests leave to return 1518 to the order
25. of 2nd reading for purpose of amendment. Is leave granted? Leave.
26. So ordered. On...on the order of House Bills on 2nd reading. House
27. Bill 1518.

28. SENATOR DONNEWALD:

29. Yes, Mr. President, this amendment brings our definition of an
30. eavesdropping device in conformance with Federal legislation. The
31. practical reason for the change is that many large companies request
32. Illinois Bell Telephone to install equipment which will allow them
33. to monitor periodically the conversations of their customer representa-

1. tives to determine if their employees are being courteous or factual.
2. The employees of these companies know that they're being monitored,
3. and...but the telephone company would like to have this language
4. added so that there will be no doubt that they are acting legally.
5. I would move for the adoption of Amendment No. 2.

6. PRESIDING OFFICER (SENATOR ROCK):

7. Senator Donnewald...Senator Roe.

8. SENATOR ROE:

9. Mr. President, and Senator Donnewald, I apologize. There was
10. some talk here. I wonder if you could just run through that for me
11. one more time briefly.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Senator Donnewald.

14. SENATOR DONNEWALD:

15. I understand how you feel, Senator, and I'll do it one more time.
16. The practical reason for the change that many large companies request
17. Illinois Bell Telephone to install equipment which will allow them
18. to monitor periodically conversations of their customer representatives
19. to determine if their employees are being courteous and factual. The
20. employees of these companies know that they are being monitored, and
21. he says it's okay. I move the adoption of the amendment.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Senator Donnewald has moved the adoption of Amendment No. 2 to
24. House Bill 15. All those in favor signify by saying Aye. All those
25. Opposed. The Ayes have it. The amendment is adopted. Any further
26. amendments? 3rd reading. (Machine cut-off)...order of House Bills
27. on 3rd reading. House Bill 1519, 1519. Mr. Secretary.

28. SECRETARY:

29. House Bill...

30. PRESIDING OFFICER (SENATOR ROCK):

31. Hold it. Senator Mitchler, for what purpose do you arise?

32. SENATOR MITCHLER:

33. Mr. President, I'd like to rise on a point of personal privilege.

1. PRESIDING OFFICER (SENATOR ROCK):
2. State your point, Sir.
3. SENATOR MITCHLER:
4. Seated in the President's Gallery are members of the Fox
5. Valley Twirlers of Aurora and the immediate area. They have been
6. performing their square dancing in the rotunda on the first floor
7. of the State House today, and under the Presidency of Ron Smith of
8. Aurora and his wife Barbara, I'd like to have them please stand and
9. be recognized by the Senate.
10. PRESIDING OFFICER (SENATOR ROCK):
11. House Bill 1519, Mr. Secretary. Read the bill. Senator Wooten,
12. for what purpose do you arise?
13. SENATOR WOOTEN:
14. I wanted to sneak in on that same order on a point of personal
15. privilege.
16. PRESIDING OFFICER (SENATOR ROCK):
17. State your point, Sir.
18. SENATOR WOOTEN:
19. Seated in the Gallery are three real charmers. I would like to
20. introduce to the Senate today immediately behind the President the
21. wife of our colleague Sue Morris and their two children Pat and Tina.
22. I'd like to have them rise and be recognized by the Senate.
23. PRESIDING OFFICER (SENATOR ROCK):
24. The order of House Bills on 3rd reading. House Bill 1519. Mr.
25. Secretary.
26. SECRETARY:
27. House Bill 1519.
28. (Secretary reads title of bill)
29. 3rd reading of the bil.
30. PRESIDING OFFICER (SENATOR ROCK):
31. Senator Donnewald.
32. SENATOR DONNEWALD:
33. Yes, Mr. President, this...this bill...this bill is identical

1. with the bill that we passed out of the Senate, 6...Senate Bill 638.

2. I would appreciate a favorable roll call.

3. PRESIDING OFFICER (SENATOR ROCK):

4. Any discussion? The question is shall Senate Bill 1519 as
5. amended pass. Those in favor will vote Aye. Those opposed will vote
6. Nay. The voting is open. Have all voted who wish? Take the record.

7. On that question, the Ayes are 48, the Nays are none, none Voting
8. Present. House Bill 1519 as amended having received a constitutional
9. majority is declared passed. Nudelman...wait a minute. Senator
10. Nudelman, for what purpose do you arise?

11. SENATOR NUDELMAN:

12. Mr. President, my key was locked and in attempting to vote affirma-
13. tively on that issue, I was unable to do so. I would request that
14. the record show I intended to vote Aye.

15. PRESIDING OFFICER (SENATOR ROCK):

16. The record will show Senator Nudelman intended to vote Aye on
17. House Bill 1519. House...on the order of House Bills on 3rd reading.
18. House Bill 1518. Mr. Secretary.

19. SECRETARY:

20. House Bill 1518.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Senator Donnewald.

25. SENATOR DONNEWALD:

26. Yes, Mr. President, this is...this bill is identical to the
27. Senate Bill 640 that we passed out a month or so ago. It has to do
28. with the eavesdropping. I would appreciate a favorable roll call.

29. PRESIDING OFFICER (SENATOR ROCK):

30. The question is shall House Bill 1518 as amended pass. Those in
31. favor will vote Aye. Those opposed will vote Nay. The voting is
32. open. (Machine cut-off)...voted who wish? Take the record. On that
33. question, the Ayes are 53, the Nays are none, none Voting Present.

1. House Bill 1518 as amended having received a constitutional majority
2. is declared passed. Gentlemen, the hour of one is approaching. We
3. have a committee scheduled. Senator Partee, for what purpose do you
4. arise?

5. SENATOR PARTEE:

6. Mr. President, there is a committee report on the Secretary's
7. Desk...

8. PRESIDING OFFICER (SENATOR ROCK):

9. Yes, Sir. There...there is more than one, and we're going to...
10. okay. Might we have leave at this time to go to the order of
11. committee reports? Leave. So ordered. Mr. Secretary, committee
12. reports.

13. SECRETARY:

14. Senator Donnewald, Chairman of Assignment of Bills, assigns
15. the following bills to committee:

16. House Bill 3049 to Education; House Bill 3073 to Judiciary;
17. and House Bill 3074 to Public Health, Welfare and Corrections.

18. The Committee on...

19. PRESIDING OFFICER (SENATOR ROCK):

20. Committee reports.

21. SECRETARY:

22. The Committee on Rules met June the 18th at twelve o'clock noon
23. and found by the following votes that the attached will be...bill is
24. an emergency bill necessary for the operation of government and voted
25. by a majority of the appointed members of said committee that the
26. bill be introduced.

27. The following members voted in the affirmative:

28. Senator Partee, Senator Rock, Senator Donnewald.

29. The following members explained that they were voting Aye only
30. for the purpose of introduction:

31. Senator Harris and Senator Howard Mohr.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Introduction of bills.

1. SECRETARY:

2. House Bill 1515 introduced by Senators Partee, Donnewald, Rock
3. and others.

4. (Secretary reads title of bill)

5. 1st reading of the bill.

6. PRESIDING OFFICER (SENATOR ROCK):

7. Senator Partee.

8. SENATOR PARTEE:

9. Mr. President and members of the Senate, no long tirade is
10. necessary. Everybody here knows what this bill is about. It is a
11. bill that responds from the...legislative response to the Governor's
12. request for the six percent reduction. We provide a contingency
13. reserve in this bill. We will do the appropriations. We just physi-
14. cally cannot go through every single bill and put a six percent amend-
15. ment on it at this time. They tell me in the House it's absolutely
16. impossible. This bill was also introduced in the House last night.
17. I'm asking leave to move the bill to the order of 2nd reading without
18. reference to a committee. It is an emergency nature, and whether it
19. is supported is one thing, but I would like to get it to the passage
20. stage as quickly as possible so that this Legislature can express
21. itself as to this concept.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Is leave granted? So ordered. Senate Bill 1505 will be shown
24. on the order of 2nd reading without reference to committee. Any
25. announcements? Senator Savickas.

26. SENATOR SAVICKAS:

27. Labor and Commerce will meet on the Senate...on the Senate Floor
28. immediately after adjournment for the purpose of hearing two bills,
29. House Bill 3024 and 3023.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Course, when is your committee going to meet? You're
32. not going to meet. Okay. Senator Partee, any further...Senator
33. Vadalabene.

1. SENATOR VADALABENE:

2. Yes, Mr. President and members of the Senate, the Executive
3. Appointments and Administration will meet in Room 212 immediately
4. after adjournment in Room 212. We will...would like to get out of
5. there within an hour. So, if you all show up right away, we'll get
6. out of there quicker.

7. PRESIDING OFFICER (SENATOR ROCK):

8. We are not going to adjourn. We are going to stand in recess.
9. Senator Lemke. Senator Lemke.

10. SENATOR LEMKE:

11. I'd like to make an announcement. Tonight, we're having an
12. appreciation party for Representative John Fary for his long years
13. in service at the Knights of Columbus Hall. We've sent out letters
14. directing you how to get there and everything is free, and we hope to
15. have a good Polish good time, and we all invite you. Thank you.

16. PRESIDING OFFICER (SENATOR ROCK):

17. Let...let me point out...thank you, Senator. Let me point out
18. that we are not adjourning for the day. We are merely...going to go
19. into recess for the purpose of this committee meeting. The Senate
20. will stand in recess until 2:30, at which time we will come back to
21. the Floor. The Senate now stands in recess until 2:30. Senator
22. Graham, for what purpose do you arise?

23. SENATOR GRAHAM:

24. Did Senator Savickas...I was busy. Did he make a...he made a
25. motion? Okay.

26. PRESIDING OFFICER (SENATOR ROCK):

27. On the Senate Floor immediately.

28. (RECESS)

29. (AFTER RECESS)

30. PRESIDING OFFICER (SENATOR ROMANO):

31. The hour of 2:30 has...having arrived, the Senate is now in
32. Session. And I think our first order of business is House Bills on
33. 1st reading. What's the first House Bill?

1. SECRETARY:

2. House Bill...House Bill...House Bill 3093.

3. (Secretary reads title of bill)

4. 1st reading of the bill.

5. PRESIDING OFFICER (SENATOR ROMANO):

6. Is there leave to have this bill referred to Labor...the Committee
7. on Labor and Commerce? Referred to Labor and Commerce. Point of
8. order. The Senate will stand at ease.

9. PRESIDENT:

10. Would Robert O'Keefe come to the Senate Floor, wherever you are?
11. Senator Donnewald, could I see you a moment please. House Bills on 3rd
12. reading. House Bill 1521, Senator Sommer. House Bill 1524, Senator Roe.
13. Read the bill.

14. SECRETARY:

15. House Bill 1524.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Roe.

20. SENATOR ROE:

21. Mr. President and members of the Senate, the synopsis accurately
22. describes this bill. This is the Department of Conservation bill seeking
23. authority to deed...deed the Coatsworth Building in Galena which is the
24. oldest building in Galena to the Galena Preservation and Restoration As-
25. sociation, which is a not-for-profit corporation. The department in
26. recent years has...has not...not had sufficient monies to keep this build-
27. ing in repair, and it's about to fall down, and the Preservation and Res-
28. toration Association wishes to keep the building and put the building back
29. in the proper shape that it ought to be in, and I don't know of any op-
30. position to this and I'd appreciate a favorable roll call.

31. PRESIDENT:

32. Any further discussion? The question is...Senator Bell.

33. SENATOR BELL:

1. Thank you, Mr. President. I'd like to ask a few questions of
2. Senator Roe in reference to...

3. PRESIDENT:

4. Surely, Senator. Senator Bell.

5. SENATOR BELL:

6. ...reference to this piece of important legislation. Senator
7. Roe, why does the Department of Conservation want to get rid of the
8. ...what is it, the Coatsworth Building?

9. SENATOR ROE:

10. Because they have not been able to devote the money to keep
11. the building up.

12. PRESIDENT:

13. Senator Bell.

14. SENATOR BELL:

15. Why did the Department...Department of Conservation acquire the
16. building in the first place, and what is the historical value of the
17. building?

18. SENATOR ROE:

19. The...as I indicated, the building is the oldest building in
20. Galena, which is as you may know a very historical type community.
21. President Grant once worked in this building, and it does have his
22. torical significance. As to why the department was unable to devote
23. the amount of money necessary to preserve the building, I...I cannot
24. specifically answer that question except that the building presently
25. is being shored up.

26. PRESIDENT:

27. Any...the question is shall House Bill 1524 pass. Those in
28. favor will vote Aye. Opposed Nay. The voting is open. Have all
29. voted who wish? Take the record. On this question, the Ayes are
30. 42, the Nays are none, with none Voting Present. House Bill 1524
31. having received a constitutional majority is declared passed. On
32. a point of personal privilege, the Chair recognizes one of Spring-
33. field's most outstanding citizens and businessmen sitting in the south

1. Gallery. I'd ask him to rise and be recognized by the Senate, Mr.
2. Dave Roberts. 15...House Bill 1529, Senator Chew. House Bill
3. 1533, Senator Shapiro. House Bill 1535, Senator McCarthy. Read the
4. bill.
5. SECRETARY:
6. House Bill 1535.
7. (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER (SENATOR ROCK):
10. Senator McCarthy.
11. SENATOR McCARTHY:
12. Yes, Mr. President. 1535 does what the Calendar says, that is
13. it provides that shooting a firearm at any...portion of a railroad
14. train is a Class 4 felony. This bill is supported not only by the
15. railroad brotherhoods but also by the railroads, and if there are any
16. questions, I'd be happy to attempt to answer them. But if there are
17. none, I'll tell you and represent to you that this is the one issue
18. that the railroads and the brotherhoods are united upon. They consider
19. this to be important legislation. I would ask for a favorable roll
20. call.
21. PRESIDING OFFICER (SENATOR ROCK):
22. Is there any discussion? The question is shall House Bill
23. 15...shall House Bill 1535 pass. Those in favor will vote Aye.
24. Those opposed will vote Nay. The voting is open. Senator Donnewald,
25. vote me Aye please. (Machine cut-off)...voted who wish? Take the
26. record. On that question, the Ayes are 49, the Nays are none, none
27. Voting Present. House Bill 1535 having received a constitutional
28. majority is declared passed. On the order of House Bills on 3rd
29. reading. House Bill 1536. Mr. Secretary.
30. SECRETARY:
31. House Bill 1536.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDING OFFICER (SENATOR ROCK):
2. Senator McCarthy.
3. SENATOR McCARTHY:
4. Yes, Mr. President and members of the Body, this is a companion
5. measure in this program of the railroads and the brotherhoods.
6. There has been an amendment to make the penalty here a Class B mis-
7. demeanor. Similarly, I would encourage a favorable roll call.
8. PRESIDENT:
9. Senator Bell.
10. SENATOR BELL:
11. Thank you, Mr. President. Senator McCarthy, just for the edifi-
12. cation of this Body, what is a Class B misdemeanor?
13. PRESIDENT:
14. Senator McCarthy.
15. SENATOR McCARTHY:
16. Under...under six months, six months is the maximum...thirty
17. day minimum.
18. PRESIDENT:
19. Thirty day minimum, six...six months maximum. Any further
20. discussion? Senator Nimrod.
21. SENATOR NIMROD:
22. Senator, what...what is the charge now for that same maximum?
23. PRESIDENT:
24. Senator McCarthy.
25. SENATOR McCARTHY:
26. The charge is a petty offense.
27. PRESIDENT:
28. Any further discussion? The question is shall House Bill
29. 1536 pass. Those in favor will vote Aye. Opposed Nay. The voting
30. is open. Have all voted who wish? Take the record. On this question,
31. the Ayes are 52, the Nays are none, with none Voting Present. House
32. Bill 1536 having received a constitutional majority is declared
33. passed. House Bill 1538, Senator Nudelman. House Bill 1539, Senator

1. Hynes. Read the bill.

2. SECRETARY:

3. House Bill 1539.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Hynes.

8. SENATOR HYNES:

9. Mr. President and members of the Senate, this bill amends the
10. Motor Vehicle...Vehicle Tax Law to change the formula for distribu-
11. tion of motor fuel tax funds. In essence, what the bill does by
12. means of adjustment in the formula is to increase the share going to
13. counties, township road districts and municipalities by sixteen point
14. six million dollars. This is a bill that I think is desperately
15. needed at the local level, and it...a similar bill...there...there is
16. some modifications in this...in this current bill passed this Senate
17. some two weeks ago, and I would urge your favorable support and be
18. happy to answer any questions.

19. PRESIDENT:

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Just for a brief clarification. What are the certain cities
23. mentioned in the Calendar?

24. PRESIDENT:

25. Senator Hynes.

26. SENATOR HYNES:

27. I...I'm sorry. I didn't quite...

28. PRESIDENT:

29. Would you repeat your question.

30. SENATOR WOOTEN:

31. Well, it says it applies to certain cities. What kind of
32. cities?

33. SENATOR HYNES:

1. One certain city, the City of Chicago. What the bill does is
2. to earmark the portion of the money that is going to the City of
3. Chicago for a specified purpose. The balance of the money that goes
4. to all the other municipalities and counties and road districts is
5. unearmarked and may be used for any purpose that the recipient desires.

6. PRESIDENT:

7. Senator Wooten.

8. SENATOR WOOTEN:

9. This, then, does not affect the total amount Chicago gets, just
10. how it's going to be used, right?

11. PRESIDENT:

12. Senator Hynes.

13. SENATOR HYNES:

14. No, the bill does affect the total amount. It affects the total
15. amount that every city gets, that every county gets, and that every
16. township road district will receive. All of them get an increase
17. under this bill, but the increase that is going to the City of
18. Chicago is earmarked. The other increases are not.

19. PRESIDENT:

20. Any further discussion? Senator Nimrod.

21. SENATOR NIMROD:

22. Mr. President, we had a meeting this morning with the Department
23. of Transportation and some of their representatives who are looking
24. for more money, and the net result of what I got out of what they
25. had to say was that the road fund is broke, and even though I think
26. that what we're trying to do here is to provide monies for local
27. governments, and I think that the purpose is a problem. We've done
28. it for a year or two here. I just think that what we're really doing
29. is taking seventeen and a half million dollars out of that road fund,
30. and I'm just wondering if we shouldn't have some better picture on
31. this before we start appropriating more money for...from a fund that's
32. already broke, and if they can't do the job in the State, there's no
33. sense in us trying to help the others. So, I would certainly have

1. some reservations about this.

2. PRESIDENT:

3. Any further discussion? Senator Demuzio...Senator Morris.

4. SENATOR MORRIS:

5. You know, this...this isn't just seventeen million dollars that
6. we're talking about taking out of the road fund. I think that most
7. of the money Illinois gets for highways or a good chunk of it, fifty,
8. sixty percent or so comes from Federal monies. So, we're talking
9. at losing at least thirty-five to fifty million dollars in money for
10. the State roads. Now, we had this bill in here in a Senate Bill
11. before, and we should have killed it which we didn't. I would hope
12. that we would kill this bill because, you know, many of the roads
13. that run through our communities are not local roads. They're State
14. highways. And I know in Waukegan, several of our major arterial
15. streets are repaired and patched by the State because they are State
16. roads. I think what you're doing here is robbing Peter to pay Paul,
17. and we're just creating a hole that we're never going to get out of.
18. The road fund is, in fact, just about broke. We're financially in
19. a bad position, and I think that anybody who votes for this bill
20. ought to in turn be ready to vote for a five to ten cent increase
21. in the gasoline tax within the next couple of years. I don't want
22. to vote for an increase in the gasoline tax, and I won't vote for an
23. increase in the gasoline tax, but don't force the State roads into
24. bankruptcy so that you drive nicely in the communities but you can't
25. get from one city to the other. Our commerce depends on our road
26. system. Our industry depends on our road system. Our tourism depends
27. on our road system, and unless we've got enough money to keep the
28. roads in good shape, we're going to be in bad shape. Now, I live on
29. the Wisconsin border, and I'll tell you, I'm embarrassed every time
30. I go into Wisconsin for the good condition of their roads and the
31. poor condition of our roads, and every time you take a few million
32. out of our road fund and give it to a municipality somewhere, you're
33. taking that money directly out of the State road system. So, I think

1. it's a very simple proposition. This bill is really not a bill to
2. change the ratio of sharing the money for the road fund. It's whether
3. or not you're prepared within the next year or two to increase by
4. five or ten cents the gasoline tax. I am not, and I will vote No.

5. PRESIDENT:

6. Any further discussion? Senator Daley.

7. SENATOR DALEY:

8. Well, I think, Mr. President and fellow Senators, this is a
9. good bill. It's needed especially as Senator Hynes has pointed out.
10. In the City of Chicago, the State has much responsibility over many
11. roads. One example is the highlight, in the near north side, in
12. Senator Netsch's district, on Lake Shore Drive, part of the street
13. as well as the curbing has been crumbled. And it's been the State's
14. responsibility for many, many years. The city has sent many, many
15. letters to the Secretary of Transportation, of course, that was not
16. heeded. They did not repair the road, and the city had to go in
17. their own funds and repair the road, the State's responsibility. I
18. think this bill is needed for every city in the...in the State.

19. PRESIDENT:

20. Any further discussion? Senator Bruce.

21. SENATOR BRUCE:

22. Thank you, Mr. President and members of the Senate. I rise in
23. opposition to House Bill 1539. The bill will cost the State Road
24. Fund seventeen point one million dollars. Now, the impact to this
25. must be assessed to the State and the impact of the bill if passed
26. to the cities, counties and townships. They are already covered by
27. two new Federal programs, one of which will bring one hundred and
28. thirty-five million dollars in additional Federal revenues to them,
29. not to the State. A second program will bring five point five million
30. dollars to these agencies and to these units of local government, not
31. to the State of Illinois. This seventeen million dollar loss will
32. translate into a fifty-seven million dollar loss in Federal Aid
33. Program Funds available to the State of Illinois. If this bill passes

1. and if the...if you consider only the State only program which is
2. financed by the road fund, resurfacing of a hundred and seventy miles
3. of streets and highways will not be done, widening and resurfacing
4. of eighty miles of narrow pavement will not be done. It will decrease
5. by thirty-four percent the State only program as conducted by the...
6. the State Department of Transportation. Now, everyone is faced with
7. the common problem of inflation, but it hits the State as well as
8. units of local government. The State can no more afford this loss
9. than can they. In addition, Mr. President, I would point out that
10. President Ford has only recently released nine billion dollars in
11. money. We very badly need the State money to match that Federal
12. release. Failure to get the money in the budget will mean that we will
13. not be able to go ahead with Federal State programs. The Governor
14. has already asked us for two hundred million dollars in additional
15. bonds. That usage will only be available in addition to the seventeen
16. one we're losing here. Finally, we have already gone on to a bonding
17. program in this State with the Series A issue. Those bonds are
18. issued, they're outstanding, and the...the interest on those are
19. accruing. We need the money in the State Road Fund, and that's where
20. it's paid from, to pay that interest. For those reasons, Mr. Presi-
21. dent, I would stand in opposition to House Bill 159...39.

22. PRESIDENT:

23. Any further discussion? Senator Schaffer.

24. SENATOR SCHAFFER:

25. Well, I rise in support of this bill. I think we've all read
26. recently that there's a couple of hundred, I think, there's four
27. hundred million dollars more in Federal road money coming in under a
28. new formula that will help prorate money into some of the areas that
29. have been used exclusively for motor fuel. The simple fact of the
30. matter in the area I represent, the road crisis is in...on the local
31. level, and this bill will help the local roads, township, county and
32. village or city, and in my area, that's where the crisis is, and I
33. think this bill is good, and I urge everyone to support it.

1. PRESIDENT:

2. Senator Hynes may close the...Senator Bell.

3. SENATOR BELL:

4. Thank you, Mr. ...thank you, Mr. President. I was a little
5. slow to respond there, but I...I really have to stand and support
6. Senator Bruce in reference to this. And that is...I...I have a
7. particular problem up in my district that the local road funds have
8. been very slow to respond to. Maybe it's because of a lack of
9. money, but the State Department of Transportation...

10. PRESIDENT:

11. One minute, Senator Bell.. Senator Bell is one of the quiet
12. members. He talks in the microphone only. Now, can we just...will
13. the members be in their seats. Senator Bell.

14. SENATOR BELL:

15. Thank you, Mr. President. As I was saying, we have a particular
16. problem up in my district that the State Department of Transportation
17. has addressed itself and is addressing itself to in resolving the
18. particular situation along I-55 in reference to some frontage roads
19. where we have some large industries like Mobil Oil. We have some food
20. processing industries located around there, and we've had some pro-
21. blems in referencce to our local districts being able to adequately
22. address themselves to this problem, and it's called for a cooperation
23. from the township level, the county level and the State level and
24. the Federal level to try to get the job done. Now, I've been, Mr.
25. President, I've been involved in trying to resolve this problem for
26. the last two years that I've been in the Illinois Senate. And it's
27. made very little progress except through and on behalf on the part
28. of Secretary of Transportation, Langhorne Bond, and I'd like to tell
29. you that while our local road funds may need money, that sometimes
30. it's the Department of Transportation at the State level that gets the
31. job done. So, I support Senator Bruce in reference to this particular
32. legislation. Thank you.

33. PRESIDENT:

1. Have all...any discussion? Any further discussion? Senator
2. Hynes may close the debate.

3. SENATOR HYNES:

4. Mr. President, I will be very brief. I think we've had an
5. opportunity to debate this concept in the past, but there are a couple
6. of points that I would like to make. First of all, when we passed
7. the Senate counterpart of this bill a few weeks ago, that was prior
8. to the time that the Federal Government announced the release of
9. the massive Federal highway monies to the States. This bill is even
10. more justifiable now than it was then, because in the case of Illinois,
11. we are talking about an additional three to four hundred million
12. dollars in road funds being available, and therefore, the impact on
13. the State program is going to be substantially diminished if...if
14. not completely diminished. I think there is a crisis at the local
15. level, and this is necessary just to keep the local governments...to
16. allow them to keep pace. Furthermore, and I don't want to belabor
17. the point with...with the history of this bill, but back a few years
18. ago when the gas tax increase was put through, a portion was taken
19. off the top and earmarked for the State, and the State has had the
20. benefit of that for some five years now. This would take a part of
21. that earmarked portion of the fund and distribute it among local govern-
22. ments. And I think it's a very reasonable approach and fiscally
23. sound, and I would urge your favorable support.

24. PRESIDENT:

25. The question is shall House Bill 1539 pass. Those in favor
26. will vote Aye. Opposed Nay. The voting is open. Have all voted
27. who wish? Take the record. On that question, the Ayes are 34, the
28. Nays are 17, with 1 Voting Present. House Bill 1539 having received
29. a constitutional majority is declared passed. House Bill 1564,
30. Senator Shapiro. House Bill 1572, Senator Egan. House Bill 1574,
31. oh, you're here. I'm sorry, I didn't see you. 1572, Senator Egan.

32. SECRETARY:

33. House Bill 1572.

1. (Secretary reads title of bill)...

2. PRESIDENT:

3. Senator Egan is recognized. For what purpose do you arise?

4. SENATOR EGAN:

5. The two bills, House Bill 1572 and 3, I would like to return
6. to the order of 2nd reading to remove one word by amendment, and I
7. have leave...

8. PRESIDENT:

9. Is there leave? Leave is granted. House Bill 1572 is on the
10. order of 2nd reading. Senator Egan is recognized.

11. SENATOR EGAN:

12. I would offer Amendment No. 1 to House Bill 1572, which would
13. ...remove the requirement for a verified petition for the attorney
14. who was of...of...an officer of the court, and it's felt that it's
15. not necessary. I'd ask for the adoption of the amendment.

16. PRESIDENT:

17. Senator Egan moves the adoption of Amendment No. 1 to House
18. Bill 1572. All in favor will say Aye. Opposed Nay. The Ayes have
19. it. The amendment is adopted. Any further amendments? 3rd reading.
20. House Bill 1573. Senator Egan moves...seeks leave to remove that
21. bill to the order of 2nd reading for the purpose of amendment. Is
22. there leave? Leave is granted. House Bill 1573 is on the order of
23. 2nd reading. Senator Egan is recognized.

24. SENATOR EGAN:

25. The Amendment No. 1 is the same as the prior bill. I would
26. move for its adoption.

27. PRESIDENT:

28. Senator Egan moves the adoption of Amendment No. 1 to Senate
29. Bill...House Bill 1573. All in favor will say Aye. Opposed Nay.
30. Amendment No. 1 is adopted. Any further amendments? 3rd reading.
31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Mr. President, I was off the Floor talking to some constituents

1. when House Bill 1535 and House Bill 1536 were called. Had I been
2. here, I would have been recorded as voting in the affirmative. Let
3. the record so show.

4. PRESIDENT:

5. The record will so show. The record will so show. House Bill
6. 1572, Senator Egan. Read the bill.

7. SECRETARY:

8. House...

9. PRESIDENT:

10. Take him out of the record. House Bill 1574, Senator Dougherty.

11. SECRETARY:

12. House Bill 1574.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Dougherty.

17. SENATOR DOUGHERTY:

18. Thank you, Mr. President. Mr. President and members of the
19. Senate, House Bill 14...1574 is an exact counterpart of Senate Bill
20. 793 which passed this Senate a couple months ago. It applies to
21. the corporate rate of the Metropolitan Sanitary District. I would
22. ask approval.

23. PRESIDENT:

24. Any further discussion? The question is shall House Bill 1574
25. pass. Those in favor will say Aye. Opposed Nay. Pardon me. The
26. question is shall House Bill 1574 pass. Those in favor will vote
27. Aye. Those opposed Nay. The voting is open. Have all voted who
28. wish? Take the record. On this question, the Ayes are 45, the
29. Nays are 4, with none Voting Present. House Bill 1574 having received
30. a constitutional majority is declared passed. House Bill 1575,
31. Senator Dougherty.

32. SECRETARY:

33. House Bill 1575.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator...Senator Kenneth Hall, would you hold your voice down

5. a little bit. Thank you. Senator Dougherty.

6. SENATOR DOUGHERTY:

7. House Bill 1575 is the exact counterpart of Senate Bill 792

8. which passed here some months ago. It provides for a rate for the

9. payment of claims against the Metropolitan Sanitary District. It

10. is limited to two million dollars at any one time. I ask favorable

11. approval of the bill.

12. PRESIDENT:

13. The question is shall House Bill 1575 pass. Those in favor

14. will vote Aye. Opposed Nay. The voting is open. Have all voted

15. who wish? Take the record. On this question, the Ayes are 39, the

16. Nays are none, with 2 Voting Present. House Bill 1575 having received

17. a constitutional majority is declared passed. House Bill 1576,

18. Senator Morris. Read the bill.

19. SECRETARY:

20. House Bill 1576.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Morris.

25. SENATOR MORRIS:

26. Thank you very much, Mr. President. These bills are supported

27. by the Illinois Library Association and the Illinois State Library.

28. This bill is designed to provide for a way for a library to dispose

29. of surplus property. The bill is pretty clear in the way it sets

30. it out to be done. Any personal property under a thousand dollars

31. should be sold after a public notice which also includes how the

32. materials will be sold, and anything that involves real estate or

33. over a thousand dollars, there must be a published notice once each

1. week for two weeks and then the sale conducted, and also to help
2. the libraries in the State of Illinois, first crack at any surplus
3. item from any library will be given to the other libraries in the
4. State or the State Library. It's a rather simple bill, but it's
5. necessary in order to set up some guidelines for the disposal of
6. this property. I would urge a favorable roll call.

7. PRESIDENT:

8. Any further discussion? The question is shall House Bill 1576
9. pass. Those in favor will vote Aye. Opposed Nay. The voting is
10. open. Have all voted who wish? Take the record. On this question,
11. the Ayes are 48, the Nays are none, with none Voting Present. House
12. Bill 1576 having received a constitutional majority is declared
13. passed. For what purpose does Senator Chew arise?

14. SENATOR CHEW:

15. Mr. President, please don't clear the board. I want the
16. distinguished Senator from Waukegan to take a damn good look at
17. that board and...and...and apologize for the audacious statement
18. he made yesterday. I want him to look at the Chicago Democrats
19. and the Republicans, and when he has a good bill that merits passing,
20. it's passed. When he has junk, it's defeated. Take a good look,
21. Senator.

22. PRESIDENT:

23. On another pleasant note, in the President's Gallery is the
24. wife of one of our members, Mrs. Lee Romano with the...with our
25. member Sam...Sam Romano's son, Joseph, his daughter Diane, and four
26. lovely grandchildren, who Senator Romano thinks look like him. Would
27. they stand and be recognized by the Senate. Senator Bloom.

28. SENATOR BLOOM:

29. Thank you, Mr. President. I was off the Floor on that last
30. vote out in the rotunda being lobbied, and I'd like the Journal to
31. reflect that had I been here, I would have voted Aye. Thank you.

32. PRESIDENT:

33. The record will so show. House Bill 1587, Senator Kenneth Hall.

1. Senator...excuse me. 1577, Senator Morris. I'm sorry.

2. SECRETARY:

3. House Bill 1577.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Morris.

8. SENATOR MORRIS:

9. Thank you very much. This is the other half of the package
10. concerning the libraries. This also was sponsored by Representative
11. Craig. This provides that a library may use land in a park district
12. to build a library on without having to go to a referendum to use
13. that land as long as they don't receive the land as real estate and
14. only to use it. The way the law now reads that if the park district
15. says sure, you can build the library in our park, they have to go to
16. a referendum to give that authority to the library, even though they
17. do not exchange real estate. Under this bill, they would be allowed
18. to make that exchange without a referendum and save the taxpayers the
19. expense of an election since no tax increases or tax money is involved.
20. I'd appreciate a favorable roll call.

21. PRESIDENT:

22. Any further discussion? The question is shall House Bill 1577
23. pass. Those in favor will vote...will vote Aye. Opposed will vote
24. Nay. The voting is open. For what nefarious purpose does Senator
25. Chew arise?

26. SENATOR CHEW:

27. I rise on a point of personal...don't clear the board. I want
28. the distinguished Senator from Waukegan to take a good look. You've
29. got a good bull. You understand? Okay.

30. PRESIDENT:

31. Have all voted who wish? Take the record. Senator Morris.

32. SENATOR MORRIS:

33. On a point of personal privilege, I would like to thank Senator

1. Charles Chew for his tremendous support of this bill, and also that
2. bill yesterday which he just referred to as junk because he did vote
3. for it, and I appreciate...I appreciate...I appreciate Senator Chew
4. hanging in there with me because we work so well together in the
5. Transportation Committee.

6. PRESIDENT:

7. On this question, the Ayes are 58, the Nays are none, with none
8. Voting Present. House Bill 1577 having received the constitutional
9. majority is declared passed. House Bill 1587 is passed. House
10. Bill 1590, Senator Brady.

11. SECRETARY:

12. House Bill 1590.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Brady.

17. SENATOR BRADY:

18. House Bill 1590 provides optometrists wishing to renew licenses
19. meet certain standards of continuing education. I urge your favor-
20. able support of this.

21. PRESIDENT:

22. Any further discussion? The question is shall House Bill 1590
23. pass. Those in favor will vote Aye. Opposed Nay. The voting is
24. open. Have all voted who wish? Take the record. On this question,
25. the Ayes are 47, the Nays are 3, with 1 Voting Present. House
26. Bill 1590 having received a constitutional majority is declared
27. passed. House Bill 1591, Senator Daley. House Bill 1592, Senator
28. Smith,

29. SECRETARY:

30. House Bill 1592.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Smith. Just one moment, now. Wait a minute. Slow
2. it down. Tone it down so we can hear the Gentleman. Senator Smith.

3. SENATOR SMITH:

4. Mr. President and members of the Senate, may I call your atten-
5. tion to the fact that a fellow member over in the House of Represent-
6. atives inclines to the belief that if and when a person is brought
7. into court, a trial is had, and that individual is sentenced or fined
8. by the court, that seven years after he will have completed his sen-
9. tence or seven years after he will have paid whatever fine was imposed
10. upon him by the court, that thereafter the seven year period that his
11. record be considered as not having been smeared and not being smeared
12. thereafter that he has paid his debt to society, slate has been
13. wiped clean, and that he go forth without any blemish. Now, I don't
14. know whether there's a fight for authorship on or not over in the
15. House. I do know the statements that were made to me, and I verified
16. a portion of them, that a bill similar but much stronger than this
17. particular bill was passed here a few days ago, and I have a news-
18. paper clipping here in verification of that fact. I don't know
19. the intent of the Gentleman, but I do think that having passed a
20. much stronger bill than this one, we would be doing that which is
21. fair and courteous to a fellow member, should we also pass this one,
22. and let both go to his Excellency, and let his Excellency decide
23. which of either of the two bills he will then see fit to pass.

24. PRESIDENT:

25. For what purpose does Senator Graham arise?

26. SENATOR GRAHAM:

27. I rise to call the attention of the Assembly to the fact that
28. the analysis of this bill indicates it would alleviate the stigma
29. attached to an ex-convict. The bill was designed also to aid in
30. the rehabilitation process. I want to suggest to you that the
31. Governor's galloping gourmet expert on criminal justice, in Minnesota
32. just a couple of days ago, said there was no such thing as criminal
33. justice existing in Illinois and rehabilitation was not a part of

1. our program. So, Senator Smith, I think you might be in trouble
2. with that Gentleman on the second floor because he's getting his
3. advice from a fellow that's not much more brilliant in these areas
4. than the Governor is.

5. PRESIDENT:

6. Any further discussion? Senator Smith.

7. SENATOR SMITH:

8. I say in answer to my friend on the other side of the aisle,
9. the Gentleman is here on the Floor or certainly in the building now.
10. He left word in my office that he's going to the second floor, that
11. his Excellency has indicated that he will sign the much stronger
12. bill, and I'm going to assume while he didn't tell me personally, he
13. told my secretary, that he will sign it. Let's give him the choice
14. of the two bills. Now, I differ with the Governor of whom you
15. referred to, Senator, as there not being any justice here in the
16. State of Illinois. There is considerable. In the past several
17. years, I have set here in my seat and I've seen members pass easily
18. bills which are say ten, fifteen or eighteen years ago, you would
19. have been battling for all...a period of months, but we passed that
20. stage in stage now here in the State of Illinois. On yesterday, we
21. had a bill, Senator Nudelman's bill, and I was impressed by the
22. earnest, sensible talk that he made, so much so that I went over and
23. complimented him. That was a bill where individuals were seeking
24. the right to sue the city and the State, and you passed that bill
25. very, very handily. This I see nothing in that indicates any desire
26. on the part of an individual to recover from a city or from any
27. facet of government because of him or her having been incarcerated.
28. It was represented to me as merely seeking to take the stain from
29. his...his or her reputation, and I have sufficient confidence in
30. this Body to believe that we will have no trouble at all in receiving
31. the thirty votes for this bill.

32. PRESIDENT:

33. The question is shall House Bill 1592 pass. Those in favor

1. will vote Aye. Opposed Nay. The voting is open. Have all voted
2. who wish? Take the record. On this question, the Ayes are 45, the
3. Nays are 3, with 1 Voting Present. House Bill 1592 having received
4. a constitutional majority is declared passed. House Bill 1594,
5. Senator Egan. House Bill 1597, Senator Demuzio.

6. SECRETARY:

7. House Bill 1597.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. Thank you, Mr. President and members of the Senate. House
14. Bill 1597 simply amends the section of the School Code regarding
15. superintendents and their contracts. It simply provides that the
16. school board must notify by April if a superintendent is to be dis-
17. missed. It also provides a written statement of the reasons for his
18. dismissal and provides for a private hearing upon request. I think
19. that this is a good bill. I can't understand why they...they do not
20. have these rights or hadn't had these rights previous, and I solicit
21. your favorable support.

22. PRESIDENT:

23. Any further discussion? Senator Fawell.

24. SENATOR FAWELL:

25. Mr. President and members of the Senate, I rise to oppose this
26. bill. I simply don't believe that it is necessary. It seems to me
27. that a superintendent when he is hired by a board of education takes
28. that position with the complete knowledge that when the circumstances
29. are such that a matter of trust and confidence no longer exist and
30. the board desires that his services cease, that that really is the...
31. the end of the...of the relationship to provide that there's a man-
32. datory public hearing or private hearing or whatever you may have
33. is going to do nothing here if this is what the board...the board

1. does not desire to take that particular course of action. The
2. superintendent is a man who I...as I have said takes this position
3. under that understanding, and I...I simply don't believe that...that
4. inasmuch as it is entirely in the discretion of the school board,
5. and they have a contract which spells out the...the circumstances
6. and the facts which bring a termination privilege to either party
7. that this type of legislation leads anywhere. I think as I recall
8. also, Senator Demuzio, there was a provision here that I'm not sure
9. it would lead to the assumption that one has a right to appeal under
10. administrative review or not. I...I'm not clear in my own memory in
11. that regard. But it certainly is an unnecessary piece of legislation
12. as I view it, and although the majority of the Education Committee
13. didn't concur, there was, I think, healthy give and take on it. I
14. would...would suggest that at least most of us downstate do not
15. believe that this is a necessary piece of legislation.

16. PRESIDENT:

17. Any further discussion? Senator Wooten.

18. SENATOR WOOTEN:

19. Mr. President and colleagues, if it is not a necessary piece
20. of legislation, then I wonder why we occasionally have complaints.
21. That...I'm sure that yellow light doesn't apply to me. It would
22. seem to me that the provisions of the bill are perfectly reasonable,
23. and we may assume until it's demonstrated otherwise that we're dealing
24. with reasonable people in all situations. But the fact that the
25. bill has been called for and is thought necessary by some superin-
26. tendents and some who deal with boards of education, clearly indicate
27. that not all boards keep faith. I think it's only reasonable to
28. give a man ample notice when his contract is to be terminated. Surely
29. that is not an unreasonable request. It seems to me that the demands
30. made by the bill are clearly within the bounds of what is reasonable,
31. and on that basis, I would support the legislation.

32. PRESIDENT:

33. Any further discussion? Senator Demuzio may close the debate.

1. SENATOR DEMUZIO:

2. Well, the bill is a simple bill. It just says that if a man is
3. going to be fired as a superintendent of schools that he is afforded
4. the opportunity to have the notice, and the notice of April of that
5. particular Calendar year provides that if he's going to be dismissed
6. that he has the written statement of the reasons for his dismissal,
7. and a hearing, a private hearing, if he so wishes. And I think that
8. this is a good bill. I don't think it has anything to do with the
9. trust of the school board in reference to the superintendent. I just
10. think that that's a man's right. I think it's a good bill, and I ask for
11. a favorable roll call.

12. PRESIDENT:

13. The question is shall House Bill 1597 pass. Those in favor
14. will vote Aye. Opposed Nay. The voting is open. Have all voted
15. who wish? Take the record. On this question, the...the Ayes are 38,
16. the Nays are 8, with 1 Voting Present. House Bill 1597 having
17. received a constitutional majority is declared passed. For what
18. purpose does Senator Graham arise?

19. SENATOR GRAHAM:

20. Just to indicate that I was...my attention was distracted for
21. a moment. I would like to have had my red light burning on the last
22. bill. I'd like for the record to show that I would have voted in
23. the negative.

24. PRESIDENT:

25. The record will so show. For what purpose does Senator Merritt
26. arise?

27. SENATOR MERRITT:

28. Mr. President, the same request. Senator Graham and I were in
29. a discussion, and did not get...

30. PRESIDENT:

31. Solving the problems of the world, no doubt. The record will
32. show that you desired to vote how, Senator?

33. SENATOR MERRITT:

1. Vote no on it.

2. PRESIDENT:

3. Negatively. The record will so show. The Chair has had several
4. inquiries as to our schedule for the rest of the day. The Chair's
5. answer is that we will not work later than six-thirty. If things
6. move with some dispatch, perhaps we will leave...we can leave earlier,
7. but six-thirty is as late as we will work tonight. For what purpose
8. does Senator Nudelman arise?

9. SENATOR NUDELMAN:

10. Thank you, Mr. President. Just prior to that announcement,
11. there's a general hum of conversation. It makes it very difficult
12. to hear the Chair or any other speaker. I would request that some
13. attention be paid to that.

14. PRESIDENT:

15. I'm grateful and appreciative of that observation, Senator. It's
16. quite troublesome to the Chair. House Bill 1598, Senators Berning -
17. Glass. Read the bill.

18. SECRETARY:

19. House Bill 1598.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Berning.

24. SENATOR BERNING:

25. Thank you, Mr. President and members of the Senate. House Bill
26. 1598 amends the Environmental Protection Act in reference to the
27. raising of bonded indebtedness by municipalities, sanitary districts,
28. county and other bodies. The bill amends the Act so that bonded
29. indebtedness may not exceed any limits imposed by the Illinois Con-
30. stitution when such bonds are necessary to meet an order of the Pollu-
31. tion Control Board. I think there should be no question of the
32. validity of this, and I might point out that in committee, Barbara
33. Sidler of the Environmental Protection Agency appeared in favor of the

1. bill as did a Mr. Larry Eaton from the Attorney General's Office.
2. If there are questions, I will attempt to answer them.
3. PRESIDENT:
4. Any questions or any further discussion? The question is shall
5. House Bill...Senator Bell.
6. SENATOR BELL:
7. Thank you, Mr. President. I hesitate in rising, but really
8. there are some questions that...
9. PRESIDENT:
10. We don't believe it.
11. SENATOR BELL:
12. ...I guess this must be my day. I hit those days at times, but
13. I'd like to ask a couple of questions of Senator Berning in reference
14. to this bill. I am minority spokesman of that committee that it
15. appeared before.
16. PRESIDENT:
17. The sponsor indicates he will yield.
18. SENATOR BELL:
19. Senator Berning, I understand or am I right in assuming that
20. the Illinois Constitution puts no limit, no limit on the indebtedness
21. that can be imposed upon a municipality by the Pollution Control Board?
22. PRESIDENT:
23. Senator Berning.
24. SENATOR BERNING:
25. That is correct.
26. PRESIDENT:
27. Senator Bell.
28. SENATOR BELL:
29. Well, I...with that...that being correct, I think that's very
30. cogent to the...to this discussion here in reference to 1598, because
31. ...since the Constitution sets no limit, the limit would then cease
32. to exist in any sense of the word. In effect, the Pollution Control
33. Board could order any municipality to raise any amount of money it so

1. desired. Now, I can understand the need for the perfunctory type
2. of need for this type of legislation and consideration, but I think
3. that this is something that this Body ought to consider in relation
4. to that particular matter that I just developed on. Thank you, Mr.
5. President.

6. PRESIDENT:

7. Senator Glass.

8. SENATOR GLASS:

9. Mr. President, in support of this bill, I would point out that
10. what Senator Bell just recited is not what the bill does. It doesn't
11. let them incur bonded indebtedness without a limit. It allows them
12. to incur the indebtedness necessary to meet the Pollution Control
13. Board's order, and without the bill, they could not comply with these
14. orders, and I know the specific problem that Senator Berning is referring
15. to and that originates in his district, I believe it's the Northshore
16. Sanitary District, has this precise problem now. So, it...it's not
17. unlimited. It...it only gives them the authority needed to comply
18. with the board's order, and I would hope the membership would support
19. the bill.

20. PRESIDENT:

21. Senator Fawell.

22. SENATOR FAWELL:

23. Senator Berning, would you respond to a question?

24. PRESIDENT:

25. He indicates he will.

26. SENATOR FAWELL:

27. Can you...can you, Senator Berning, tell me about the referendum
28. provisions of this bill?

29. PRESIDENT:

30. Senator Berning.

31. SENATOR BERNING:

32. Senator Fawell, there are no referendum provisions. In fact,
33. there is no challenge of a court order, so far as I know.

1. PRESIDENT:
2. Senator Fawell.
3. SENATOR FAWELL:
4. You say there are no referendum provisions, Senator?
5. PRESIDENT:
6. Yes, Senator, he said that.
7. SENATOR BERNING:
8. Yes.
9. PRESIDENT:
10. Senator Fawell.
11. SENATOR FAWELL:
12. I...I can't help, Mr. President, though I don't want to take a
13. great deal of time. I want the Body to understand and be aware that
14. Senator Berning is sponsoring a bill here which evidently is going to
15. authorize a municipal tax without a referendum, and I want everyone
16. to note that history is being somewhat made here.
17. PRESIDENT:
18. Any further discussion? Senator Latherow.
19. SENATOR LATHEROW:
20. I wonder if the Senator would yield.
21. PRESIDENT:
22. The sponsor indicates he will yield.
23. SENATOR LATHEROW:
24. This, the way I read it, says that the limit that a corporation
25. can bond on this is controlled by the Constitution. What is that
26. constitutional limit?
27. PRESIDENT:
28. Senator Berning.
29. SENATOR BERNING:
30. There is no constitutional limit.
31. PRESIDENT:
32. Senator Latherow.
33. SENATOR LATHEROW:

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1. Then I would suggest that the limit should remain on it.

2. PRESIDENT:

3. Any further discussion? Senator Howard Mohr.

4. SENATOR MOHR:

5. Well, Mr. President, in fairness to Senator Berning, I think
6. it should be pointed out he is a nonlawyer, and it was noted in the
7. introduction of this bill that he had two lawyer sponsors...cosponsors
8. of...of this legislation advising him.

9. PRESIDENT:

10. Any further discussion? The question is shall House Bill 1598
11. pass. Those in favor will vote Aye. Opposed Nay. The voting is
12. open. Have all voted who wish? Take the record. Yes, Sir?

13. SENATOR BERNING:

14. May I ask that this be placed on Postponed Consideration, ob-
15. viously.

16. PRESIDENT:

17. Postponed...Postponed Consideration is requested. Postponed
18. Consideration. House Bill 1607, Senator Knuppel. House Bill 1608,
19. Senator McCarthy.

20. SECRETARY:

21. House Bill 1608.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator McCarthy.

26. SENATOR McCARTHY:

27. Yes, Mr. President and members of the Body, this is an amendment
28. to the Consumer Fraud Act which provides that where the contract is
29. in...used partially in bilingual...bilinguality that the vendor has
30. to provide a copy of the contract in the language other than English.
31. Now, this is one of a series of bills you'll be seeing, and this bill
32. along with the other ones, specifically exempts credit cards and must
33. be made upon the request of the purchaser. That's the form of the

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1. bill. It's similar to the form of the bill that Senator, I forgot his
2. name, Senator Carroll has, and be happy to answer any questions you
3. have. If you don't have any, I ask for a favorable roll call.

4. PRESIDENT:

5. Any further discussion? Senator Howard Mohr.

6. SENATOR MOHR:

7. Yes, Mr. President, I wonder if the sponsor would yield.

8. PRESIDENT:

9. He indicates he'll yield.

10. SENATOR MOHR:

11. Senator, what is the penalty, the maximum fine that could be
12. levied on this?

13. PRESIDENT:

14. Senator McCarthy.

15. SENATOR McCARTHY:

16. Well, there's no change in the penalty. The...the penalty
17. provisions of the Act remain the same.

18. PRESIDENT:

19. Senator Howard Mohr.

20. SENATOR MOHR:

21. Then that would be what, Senator?

22. PRESIDENT:

23. Senator McCarthy.

24. SENATOR McCARTHY:

25. Whatever the penalties are under the Consumer Fraud Act. I
26. think it's...I don't have those...there may be a cease and desist
27. type of operation, injunctive relief. There are some criminal
28. sanctions, as I recall, that may be imposed in some cases.

29. PRESIDENT:

30. Senator Howard Mohr.

31. SENATOR MOHR:

32. I understand there would be up to fifty thousand dollar penalty
33. that could be levied. Would that be correct?

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1. PRESIDENT:

2. Senator McCarthy.

3. SENATOR MCCARTHY:

4. Well, in...in this Consumer Fraud Act, of course, which is
5. embracive of a great many Acts. The latitude of penalties, I suppose,
6. could go as high as fifty thousand dollars. I think Attorney General
7. Scott in pleading for some help on the equity funding case indicated that
8. if he was successful on that one, that would be the type of...he would
9. like to go for the maximum, but then of course, they have impositions
10. of cease and desist orders or minimum penalties. It's whatever the
11. State's Attorney would...would go for in an individual case, but that
12. section of the law is not proposed. There's no amendment or change
13. in that section.

14. PRESIDENT:

15. Any further discussion? The question is shall House Bill 1608
16. pass. Those in favor will vote Aye. Opposed Nay. The voting is open.
17. Have all voted who wish? Take the record. On this question, the
18. Ayes are 32, the Nays are 12, with 8 Voting Present. House Bill 1608
19. having received a constitutional majority is declared passed. A
20. verification has been requested. Will the members be in their seats.
21. The Secretary will call the affirmative roll. Senator...Senator Wooten,
22. for what purpose do you arise?

23. SENATOR WOOTEN:

24. I just wanted to make sure - you are requesting a verification?

25. PRESIDENT:

26. I am not requesting anything. A...a verification was requested
27. by Senator Howard Mohr.

28. SENATOR WOOTEN:

29. I...I simply want to point out that I believe it is generally
30. understood we're working in two channels today trying to get some
31. appropriation matters going as well as Floor action, and it would
32. seem to me that if we're going to start this procedure that maybe we
33. are going to be forced to cease and desist operating on two tracks...

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1. PRESIDENT:

2. Well, I...

3. SENATOR WOOTEN:

4. I merely want to make that point and...

5. PRESIDENT:

6. You're very right. There are members...there are members of
7. the Appropriations Committee who are...who are employed in another
8. function. They're in my office, as a matter-of-fact, and...and that
9. is very true. Senator Howard Mohr.

10. SENATOR MOHR:

11. Well, as long as we're killing time, Mr. President. I'm sur-
12. prised, I'm appalled at this particular member raising that point.
13. Will the...you instruct the Secretary to call the roll please.

14. PRESIDENT:

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

16. SENATOR WOOTEN:

17. A point...point of personal privilege.

18. PRESIDENT:

19. State your point.

20. SENATOR WOOTEN:

21. If that reference was to me, I really don't understand it since
22. I have generally tried to agree with the procedures under which
23. we've been operating. No, I...I'm not worried about whether or not
24. people...when...when the verification is made, I'd like to speak on
25. a point of personal privilege.

26. PRESIDENT:

27. You may. The question under consideration is verification of
28. the affirmative roll call on House Bill 1608. It's 1608. Yeah, 160...
29. nueve...ocho, for you, you're Mexican. Now, 1608, would the Secretary
30. ...will the Secretary read the affirmative roll call. Will the
31. members be in their seats.

32. SECRETARY:

33. The...the following voted in the affirmative...

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1. PRESIDENT:

2. Now, just a moment. For what purpose does Senator Howard Mohr
3. arise?

4. SENATOR MOHR:

5. I wondered, Mr. President, if we're going to get that clock
6. pretty soon that will give us a time limit on this...this type of
7. action.

8. PRESIDENT:

9. Yes, I think...I think Senator Harris has ordered it. He might
10. want to address himself to it. Senator Howard Mohr wants to know
11. if you've ordered that clock, the one that attaches itself here.

12. SENATOR HARRIS:

13. Did we order it, you say?

14. PRESIDENT:

15. Yes.

16. SENATOR HARRIS:

17. Yeah, we own it.

18. PRESIDENT:

19. Oh, we ordered it, and we'll have it...we'll have it in soon.
20. Now, just a minute. We have to...we have to take care of the business
21. now. We're on the question of House Bill 1608. A verification has
22. been requested and we want to get to that. Now, for what purpose
23. do you arise, Senator Bruce?

24. SENATOR BRUCE:

25. It's just that you and Senator Harris are both in error. The
26. time clock is installed and it operates.

27. PRESIDENT:

28. Q., yes. That's right. Sure.

29. SENATOR BRUCE:

30. That's right. Sure, if you press the button, it'll work one
31. time.

32. PRESIDENT:

33. That's right. For what purpose does Senator Nudelman arise?

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1. SENATOR NUDELMAN:

2. Well, Senator Wooten, having done such an excellent job, I
3. wonder if Senator Mohr would withdraw his request.

4. PRESIDENT:

5. If you keep talking, he'll probably leave. Read the...read it.
6. Read the affirmative votes.

7. SECRETARY:

8. The following voted in the affirmative:

9. Bell, Berning, Bruce, Buzbee, Carroll, Chew, Course, Demuzio,
10. Donnewald, Dougherty, Egan, Fawell, Kenneth Hall, Hickey, Hynes,
11. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, McCarthy, Morris, Netsch,
12. Newhouse, Nudelman, Rock, Savickas, Smith, Vadalabene, Wooten, Mr.
13. President.

14. PRESIDENT:

15. Ring the bell for Senator Bell. He's right here. Senator
16. Dougherty. He's over here behind you. Right behind you. Senator
17. Knuppel. Is Senator Knuppel in the bar? Can't hear him. Take him
18. off the record. Any...any further...Senator Vadalabene is in his
19. seat. The roll call has been verified. On the question on 1608, the
20. previous announced vote obtains - 32 Ayes, 12 Nays and none Voting
21. Present. Senator Wooten.

22. SENATOR WOOTEN:

23. Addressing myself to that point again, that I recognized when I
24. came in here since I have a bill that's coming up that there are
25. a lot of members busy at diverse tasks, and I was hoping that we would
26. not get into the business of verification. If we are indeed going to
27. play that game, I want to pass my bill by, and I imagine others, and
28. maybe later on, question a quorum. But I'm perfectly agreeable to
29. go along with the two functions running simultaneously.

30. PRESIDENT:

31. House Bill 1613, Senator Bloom.

32. SECRETARY:

33. House Bill 1613.

1. (Secretary reads title of bill)
2. 3rd reading of the bill.
3. PRESIDENT:
4. Senator Bloom.
5. SENATOR BLOOM:
6. Thank you very much, Mr. President and fellow Senators. This
7. bill only affects one area of the State, oddly enough, Peoria, Illinois.
8. It should have been on the agreed...bill list. This conforms Article
9. 33 districts to the legislation that Senator Hickey passed earlier
10. in the Session, and the bill I passed earlier. Accept any questions
11. and urge a favorable roll call.
12. PRESIDENT:
13. Any further discussion? The question is shall House Bill 1613
14. pass. Those in favor will vote Aye. Opposed Nay. The voting is
15. open. Have all voted who wish? Take the record. On this question,
16. the Ayes are 48, the Nays are none, with none Voting Present. House
17. Bill 1613 having received a constitutional majority is declared passed.
18. House Bill 1615, Senator Kenneth Hall. House Bill 1617, Senator
19. Wooten.
20. SECRETARY:
21. House Bill 1617.
22. (Secretary reads title of bill)
23. 3rd reading of the bill.
24. PRESIDENT:
25. Senator Wooten.
26. SENATOR WOOTEN:
27. Mr. President and colleagues, this bill...attempts to clarify
28. a question in the mind of some county clerks. The term hospital is
29. defined by some county clerks to mean extended care facilities. The
30. problem occurs when those who are now living in extended care facili-
31. ties would chose to make that their permanent residence. I know of
32. at least nine county clerks who interpret the term hospital narrowly
33. to say that people who are in such extended care facilities cannot

1. claim that as their...as their permanent address. This would simply
2. clarify...clarify that point and make the interpretation uniform.
3. I answer any questions and ask for a favorable roll call.

4. PRESIDENT:

5. Any further discussion? Senator Davidson.

6. SENATOR DAVIDSON:

7. Mr. President and members of the Senate, I rise in opposition
8. to this bill because this bill is unnecessary. Now, a skilled nursing
9. home is not under the definition of hospital whether the county
10. clerks count it that or not. But the most important thing which I
11. think you all should be apprised has been bannered around that if a
12. person is a resident of a skilled nursing home and desires to make that
13. his legal address, he can do it under the present law. There's nothing
14. to prevent him from doing this. This bill is totally unnecessary.
15. All it's going to do is lead to opportunity of more vote fraud and
16. more people being led down the Prim Rose path on how they vote. Now,
17. you people can talk about skilled nursing care homes. You've been in
18. nursing homes the same as I have. Lots of those people in there are
19. not cognitive of what they're going to vote for or against. If they're
20. voting back home, they can or cannot with the help of their family
21. or their precinct committeeman. If they want to make a permanent
22. residence out of this home, they can. Under the liberalization that
23. we did on the handicap of the physically disabled voter last year
24. where a five year certificate by the attending physician can get them
25. their ballot by simply asking for it, this bill is unnecessary. It's
26. going to lead to vote fraud, and I urge all of you to vote against
27. this.

28. PRESIDENT:

29. Any further discussion? Senator Ozinga.

30. SENATOR OZINGA:

31. How are you going to establish the residency of these people
32. that are in this homes...these homes?

33. PRESIDENT:

1. PRESIDENT:

2. Senator Wooten.

3. SENATOR WOOTEN:

4. If they are in there for the rest of their lives, as a matter-
5. of-fact, if you look at the contracts that some of the people make
6. out on these, you find out that it's...they even deed over survivor
7. benefits.

8. PRESIDENT:

9. Senator Ozinga.

10. SENATOR OZINGA:

11. Now, some of these people are placed in...in these homes by the
12. Mental Health Department. They are placed there because they are
13. incapable of helping themselves and thinking well. Now, are you going
14. to register these type of people? Are you attempting to create a
15. fraud in the election?

16. PRESIDENT:

17. Senator Wooten.

18. SENATOR WOOTEN:

19. If you want to make something crazy out of this, go right ahead.
20. What I'm trying to do is clear up an argument between different sets
21. of county clerks. We heard testimony to the effect that some say
22. hospital include skilled nursing facility and some say no, it does not.
23. I think we're looking for some consistency on that point, and the
24. fact that we heard testimony, I think, Senator Davidson must not have
25. listened to it, because it was obvious that at least nine county
26. clerks make that distinction. Now, whatever else you want to drag
27. across the trail, go right ahead. This only addresses itself to that
28. one matter, definition of hospital.

29. PRESIDENT:

30. Senator Ozinga.

31. SENATOR OZINGA:

32. Senator, you are well aware of the fact that this says that
33. skilled nursing homes. Now, nursing homes are places where people are

1. placed for long-term care, am I correct in that?

2. PRESIDENT:

3. Senator Wooten.

4. SENATOR WOOTEN:

5. It says facility, not home, and you are correct.

6. PRESIDENT:

7. Senator Ozinga.

8. SENATOR OZINGA:

9. If that is the truth, then you are also aware that these are

10. elderly people that are in need of help. Am I correct on that?

11. PRESIDENT:

12. Senator Wooten.

13. SENATOR OZINGA:

14. These are the people that you are trying to get registered, is

15. that right?

16. PRESIDENT:

17. Senator Wooten.

18. SENATOR WOOTEN:

19. They are registered, Senator. It's a question as to whether

20. they want to be registered at their former address or at their present

21. address.

22. PRESIDENT:

23. Senator Ozinga.

24. SENATOR OZINGA:

25. Alright now, from that...I gather from that that you are now

26. saying that regardless of where they are, you are now going to entitle

27. them to vote at an election from that particular nursing home regard-

28. less of what?

29. PRESIDENT:

30. Senator Wooten.

31. SENATOR WOOTEN:

32. If they are no longer living at 1013 Pond Street but are now

33. living at Americana Nursing Home, it seems only reasonable that what

1. is, in fact, their permanent address should be their permanent
2. address if they so desire. I am willing to leave them the option of
3. registering from either address. I simply want to clear up a debatable
4. point in the law.

5. PRESIDENT:

6. Senator Ozinga.

7. SENATOR OZINGA:

8. Regardless of their competency or relevancy to their knowledge
9. of what they know that's going on.

10. PRESIDENT:

11. Senator Wooten.

12. SENATOR WOOTEN:

13. That is not the point in question.

14. PRESIDENT:

15. Senator Graham.

16. SENATOR GRAHAM:

17. Mr. ...Mr. President and members of the Senate, since 1961 I've
18. been knocking around the State on the Commission on Election Laws.
19. If there's one thing that ever created a lot of curiosity among our
20. people was the fact that there seemed to be a center for...potential
21. vote fraud in some of our nursing homes. I'm wondering when the
22. subject of mentally incapacitated was brought up if that could be the
23. responsibility of those people for the election of some of the officers
24. to the State, officers, I don't know about that, I don't think there's
25. that many of them. But there is a concern, there is a need for
26. uniformity. There is a concern for the lack of it. This Fall you're
27. going to have an opportunity to vote for about a four hundred page
28. bill to take care of this. I am not questioning the Senator from
29. Rock Island's motive or integrity with regard to this bill. I happen
30. to think we don't need it at this point in time. I think there will
31. be corrective legislation go through this Senate in the form of the
32. big bill, and there's no election coming up right away that I know
33. of, and I think that probably we can do everybody a favor by leaving

1. this bill here in the Senate.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. Is there further debate? Senator Wooten may close the debate.

4. SENATOR WOOTEN:

5. Thank you, Mr. President. I have tried to keep the debate as
6. narrowly drawn on the issue as is possible. I realize any time...may
7. I have order, Mr. President.

8. PRESIDING OFFICER (SENATOR DONNEWALD):

9. Will the members please be in their seats. Proceed.

10. SENATOR WOOTEN:

11. I have tried to draw this issue as narrowly as possible. I
12. realize when we talk about long-term care facilities right away we
13. begin to think in terms of mental competence. This does not go to
14. that question at all. Whatever safeguards there are in the law to
15. deal with that remain in the law. This simply has to do with where
16. you live. A friend of mine who is a staunch Republican who does not
17. vote for my party and perhaps not even for me, we very delicately
18. skirted that issue, lives in an Americana Nursing home. Our county
19. clerk accepts that as her permanent place of residence. She has been
20. there for some four years, bright, alert and competent. No question
21. of her ability to vote. The point is, and I must contest what Senator
22. Davidson said, we had testimony that their county clerks who inter-
23. pret the term hospital so narrowly that if they were operating in
24. my county, my friend could not use that as her permanent address which,
25. in fact, it is. Now, you can raise every specter of vote fraud that you
26. want, but you're simply creating a fantasy around a fairly simple
27. statement that Representative Griesheimer's addressed himself to, that
28. there is a dispute as to how hospital is interpreted. This makes it
29. clear that it does not mean a long-term care facility. That certainly
30. was not the intent of the people who drafted the present legislation.
31. I don't think we question that. The fact is there are a few county
32. clerks who have created the question and made the difficulty, this
33. simply seeks to resolve it. I request a favorable roll call.

1. PRESIDING OFFICER (SENATOR DONNEWALD):

2. Well, Senator Wooten closed the debate, and I think that...
3. state your point, Senator Davidson.

4. SENATOR DAVIDSON:

5. Since he addressed himself to Senator Davidson, I would suggest
6. to Senator Wooten that he check with the State Board of Elections
7. as we did, and they find there's no definition of hospital that in-
8. cludes skilled nursing home and the patients can register there now if
9. they desire to change their legal address.

10. PRESIDING OFFICER (SENATOR DONNEWALD):

11. Just a moment. Alright. The question is shall House Bill 1617
12. pass. All those in favor vote Aye. Those opposed No. The voting
13. is open. All those voted who wish? Take the record. On that
14. question, the Ayes are 36, the Nays are 13. House Bill 1617 having
15. received a constitutional majority is declared passed. A request
16. for verification is had, and Senator, I presume that you want the affir-
17. mative or negative vote? The negative? Affirmative. Just a moment.
18. Senator...Senator Bruce, for what purpose do you arise?

19. SENATOR BRUCE:

20. Well, to echo the comments of Senator Wooten a minute ago. Now,
21. I'm sure that Senator Partee or someone is willing to go back into
22. his office and get the members of the Appropriations Committee that
23. are in there working on budgets, and we're trying to get out of here
24. by June 30th that if we do that...

25. PRESIDING OFFICER (SENATOR DONNEWALD):

26. 27th.

27. SENATOR BRUCE:

28. ...by the 27th, I stand corrected, but the problem is they are
29. there and they will be back, and if we keep just stopping this pro-
30. cedure on the whole Appropriations Committee, we're going to be here
31. a long time. And I would...I would hope that Senator Johns and some
32. of the people that might be hearing this would be drifting back on
33. the Floor, but we have interrupted their work again, and if we're here

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1. past June 30th, that's the responsibility of other members.

2. PRESIDENT:

3. Sorry, I was off the Floor. Senator Mitchler.

4. SENATOR MITCHLER:

5. Yes, Mr. President, do not the rules provide that you will not
6. have committee meetings when we are in Session?

7. PRESIDENT:

8. No, the rules do not provide that. In addition, thereto, what
9. they are having is not formally a committee meeting. The order of
10. business is to call the affirmative votes.

11. SECRETARY:

12. The following voted in the affirmative:

13. Bell, Berning, Brady, Bruce, Buzbee, Carroll, Chew, Course,
14. Demuzio, Donnewald, Dougherty, Egan, Kenneth Hall, Hickey, Hynes,
15. Johns, Joyce, Knuppel, Kosinski, Lane, Latherow, Lemke, McCarthy,
16. Merritt, Morris, Netsch, Newhouse, Nudelman, Palmer, Rock, Smith,
17. Sommer, Vadalabene, Welsh, Wooten, Mr. President.

18. PRESIDENT:

19. Senator Bell. Is Senator Bell here? Right here. The roll has
20. been verified. 1645, Senator Berning. Had it been...well, I asked
21. had it...give me the record on it, please. It's...there's some dis-
22. cussion as to whether it was or was not announced. It won't hurt to
23. do it again. On House Bill 1617, there were 36 Ayes, 13 Nays, with
24. none Voting Present. It having received a constitutional majority is
25. declared passed, and thereafter, the roll was verified and did not
26. change the vote. House Bill 1645, Senator Berning. House Bill 1649,
27. Senator Rock. Read the bill.

28. SECRETARY:

29. House Bill 1649.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Rock.

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1. SENATOR ROCK:

2. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
3. House Bill 1649 sponsored in the House by Representative Shea was
4. passed overwhelmingly. It was at the request of our State Treasurer,
5. Alan Dixon. It amends an Act relating to...to the investment of public
6. funds, and...and the Act relating to the State Treasurer's Office.
7. What it does is create a Public Treasurer's Investment Pool. The
8. program is totally voluntary. It's totally permissive, and it allows
9. units of local government to participate on a voluntary permissive
10. basis with the State Treasurer in this Public Treasurer's Investment
11. Pool. What it will do is allow the idle funds in...in small amounts
12. that are...that sometimes are accumulated by county treasurers to be
13. utilized by this...by virtue of this State Treasurer's Pool so that he
14. can invest at a higher rate of interest and thus earn a higher return
15. on a short-term investment for the units of local government. I...the
16. bill was amended here to make it perfectly clear that this Act is in no
17. way a limit on any home rule unit. As I say, the program is voluntary.
18. It's permissive, and I would urge a favorable vote.

19. PRESIDENT:

20. The question is shall House Bill 1649 pass. Those in favor will
21. vote Aye. Opposed Nay. The voting is open. Have all voted who
22. wish? Take the record. On this question, the Ayes are 48, the Nays
23. are 1, with 1 Voting Present. House Bill 1649 having received a
24. constitutional majority is declared passed. House Bill 1654, Senator
25. McCarthy.

26. SECRETARY:

27. House Bill 1654.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator McCarthy.

32. SENATOR MCCARTHY:

33. Mr. President, what I'd like to do here is take this bill back

1. to 2nd reading because there's an amendment that I've offered on the
2. Secretary's Desk.

3. PRESIDENT:

4. Is there leave? Leave is granted. The bill is on 2nd reading.
5. Senator McCarthy is recognized.

6. SENATOR MCCARTHY:

7. There is Amendment No. 1 which does this. It redefines the
8. waiting week so that it's in exact conformance with the waiting week
9. that we hammered out on 285. That is to say that the waiting week
10. is eliminated only if the person is unemployed for three weeks during
11. the calendar year, and we understand that, and that's what the con-
12. sensus has been as the agreement, and unless there's any question on
13. it, I move the adoption of this amendment.

14. PRESIDENT:

15. Any discussion? Senator McCarthy moves the adoption of Amend-
16. ment No. 1 to House Bill 1654. Those in favor will say Aye. Those
17. opposed say Nay. Ayes have it. Amendment No. 1 is adopted. Any
18. further amendments? 3rd reading. House Bill 1656, Senator Egan.
19. House Bill 1663, Senator Don Moore. Read the bill.

20. SECRETARY:

21. House Bill 1663.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Don Moore.

26. SENATOR MOORE:

27. Thank you, Mr. Chairman. This bill in itself is probably an
28. explanation of it. Section 1, in any case before a court in this
29. State in which a medical practitioner is being sued, lack of informed
30. consent shall not in itself be effective to establish negligence or
31. willful and wanton misconduct if the plaintiff has failed to adduce
32. expert medical testimony in support of the alleged lack of informed
33. consent. The Section 2, this Act shall not apply to any action

1. brought after the effect of this date. I know of no objection to it.
2. It's recommended by the Illinois State Medical Society. It's part
3. of the Medical Practice Reform that we're in the process of going through.
4. I'd appreciate a favorable vote.

5. PRESIDENT:

6. Any further discussion? Senator Rock.

7. SENATOR ROCK:

8. Well, I rise in opposition to House Bill 1663, and in a word,
9. the bill is outrageous. I...I cannot possibly imagine the whole
10. point of informed consent is to allow the patient to know what, in
11. fact, the possible risks will be, and to say that, as I read this,
12. it now says if a doctor doesn't tell you, that's no basis for suit.
13. That...that's simply outrageous. I think that by virtue of the fact
14. that we have created a Senate Committee to study this subject, this
15. is a bill among others which...which should repose in that committee
16. until we can, ourselves, get some informed judgement on these matters,
17. and I would urge opposition to House Bill 1663.

18. PRESIDENT:

19. Any further discussion? Senator Fawell.

20. SENATOR FAWELL:

21. Well, I would join with Senator Rock. I know in...I'm not very
22. much in medical malpractice, but I was reading a law review article just
23. the other day and...and on informed consent, and it is true that this
24. is one area where expert testimony is not necessary. It's a question
25. of...of just general common sense - has the physician told the
26. patient reasonably what the risks of that operation will be or the
27. medical treatment in concern. That's what informed consent is all
28. about, and the case law is very clear that here is one area where
29. one doctor doesn't have to testify against another, and the conspiracy
30. of silence problem is not involved. I must confess that when this
31. bill went through Judiciary, I hadn't done my homework in that regard,
32. and I think I sat rather silent, but I do agree with Senator Rock
33. that I think this is a major bill insofar as case law is concerned

1. in...in medical malpractice. It takes from the consumer a very,
2. very valuable right that the consumer has only been able to obtain
3. because of case law to protect him that he ought to know what those
4. risks are going to be before he consents to an operation. So, I
5. would...rise in opposition also.

6. PRESIDENT:

7. Any further discussion? Senator Don Moore may close the debate.

8. SENATOR MOORE:

9. Well, thank you, Mr. President and members of the Senate. This
10. bill does not eliminate the doctrine of implied consent. The doctor
11. still has to inform his patient as to the probably consequences of
12. any surgery or so forth that he may do. The only thing this bill says
13. is that the doctrine of informed consent shall not in itself be effec-
14. tive to establish willful or wanton misconduct or negligence unless
15. the plaintiff has some expert medical testimony that will say - doctor
16. who is being sued, you should have told the patient this. Now, if
17. that's the case, fine. The doctrine of informed consent is there,
18. damages can be awarded, but I think there's a misconception that this
19. in itself eliminates the doctrine of informed consent. It does not.
20. It says that it in itself shall not be any evidence of negligence
21. or willful or wanton misconduct unless there is some expert testimony
22. that the plaintiff has to bring in, in which case, if that expert
23. testimony comes in, damages are still there. I think there are ade-
24. quate safeguards in the bill insofar as the patient is concerned, and
25. I would request a favorable roll call.

26. PRESIDENT:

27. The question is shall House Bill 1663 pass. Those in favor
28. will vote Aye. Opposed Nay. The voting is open. Have all voted
29. who wish? Take the record. On this question, the Ayes are 10, the
30. Nays are 32, with 3 Voting Present. House Bill 1663 having failed to
31. receive a constitutional majority is declared lost. House Bill 1682,
32. Senator Course. For what purpose does Senator McCarthy arise?

33. SENATOR McCARTHY:

1. Well, it's...it's twofold. First, there's sort of been an understand-
2. ing that when a bill is in line...

3. PRESIDENT:

4. Oh, I'm sorry, Senator. I just neglected that. House Bill
5. 1654...

6. SENATOR McCARTHY:

7. Well, however...however, Mr. President, this bill will probably
8. engender some protracted debate. There is some talk that somebody
9. may want to offer an amendment some time in the future, and your
10. Appropriations Committee has been meeting, and I don't want Senator
11. Mohr to have to verify the roll call, but I do want to preserve my
12. place in line. So, what I'm trying to do is get an understanding
13. with both sides of the aisle that if I don't call the bill now, I
14. could go to that order.

15. PRESIDENT:

16. Senator, we...we've had some experience with perspective amend-
17. ments, and I...I fully understand what you're saying, and I think
18. there is leave to pass the bill because of the protracted nature of
19. the debate that may be engendered with some members off the Floor.
20. Is there leave? We can come back to it at a convenient point.

21. SENATOR McCARTHY:

22. I think that will be the easiest way to do it.

23. PRESIDENT:

24. Leave is granted. For what purpose does Senator Carroll arise?

25. SENATOR CARROLL:

26. Just on a point of order. I think it would be appropriate to
27. quote for one second the great author and poet, Frost, who indicated
28. that a champion of the working man has never yet been known to die
29. of overwork.

30. PRESIDENT:

31. House Bill...for what purpose does Senator Newhouse arise?

32. SENATOR NEWHOUSE:

33. Was that Wilson Frost?

1. PRESIDENT:

2. The English Frost. House Bill 1682, Senator Course.

3. SECRETARY:

4. House Bill 1682.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Is this Senator Course?

9. SENATOR COURSE:

10. Thank you, Mr. President. House Bill 1682 amends the Open
11. Meetings Act, and this legislation is the result of an opinion filed
12. by the Attorney General in March of 1974 regarding questions pertaining
13. to an Act in relation to meetings in response to an inquiry from the
14. State's Attorney of Whiteside County. Among the questions asked which
15. the Attorney General rendered an opinion was the interpretation of
16. the word employment. Public bodies had interpreted employment to
17. include not only the hiring of an employee but those other matters
18. which an opinion...which a promotion, demotion, compensation, assign-
19. ment, responsibilities and capabilities of an employee. The Attorney
20. General's opinion is that an employer is limited to hiring and is not
21. broad enough to include any matters relating to personnel. This bill
22. includes these other matters as suggested by the Attorney General.

23. PRESIDENT:

24. Any further discussion? Senator Morris.

25. SENATOR MORRIS:

26. You know, this is a further erosion into the Open Meeting Law
27. to allow for more secrecy in government. If there is an employee
28. who needs to be reprimanded or is not doing the job, that is the
29. public's business and it ought to be done in public. I think the
30. Open Meeting Law was pretty clear when it was originally written. If
31. you want to discuss a person's terms of employment when you're going
32. to hire he or she, you have the right to do that. But at this point,
33. to let you go back any time you get a whim to do it, it's just tragic.

1. It means that more and more the local governments of this land will
2. be doing its business behind closed doors, that is the business of
3. the taxpayers who pay the freight. I think if an employee needs to
4. be talked to about something like this, it either ought to be done by
5. the administrator who was hired by the board or the person should be dis-
6. ciplined and dismissed because they are incompetent. But to allow
7. them to go in back rooms to beat some poor employee into submission
8. is tragic. I think if you're going to allow this kind of thing, you
9. ought to at least give the employee the right to request that it be
10. done in public so we don't have back room witch hunts which is what's
11. happened in my community, and it's going to continue to happen if you
12. legalize the wrong doing with this bill.

13. PRESIDENT:

14. Senator Fawell.

15. SENATOR FAWELL:

16. Well, I...I disagree with these last comments by Senator Morris.
17. This was requested by a number of school boards especially. You'll
18. note as you look at the law right now, it does say that closed sessions
19. are allowed in regard to employment, regard of appointment and employ-
20. ment of employees, and the Attorney General has brought about the
21. question as Senator Course has indicated, does that also include pro-
22. motion, demotion, and these...these points which are set forth in this
23. bill. I think quite rightly it...it does, attorneys differ on the
24. point, but I don't believe that when you're considering whether you're
25. going to promote somebody or have to demote or something of that sort,
26. if he wants to ask for a public hearing, okay. But I don't think he
27. should necessarily have to air that before the public in general, and
28. I would submit to you that the word employment as it is now set forth
29. really was meant to cover that anyway. When you go to a point or to
30. employ, I think this...this does not do violence to the basic concept
31. of the Open Meetings Act and...and is protective of all in concern.

32. PRESIDENT:

33. The Chair notices Respresentive Houlihan on the Floor,

1. and we just can't help but remember how much violence he did to our
2. softball team, but other than that, he's welcome. Senator Glass.

3. SENATOR GLASS:

4. Thank you, Mr. President. I'd like to ask Senator Course a
5. question if he'll yield.

6. PRESIDENT:

7. He indicates he'll yield.

8. SENATOR GLASS:

9. Senator Course, I think Senator Fawell has accurately described
10. the need for expanding the definition of employment, but am I correct
11. that the bill also eliminates the need to give notice of meetings, of
12. certain meetings?

13. PRESIDENT:

14. Senator Course.

15. SENATOR COURSE:

16. Senator, that is correct, yes.

17. PRESIDENT:

18. Senator Glass.

19. SENATOR GLASS:

20. Well, I...I am, frankly, not in favor of that part of the bill.
21. It seems to me that the...the notice provision still should remain,
22. and I wonder if there's any chance that you might preserve just a
23. portion that...that expands the definition of employment and...and
24. not delete the...the part that requires giving of notice of these
25. meetings.

26. PRESIDENT:

27. Senator Course.

28. SENATOR COURSE:

29. Well, Senator Glass, I'm sure that the person...the person
30. involved in this and the...the employment or whether it's promotion,
31. demotion, compensation, assignment of duties or anything like that, I
32. am sure they would be invited to the..to the hearing. And I don't see why
33. we have to just open the door and then let everybody come in and...and

1. make a witch hunt of it. Maybe there's something justified in...in
2. holding a closed door meeting. Maybe the man is an alcoholic and
3. he doesn't want it known. Why should it be flaunted before the
4. public?

5. PRESIDENT:

6. Senator Hickey.

7. SENATOR HICKEY:

8. Mr. President, I'm...I'm wondering if the sponsor would think
9. at all of removing the...the...the elimination of notice of Section
10. .202.

11. PRESIDENT:

12. Senator Course.

13. SENATOR COURSE:

14. Well, Senator Hickey, this is the opinion of the Attorney
15. General, and I'm not going to quarrel with him. He's a learned
16. attorney, and I'm sure he...when he proposed this legislation, he
17. knew what he was doing.

18. PRESIDENT:

19. Senator Hickey.

20. SENATOR HICKEY:

21. This is the subject that's a favorite of mine, and it's one
22. that we really trouble in our house about because my husband and I
23. completely disagree on this. But having sat on several public boards
24. and having had open meetings really send the business of public deci-
25. sion making into the hands of paid executives, and people refrain from
26. really open discussion, I don't...I'm not really in love with the
27. Open Meeting Laws that now exist. I like the first part of your
28. bill, Senator Course, but on the other hand, I think that...that the
29. public should know if the board is holding a meeting in private, and
30. for that reason, I can't vote for the bill...for this bill. I'd like
31. to, but I would vote for it if that second part were deleted. Thank
32. you.

33. PRESIDENT:

1. Any further discussion? Senator Bruce.

2. SENATOR BRUCE:

3. Yes, Mr. President, I rise in opposition to House Bill 1682.

4. The words that are added are promotion, demotion, compensation,

5. assignment, responsibilities and capabilities to matters that can

6. be discussed in a closed meeting. I think there are really two

7. issues to be discussed, the accountability of public employees and

8. employers to the public and the right of the citizen and taxpayer to

9. know what occurs in those board meetings. The exemptions that are

10. contained in this bill go almost to the extent of completely doing

11. away with the Open Meetings Act in Illinois. In a time when more

12. openness is required in Illinois and throughout the nation, it is

13. tragic that we have begun to close meetings to the public. Twenty-

14. five bills, to give you the...the mood of the people, twenty-five

15. bills have been introduced in this General Assembly to open up public

16. meetings, to allow the public to hear what is discussed, to let them

17. know what the public taxing bodies of this country are doing. Only

18. ten bills have been introduced that restrict that right of openness,

19. and only two bills of which 1682 has won are still alive today in

20. the General Assembly. I think the major point is that the people

21. have the right to know on the matters of capability. If a school

22. superintendent has not done a capable job, why should that not be

23. public record. The school board hired him. They knew him, and he

24. has now done his job in an improper fashion. That should become public

25. knowledge. A second provision, as Senator Hickey mentioned, is the

26. fact that allows governmental bodies to hold a closed meeting without

27. notice. That is the part that I dislike the very most. It seems to

28. me that even inadvertently public bodies might violate the Open Meet-

29. ings Act. By first having a closed meeting, then things that are not

30. on the agenda, things that were not to be discussed, things that they

31. not...never even anticipated come up and are, in fact, discussed and

32. thereby create inadvertently a violation of the Open Meetings Act.

33. The bill is opposed by the Illinois Press Association, the Taxpayers

1. Federation in the State of Illinois, and many other groups. I should
2. think that it should not be adopted at this time by this General
3. Assembly.

4. PRESIDENT:

5. Senator Course may close the debate.

6. SENATOR COURSE:

7. Well, Mr. President and members of the Senate, I disagree with
8. Senator Bruce, and as in all these Acts here is...is in this Act -
9. no final action may be taken in a closed session. I think that
10. answers the questions of a lot of people who are opposed to this bill,
11. and I would request a favorable roll call.

12. PRESIDENT:

13. The question is shall House Bill 1682 pass. Those in favor will
14. vote Aye. Opposed Nay. The voting is open. Have all voted who
15. wish? Take the record. On this question, the Ayes are 26, the Nays
16. are 22, with 2 Voting Present. House Bill 1682 having failed to
17. receive a constitutional majority is declared lost. House Bill 1668,
18. Senator Romano. House Bill 1670, Senator Howard R. Mohr. Senator
19. Mohr is recognized.

20. SENATOR MOHR:

21. Yes, Mr. President, I'd like leave of the Body to bring this
22. back for an amendment.

23. PRESIDENT:

24. Is leave granted? Leave is granted. House Bill 1670 is on
25. the order of 2nd reading. Senator Howard Mohr is recognized.

26. SENATOR MOHR:

27. Yes, Mr. President, this amendment on Page 6 strikes lines 9...
28. 19 through 22. It's a recommendation of the Illinois Municipal
29. League and Mr. Green and other municipal attorneys. They say the
30. language is not necessary, that particular language. I move the
31. adoption.

32. PRESIDENT:

33. Any discussion? Senator Howard Mohr moves the adoption of

1. Amendment No. 2 to House Bill 1670. All in favor will say Aye.
2. Opposed Nay. Amendment No. 2 is adopted. Any further amendments?
3. 3rd reading. House Bill 1683, Senator Palmer.
4. SECRETARY:
5. House Bill 1683.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDENT:
9. Senator Palmer.
10. SENATOR PALMER:
11. Mr. President and members of the Senate, House Bill 1683 provides
12. and does exactly what the Calendar indicates. It increases necessary
13. recording fees for the filing of deeds and other instruments. The
14. amendment referred to is...it's a home rule amendment, and I ask for
15. a favorable roll call.
16. PRESIDENT:
17. Any further discussion? The question is shall House Bill 1683
18. pass. All in favor will vote Aye. Opposed Nay. The voting is
19. open. Have all voted who wish? Take the record. On this question,
20. the Ayes are 44, the Nays are 2, with none Voting Present. House
21. Bill 1683 having received a constitutional majority is declared
22. passed. House Bill 1685, Senator Lemke. House Bill 1690, Senator
23. Lemke. What is your pleasure, Senator? Read the bill.
24. SECRETARY:
25. House Bill 1690.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. PRESIDENT:
29. Senator Lemke.
30. SENATOR LEMKE:
31. This just allows the Department of Registration and Education
32. to advance funds to investigating agents to secure and...prepare
33. evidence authorizing twenty-five dollars per day plus expenses to

1. members of the Department Examining Committee. This is a clean up
2. bill because of the...they can't pay out any funds until they have
3. this bill passed, according to the Comptroller.

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
8. I rise in support of this bill. It is as Senator Lemke has suggested
9. at the request of both the Comptroller and the Auditor. It's one of
10. the Auditor's recommendations to this department. I would urge a
11. favorable vote.

12. PRESIDENT:

13. Any further discussion? The question is shall House Bill 1690
14. pass. Those in favor vote Aye. Opposed Nay. The voting is open.
15. Have all voted who wish? Take the record. On this question, the
16. Ayes are 51, the Nays are none, with none Voting Present. House Bill
17. 1690 having received a constitutional majority is declared passed.
18. House Bill 1691, Senator Schaffer. House Bill 1693, Senator Hickey.

19. SECRETARY:

20. House...House Bill 1693.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Hickey.

25. SENATOR HICKEY:

26. House Bill 1650...or 1693 increases the aid to private, secondary
27. school awardees from the Illinois State Scholarship Commission from
28. thirteen fifty to fifteen hundred dollars. Now, there's another...
29. the...the cost of this increase is estimated at four million dollars,
30. and it is included in the ISSC appropriations bill. Now, there is an
31. amendment to this too, which was intended to be a separate bill. It
32. was put on in the House. It was intended to be a separate bill but
33. it got lost by the Reference Bureau, and so ended up here as an

1. amendment which is meant to recycle the funds that are handled for
2. the Student Guaranteed Loan Fund. At this point, we make an appro-
3. priation out of general...the General Revenue Fund for this purpose
4. to cover default and also through this flows the money from...from
5. the Federal Government for these loans. Now, what this amendment
6. would do is to allow instead of those repayments on defaults that
7. come back to the General Revenue Fund, they'd come back to the ISSC
8. fund and be recycled. At the end of the year, it would all go...any-
9. thing left over, it would go back to the Revenue Fund, but now we...
10. we say we have an appropriation. I think this year it's in a budget
11. of four point five million for that fund. It's simply money that's
12. used. It's repaid eventually, but being able to add to the Federal
13. funds, the repayment on defaults for recycling in the school...in
14. the Scholarship Commission would make possible a clear accountability
15. of the actual money that is spent by the State. If you have any
16. questions, I'll try to answer them. I'd ask for a favorable roll call.

17. PRESIDENT:

18. Any further discussion? Senator Mitchler.

19. SENATOR MITCHLER:

20. I'd like to have the sponsor restate the cost of this program
21. which would be a new cost, an increase cost.

22. PRESIDENT:

23. Senator Hickey.

24. SENATOR HICKEY:

25. Of the...of the amount of the award change...the change of the
26. amount of the award, four million dollars, but it is in the State
27. Scholarship Commission budget which has apparently been approved. I
28. don't...I don't know where the budget bill is, but...but it is in...
29. in that budget.

30. PRESIDENT:

31. Senator...Senator Mitchler.

32. SENATOR MITCHLER:

33. Well, is it necessary to have this bill passed with the

1. appropriation in the budget?

2. PRESIDENT:

3. Senator Hickey.

4. SENATOR MITCHLER:

5. What...what if this bill didn't pass? Would we save four
6. million dollars?

7. PRESIDENT:

8. Senator Hickey.

9. SENATOR HICKEY:

10. No, not if it's...not if it's appropriated, you wouldn't save
11. four million dollars. It...it would mean that the awards would be
12. less to students, but it doesn't...wouldn't definitely mean a savings.
13. It would mean the amount per student was different.

14. PRESIDENT:

15. Senator Mitchler.

16. SENATOR MITCHLER:

17. Well, what I was alluding to, I mean, the Governor has called
18. for a six percent cut. He's pointed out and concurred with what
19. the Comptroller has been telling us all this year that we're spending
20. more than we're taking in. Now, this is a new and increased expen-
21. diture of four million dollars. Now, you're willing to go along
22. with that and increase the budget and have a new appropriation and
23. expanded expenditure in the Scholarship Program of four million
24. dollars? You'll go on record for that?

25. PRESIDENT:

26. Senator Hickey.

27. SENATOR HICKEY:

28. This is not an appropriation bill. The appropriation bill is
29. being handled by Senator Demuzio. He tells me it's in the Appropria-
30. tions Committee tonight. This would...this what this bill says is
31. that when scholarships are given, the amount of the award to each
32. student would be that much. Now, if the appropriation doesn't go
33. through, there would be fewer students who would get the award, no

1. question about it.
2. PRESIDENT:
3. Senator Course.
4. SENATOR COURSE:
5. Yes, Senator Hickey, what is the dollar amount of the default?
6. Do you have any idea year by year?
7. PRESIDENT:
8. Senator Hickey.
9. SENATOR HICKEY:
10. I'm not sure whether I can give you that or not. Let's see.
11. Would it be...would it be a good idea to take this out of the record
12. and see what the Appropriations Committee does to the appropriation
13. since they're going to handle it tonight? It'd be alright with me.
14. PRESIDENT:
15. It is their pleasure.
16. SENATOR HICKEY:
17. Would you like to...would you like to do that?
18. PRESIDENT:
19. It is your pleasure...leave is granted. Take it out of the
20. record. House Bill 1695, Senator Fawell.
21. SECRETARY:
22. House Bill 1695.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. PRESIDENT:
26. Senator Fawell.
27. SENATOR FAWELL:
28. Mr. President and members of the Senate, the bill does exactly
29. what the Calendar indicates. It simply allows the park district
30. to improve and repair property as well as to purchase property, and
31. I'd ask for a favorable roll call.
32. PRESIDENT:
33. The question is shall House Bill 1695 pass. Those in favor will

1. vote Aye. Opposed Nay. The voting is open. Have all voted who
2. wish? Take the record. On this question, the Ayes are 39, the Nays
3. are 7, with 2 Voting Present. House Bill 1695 having received a
4. constitutional majority is declared passed. House Bill 1697, You
5. may commence with your explanation, Senator Glass. The bill will be
6. read later today.

7. SENATOR GLASS:

8. Thank you very much, Mr. President. This bill is the one that
9. I asked to take off the agreed list for purposes of amendment. It's
10. a bill that increases the maximum term for which school property can
11. be leased to another school district to twenty-five years. It also
12. provides that the board shall not make or renew any lease for a term
13. longer than ten years except on the vote of two-thirds of the full
14. membership of the board. This was the amendment requested in
15. committee, and I would be happy to answer any questions, otherwise,
16. I ask for a favorable roll call.

17. PRESIDENT:

18. Any further discussion? Read the bill.

19. SECRETARY:

20. House Bill 1697.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. The question is shall House Bill 1697 pass. Those in favor
25. will vote Aye. Opposed Nay. The voting is open. Have all voted
26. who wish? Take the record. On this question, the Ayes are 49, the
27. Nays are none, with none Voting Present. House Bill 1697 having
28. received a constitutional majority is declared passed. House Bill
29. 1703, Senator Glass.

30. SECRETARY:

31. House Bill 1703.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Glass.

3. SENATOR GLASS:

4. Well, thank you, Mr. President. This is a relatively simple
5. bill. It is permissive and mandates nothing. It would allow town-
6. ships to provide for cutting of weeds on vacant lots in residential
7. areas where the owners refuse or neglect to cut them, and this is the
8. power that municipalities have now and would also allow townships
9. to do this, and I would ask for a favorable roll call.

10. PRESIDENT:

11. Any discussion? Senator Rock.

12. SENATOR ROCK:

13. Has the amendment been put on to restrict this to counties having
14. a population of less than one million?

15. PRESIDENT:

16. Senator Glass.

17. SENATOR GLASS:

18. Senator Rock, no the...the bill was requested by people in
19. Cook County and the township areas and that came up in committee,
20. and we did resist the amendment. So, we would very much like to have
21. this authority for townships in suburban Cook County.

22. PRESIDENT:

23. Any further discussion? Senator Harber Hall.

24. SENATOR HALL:

25. Briefly, I rise to support the bill. It's a serious problem
26. downstate. I don't know what the problem is in Chicago, but downstate
27. it's a serious problem. We have absentee landlords in many of our
28. rural areas, and they don't cut the weeds, and when they seed, why
29. it increases the problem every year, it multiplies the problem. I
30. think it's a good bill.

31. PRESIDENT:

32. Senator Nimrod.

33. SENATOR NIMROD:

1. Mr. ...Mr. President and fellow Senators, the problem was okay
2. before when townships were able to do this, but they gave this right
3. up to go to the counties, and the counties are so large, they don't
4. get around to doing this, and...and it is a real problem with the
5. people within the community. And I think that what this does is offer
6. an opportunity to solve this problem without having to go ahead and
7. if they can change the law or take away the authority. And I would
8. urge a favorable vote for this.

9. PRESIDENT:

10. Senator Howard Mohr.

11. SENATOR MOHR:

12. Yes, I would point out to Senator Rock that Oak Park River Forest
13. Township, I think, is in favor of this bill.

14. PRESIDENT:

15. Senator Rock.

16. SENATOR ROCK:

17. Well, that's one of the problems with a district such as I have,
18. Senator. One of the problems with this bill among others is that
19. this lien which was...apparently can be perfected by the township
20. with which I do not agree in the first instance, but this lien, it
21. says under the provisions of this, is superior to all other liens
22. and encumbrances except tax liens. Does that, in fact, mean that
23. you're going to come in before the first mortgage?

24. PRESIDENT:

25. Senator Glass.

26. SENATOR GLASS:

27. Well, Senator, I suppose it would mean that. It's the same
28. kind of language that the municipalities have in the section of their
29. Acts in the counties. What...what we're doing here is allowing the
30. ...the government that is, in effect, closest to the people that
31. goes out and cuts the weeds, to have a lien for the...for recovering
32. the cost of doing so, and I don't think it's anything new in the law.

33. PRESIDENT:

1. Senator Rock.
2. SENATOR ROCK:
3. Well, even those of us who are elected from a relatively smaller
4. townships, once in a while are called upon to save...save them from
5. themselves, and I would urge opposition to this legislation.
6. PRESIDENT:
7. The question is shall House Bill 1703 pass. Those in favor
8. will vote Aye. Opposed Nay. The voting is open. (Machine cut-off)
9. ...voted who wish? Take the record. On this question, the Ayes are
10. 30, the Nays are 12, with 1 Voting Present. House Bill 1703 having
11. received a constitutional majority is declared passed. Senator Rock.
12. SENATOR ROCK:
13. I request a verification of the affirmative votes.
14. PRESIDENT:
15. Senator Howard Mohr, for what purpose do you arise?
16. SENATOR MOHR:
17. Well, I wanted to make sure that Senator McCarthy is on the
18. Floor. Is Senator McCarthy on the Floor?
19. PRESIDENT:
20. He's standing right there.
21. SENATOR MOHR:
22. Mr. President, are we going to use the same clock that we've
23. been using earlier today?
24. PRESIDENT:
25. Pardon me, I missed that.
26. SENATOR MOHR:
27. That...first of all, you had some discussion with...what's
28. our leader's name over here...?
29. PRESIDENT:
30. Oh, Senator Harris?
31. SENATOR MOHR:
32. Senator Harris.
33. PRESIDENT:

1. Oh, yes.

2. SENATOR MOHR:

3. About ordering the clock. Did we ever get that clock?

4. PRESIDENT:

5. Yes, we told you about that. Senator Harris, did you want to

6. tell him about the clock again?

7. SENATOR HARRIS:

8. I'm sorry. What was the question?

9. SENATOR MOHR:

10. Well, I understand there's a...an attachment for the voting

11. machines.

12. SENATOR HARRIS:

13. Yes, we have a clock. It was ordered and delivered and installed.

14. PRESIDENT:

15. The Secretary will call the affirmative votes. For what purpose

16. does Senator Newhouse arise?

17. SENATOR NEWHOUSE:

18. Mr. President, I...I inadvertently pushed the wrong button.

19. I pushed the No and I meant to push the Yes. Now, can we...what can

20. be done about that?

21. PRESIDENT:

22. Nothing at all except that you have stated that for the record,

23. and the record will so reflect it.

24. SENATOR NEWHOUSE:

25. It can't be corrected?

26. PRESIDENT:

27. No, Sir. You see the roll call has been announced, Senator.

28. Call the affirmative votes please.

29. SECRETARY:

30. The following voted in the affirmative:

31. Bell, Berning, Bloom, Bruce, Buzbee, Davidson, Demuzio, Fawell,

32. Glass, Graham, Harber Hall, Harris, Hickey, Johns, Joyce, Merritt,

33. Mitchler, Howard Mohr, Don Moore, Morris, Netsch, Nimrod, Ozinga,

1. Philip, Regner, Roe, Schaffer, Shapiro, Weaver, and Wooten.

2. PRESIDENT:

3. Is Senator Buzbee on the Floor? Yes. Senator Roe on the Floor?

4. Is Senator Roe on the Floor? Take him off the record. Senator

5. Shapiro on the Floor? Take him off the record. On this question,

6. the Ayes are 28, the Nays are 12, with 1 Voting Present. The...House

7. Bill 1703 having...having failed to receive a constitutional majority

8. is declared lost. For what purpose does Senator Newhouse arise?

9. SENATOR NEWHOUSE:

10. Mr. President, I take it then that those who voted on the twelve

11. side are on the prevailing side. Is that correct? In which case,

12. having voted on the prevailing side, I move to...reconsider the vote

13. by which Senate Bill...House Bill 1703 was passed...failed.

14. PRESIDENT:

15. Is there a written motion on the desk? Two members can request

16. that it be in writing. Now, I'm not going to change the rules for

17. any individual situation. Donnewald and Rock. Fine. House Bill

18. 1704, Senator Knuppel. I'm not waiting. I'm called House Bill 1704.

19. If the Senator desires to make a motion, he will make a motion, that

20. motion will be on the Table and will be dealt with today. House

21. Bill 1704, Senator Knuppel.

22. SECRETARY:

23. House Bill 1704.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Mr. President and members of the Body, House Bill 1704 is a

30. bill sponsored by the Chairman of the Energy Resources Commission

31. created in this Body approximately a year ago. In that particular

32. legislation, we had a Coal Development Bond Act which provided seventy

33. million dollars for the development of coal. This bill provides for

1. an additional ten million dollars to study and develop alternate
2. sources of energy. In addition to that, the amendment which was
3. put on the bill today provides that if the BED denies a request for
4. consideration of...of a proposal by someone who has a plan for the
5. development of energy or coal, that that person if denied by BED can
6. appeal that to the Energy Resources Commission. There are several
7. members of the Energy Resources Commission here who are members of
8. this Body and are familiar with this legislation. This legislation
9. is...sorely needed to develop alternate plans of energy as well as
10. ...as of coal. There is some opposition to this bill by the...by
11. BED, but anyone who has sat in the meetings and has dealt with BED will
12. ...will tell you that this bill is sorely needed by the State of
13. Illinois if we're going to make progress in the field of energy. It's
14. admitted that we're already a year and a half behind many other States
15. in coal development and if we're to progress with respect to solar
16. energy and other...other types of alternate energy, we must have this
17. authority. Authorizing it does not mean it will be either voted or
18. spent. I would...I would appreciate a favorable roll call.

19. PRESIDENT:

20. Senator Bell.

21. SENATOR BELL:

22. Thank you, Mr. President. Well, I'd just like to bring to the
23. attention of the members of this Legislative Body that in reference
24. to House Bill 1704 that Business and Economic Development is really
25. not in favor of the legislation. They are under the present seventy
26. million dollars that's been authorized trying to address themselves
27. to this particular area, and they have indicated that they do not
28. have the staff necessary to respond to proposals that it might get
29. for funding of this alternate energy or any alternate energy project.
30. They are, in fact, under the present seventy million dollars trying
31. to address themselves to first things being first, and that is that
32. we have that tremendous resource in Illinois known as coal and that
33. if you, in fact, want to appropriate another ten million dollars over

1. and above the seventy that is already not being fully utilized,
2. then I think it is a burden upon our head, and with these thoughts
3. I toss out to you, the fact that 1704 ought to be very carefully
4. considered before you vote in favor of another ten million dollars.

5. PRESIDENT:

6. Any further discussion? Senator Nimrod.

7. SENATOR NIMROD:

8. Mr. President and fellow Senators, as a member of the Energy
9. Resource Commission, I would say that this is a clear indication
10. where the Executive Department is trying to mandate to the Legisla-
11. ture what it should do. The Executive Department has said to us,
12. in other words BED, the Department that's involved with the Energy
13. Committee has said that they will determine the policy. I think the
14. course is very clear. The Legislature determines and sets the policy
15. and we've set up and passed this commission, and I think that this bill
16. will only tell them and tell all the other commissions that it's
17. certainly the duty and the responsibility of the Legislature to set
18. policy in this manner, and this is the clear issue, and I would urge
19. a Yes...a support for this particular bill.

20. PRESIDENT:

21. Senator Donnewald.

22. SENATOR DONNEWALD:

23. Yes, Mr. President, an inquiry of the Chair. What does this
24. require in the way of votes, a three-fifths or a majority?

25. PRESIDENT:

26. We have sent for the amendment. The way their bill is in its
27. original form, it is a general obligation bond, and would require a
28. three-fifths vote. We are checking the amendment now to determine if
29. it has been altered by the amendment. If it has not, it will require
30. a three-fifths vote. Senator Knuppel.

31. SENATOR KNUPPEL:

32. There is no alteration. It requires a three-fifths vote. The
33. amendment that was put on this morning...

1. PRESIDENT:

2. That answers our question. Thank you. That answered the
3. question. Senator Harris.

4. SENATOR HARRIS:

5. Mr. President, I just hope the members on this side, this isn't
6. what you'd call a party or partisan issue, but there is a three-
7. fifths requirement for this additional authorization, and I just
8. want the troops on this side of the aisle to be mindful of that.
9. And further, this activity has been a real disappointment to me so
10. far. They have a seventy million dollar authorization for energy
11. development as relates to coal, and now they want to broaden the
12. authority for other than coal source energy development. I submit
13. that no case for that has been made in the record so far insofar as
14. the almost year of operation of this program is really negligible.
15. I see no reason to further impair any eventual limit of our capacity
16. to authorize bonding authority, and for those reasons we ought to just
17. postpone the action on this at best and certainly for now reject.

18. PRESIDENT:

19. Senator Latherow.

20. SENATOR LATHEROW:

21. Well, Mr. President and members of the Senate, I probably should
22. say something because I, too, am disappointed in the actions and
23. so on of what has happened concerning the legislation a year ago
24. for coal development. I might want to stress to you, certainly, that
25. fault does not lie in the commission. This commission has since they
26. organized last December, has made efforts to try to get things under-
27. way. I might tell you that I feel, too, that we have had positive
28. resistance from the Department of Economic Development and some of
29. their people that I referred to you this morning on another piece of
30. legislation. I would say the Executive heading of the other council,
31. I believe it's called, that was created in this bill has done nothing.
32. They have met once, and at that time, they did nothing. Now, I...it's
33. rather difficult for me to...to say to someone that our directions have

1. not been successful. I think our directions have tried as far as
2. the development of the commission is concerned have been successful,
3. but when you meet such resistance as we did even yesterday...as late
4. as yesterday morning to have any participation by the Legislative
5. portion of that particular piece of legislation and when no parti-
6. cipation whatever in a recent coal conference that's going on in
7. New York. Otherwise, to me, it's a direct breach of the feeling of
8. that particular piece of legislation. I can see that some of what
9. has happened or failed to happen there is coming up in resistance
10. to this. I, too, question some...in talking to some of the members
11. about the need for this ten million dollars, but at the time when
12. this particular issue was fully discussed, I was not at the commission
13. meeting that day, so I didn't feel that I should be in position to...
14. to resist it as I did feel on part of it. I think Senator Knuppel
15. has made an honest effort to portray what the rest of the commission
16. members wanted.

17. PRESIDENT:

18. Any further discussion? Senator Hickey.

19. SENATOR HICKEY:

20. I'd like to ask Senator Knuppel, it seems to me we're right
21. back where we were on another issue some time ago which was related
22. to economic impact, and what I'm wondering about the economic impact
23. of this itself as far as people to administer it is concerned, appar-
24. ently there's no provision for that, and I'm a little amazed that
25. we keep getting these things that...that don't...that we don't know
26. the economic impact on the process itself.

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Madam Hickey, you would have had to sat with me the last year
31. and watched the stubborn, unreasoning resistance of the...of the
32. Department of...in BED. They absolutely refuse to start working
33. on this. They do have the people to do it. They have a large force.

1. When I...when they were asked a simple question yesterday morning
2. about Coal Con's presentation in New York whether a member of the
3. commission ought to go along, the Director of that energy group
4. from BED sat there and stubbornly shook his head no. Now, what you
5. have in State Government is a division with respect to the direction
6. to be taken with...with respect to energy, and as a result of that,
7. we're going nowhere. There's two groups, and it's not the Energy
8. Resources Commission who is to blame. Nobody has worked harder nor
9. tried more dilligently than...than...than Representative Geo-Karis
10. and the members of this commission. We have been met with resistance
11. at every step, even down to going to Washington, and finally, when
12. I walked into different Representatives offices or Congressmen's
13. offices and they greeted by my first name, finally, the man who
14. leads the...the BED realized that he wasn't the only person that
15. somebody might know in Washington, in fact, I don't think he knew
16. three of the Congressmen. And it's...it's really...it's really
17. difficult when every man on the...on this Floor who have attended the
18. meeting of the Energy Resources Commission, I think, will speak in
19. favor of 1704 that the people who don't know a damn thing about it,
20. and that includes Senator Harris, would stand and oppose this. I
21. want him to listen to me and listen to...to the fellows who are there.
22. If we don't have an energy program, it will not be the fault of the
23. Energy Resources Commission which is composed of Representatives and
24. Senators who know, who attend the meetings, who have been following the
25. progress of this. It'll be due to those people who have listened to
26. someone who is stubbornly opposed to the Energy Resources Commission
27. who would abolish it if he could and to the Federal Government who
28. hasn't funded one project yet under ERDA. We are waiting patiently.
29. We are willing to spend the money, and when anybody comes along with
30. a project, the Director, and I'm talking about Sid Marder, out of
31. hand, turns that program down without consulting with the Energy
32. Resources Commission, and I would just say to you people, there's no
33. way I can tell you in plainer language than to look at your

1. representatives on that board. Senator Buzbee doesn't happen to
2. be on the floor, but I'm sure if he was here, he would say the things
3. I am saying. Senator Latherow has said them. Senator Nimrod has
4. said them. Senator Glass is about to say them.

5. PRESIDENT:

6. Senator Glass.

7. SENATOR GLASS:

8. Thank you, Mr. President and Senator Knuppel. I...I am about
9. to agree with you. I think that one thing the membership should
10. also be aware of in this bill is that we seek to overcome some of
11. the problems of dealing and communications we've had with BED in that
12. we provide that all projects which B...well, let me go back. Right
13. now, a...an energy or coal development project, in order to have
14. approval, has to first be approved by BED and then brought to the
15. commission which is primarily a legislative commission for ratifica-
16. tion, before it can go ahead. Now, the amendment Senator Nimrod adds
17. changes that, I think, in an important way. It provides that projects
18. that are rejected by BED may be appealed to the commission. So, it
19. ...it adds further involvement by the commission. It gets us into
20. alternate forms of energy which are significant. It gives authoriza-
21. tion and additional bonding authorization for that, and I also
22. support the bill and urge its approval.

23. PRESIDENT:

24. The question is shall House Bill 1704 pass. Those in favor will
25. vote Aye. Senator Knuppel.

26. SENATOR KNUPPEL:

27. ...Summarized yet.

28. PRESIDENT:

29. Oh, I thought you had closed the debate. Very good, Senator
30. Knuppel may close the debate.

31. SENATOR KNUPPEL:

32. I just want to say once again to the members of this Body that
33. BED hasn't offered us one project to approve despite all the facts...

1. all the times we've met. BED has resisted. ERDA in Washington
2. hasn't funded one project since its creation. They admit that
3. we're a year behind...a year and a half behind with coal. I wonder
4. where we're going to be with solar energy if we don't do something.
5. I'm telling you that we need this legislation, and if you appoint
6. members of this Body to a commission and ask them to do something
7. and every member, Democrat and Republican, come before this Body and
8. say we need a piece of legislation and you turn them down, you might
9. just as well forget about commission because there isn't an...there
10. is in fighting at times between the Executive Branch about how some-
11. thing will be run and how the Legislative Branch will be run. And
12. you fellows if you listen and you ladies, there wasn't one member,
13. there wasn't one member, Democrat or Republican, who stood up and
14. opposed this bill. Now, that's all I can say. Vote anyway you want
15. to, but this vote...this bill deserves...if you're going to create
16. commissions, if you're going to back your people up after you create
17. them, this bill deserves a one hundred percent vote off this Floor.

18. PRESIDENT:

19. The question is shall House Bill 1704 pass. Those in favor
20. will vote Aye. Opposed Nay. The voting is open. For what purpose
21. do you arise, Senator? For what purpose do you arise, Senator?

22. SENATOR NIMROD:

23. I would like to just ask the sponsor...

24. PRESIDENT:

25. Senator, the debate has been closed on the issue. You have
26. already discussed it. The debate has been closed. Just...just a
27. moment. Now, for what purpose do you arise, Senator?

28. SENATOR NIMROD:

29. I rise and I was trying to reach your...get your attention so
30. I might ask the sponsor if he might take this bill out of the record.
31. I can make a suggestion that I think would make his bill passable
32. and acceptable.

33. PRESIDENT:

1. Well, it's really out of order. The question is shall House
2. Bill 1704 pass. Those in favor will vote Aye. Those opposed will
3. vote Nay. The voting is open. Have all voted who wish? Postpone
4. Consideration is requested. House Bill 1654, Senator McCarthy.
5. While they're getting the bill, we may be able to handle another matter.
6. Senator Newhouse has filed a motion. Is Senator Newhouse on the
7. Floor? Take the motion out of the record. We have the bill. House
8. Bill 1654.

9. SECRETARY:

10. House Bill 1654.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator McCarthy.

15. SENATOR McCARTHY:

16. Yes, Mr. President, this is the bill that was amended a short
17. time ago where the question on the waiting week was put in the
18. identical language that we had had on 285. And what this bill now
19. does is provide that the Governor can borrow from the Unemployment
20. Insurance Federal Trust Fund. This is important because the
21. testimony in committee was that even at the present rate, the Illinois
22. Trust Fund would be depleted in February of this year, and with
23. 285 being passed and probably signed by the Governor, the Fund will
24. need replenishment by November at the latest and October at the
25. earliest. Eight States presently are able or have taken the advan-
26. tage of this on borrowing from the Federal Funds, and I wanted to
27. mention this to the members of the Senate that the borrowing for...by
28. Illinois from the Federal Funds carry no interest charge. So, this
29. is one opportunity through the passage of this bill that we can
30. borrow from the Federal Fund with no interest repayment. There is
31. a need for borrowing and along with that there are some various other
32. changes which I think accrue to some of them, accrue to the benefit
33. of the State of Illinois. One has to do with the trigger point. It

1. puts it to four percent, from five percent to four percent which
2. does allow if passed, Illinois to receive thirteen weeks of additional
3. Federal Fund of a hundred percent which will be a relief to the
4. Illinois employer. There are other various changes in the Act, all
5. of which are procedural matters where they shift presumption. And
6. that is the bill. It's an important bill. Unemployment is the
7. number one short-range problems in Illinois and the nation. This is
8. badly needed legislation. I encourage your support, and I need...
9. would like someone to ring the bell.

10. PRESIDENT:

11. For what purpose does Senator Graham arise? Had you finished,
12. Senator McCarthy? Senator Graham.

13. SENATOR GRAHAM:

14. Well, I rise in my usual role to oppose the bill presented to
15. us by the Gentleman from Decatur. Now, this bill was originally
16. supposed to be the backup bill for House Bill 488. The only worth-
17. while aspect of this bill is that it provides a mechanism for the
18. State to borrow funds from the Federal Government in case the UC
19. Trust Fund goes broke. We're talking about Federal Funds there again,
20. and I'll remind this Body that I think those funds are our funds,
21. really. Now, true, Senator McCarthy, put on an amendment, put this
22. waiting period in conformity with the other bad bills that have passed,
23. but here is what we still have in this thing that he's not very free
24. to talk about. It allows pregnant women of people who quit their
25. jobs to marry or people who get jobs to move to other localities to
26. collect unemployment benefits. It requires facts in support of the
27. employer's allegation that a person is ineligible for benefits. There
28. again the burden of the proof is placed...placed upon the fellow who
29. pays the bill, not unusual. With the hungry unions this year and
30. they've got the votes and we understand that. It allows tax money
31. paid by the employer to be used for unemployment compensation, adminis-
32. tration rather than only for benefits. Ladies and Gentlemen of the
33. Senate, I want to submit to you that Senator McCarthy, I think, knows

1. the Senate...the Governor is going to sign House...Senate Bill 285.
2. He would do this State a favor if he vetoed every damn one of them,
3. but I'm sure he's not going to sign this one because Senate...Senate
4. Bill 285 is down there. I hope the Senate will cooperate with me
5. in leaving this bill where it belongs here in the...in the Senate
6. with a shortage of votes to pass.

7. PRESIDENT:

8. Any further discussion? Senator Mitchler.

9. SENATOR MITCHLER:

10. Well, Mr. President and members of the Senate, I think Senator
11. Graham explained it very well. Now, there's such a thing as killing
12. the goose that laid the golden egg, and you know, you can drive a
13. point just so far, and then it's going to backfire. It's not only
14. going to backfire on the employer but the employee as well, because
15. there's only so much that you can extract out of your employer. The
16. employer must make a profit, and the only way that there's going to
17. be an increase in all the added expense that you've put on is to the
18. consumer, and I believe in, sincerely, this is one of the greatest
19. causes of our inflation today is the pyramiding and the increases on
20. top of increases of costs of the product. And don't...don't worry
21. about the corporation. The corporation never paid taxes or any of
22. that because that's just an...an entity that is there. It's the
23. consumer or the wage earner that has to pay the taxes from the profits
24. of the corporation, and you're just driving the golden spike deeper
25. and deeper and killing the goose that laid the golden egg, and you
26. will regret it some day because these companies will move out of the
27. State of Illinois as they have been, and that's been documented, and
28. you're just driving them away. Then there will be no...there'll be no
29. employment in this State. Now, you take a look at New York and what
30. happened in welfare. In the City of Chicago, you've got about three
31. dollars per capita for welfare. In the City of New York, you've got
32. three hundred dollars per capita on welfare. That's why New York
33. City government is broke. Don't tell me that governments can't go

1. bankrupt, and this is exactly what you're doing to the employers
2. in the State of Illinois.

3. PRESIDENT:

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

5. SENATOR McCARTHY:

6. Well, yes, Mr. President, members of the Body, again to tell
7. you how important this is. We must be able to take advantage of
8. this opportunity for Illinois to borrow from the Federal Funds, this
9. money interest free. I don't...the Governor has...is behind this
10. legislation. Organized labor is behind this legislation. Now, I
11. can't argue against all of the statements that have been made and
12. repeat it because...in...because they've been...used time and time
13. again. I could but it's been observed that if a person's in...who
14. is going down the road stops to...at every barking dog, he...he never
15. gets to the end of his journey. So, let me say this to you. This
16. is important legislation. Eight States have already taken advantage
17. of it. It is highly desirable legislation, and I would recommend a
18. favorable roll call.

19. PRESIDENT:

20. The question is shall House Bill 1654 pass. Those in favor
21. will vote Aye. Opposed Nay. The voting is open. Have all voted
22. who wish? Take the record. On this question, the Ayes are 33, the
23. Nays are 18, with 2 Voting Present. House Bill 1654 having received
24. a constitutional majority is declared passed. Senator Bruce on the
25. Floor? Senator Bruce, did you and Senator Harris...would you go to
26. your seat please. House Bill 1291, Senator Bruce. The roll call
27. was announced. 33 Ayes, 18 Nays and 1 Present. The bill having
28. received a constitutional majority is declared passed. And I did
29. that.

30. SECRETARY:

31. House Bill 1291.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Bruce.

3. SENATOR BRUCE:

4. Yes, Mr. President, Senate Bill 1291 creates the Board for
5. Opinion for Illinois nurses under the Nurses Act. It specifically
6. prohibits nurses from performing acts of medical diagnosis or pres-
7. cription of therapeutic or corrective measures. There is an eight
8. member board created, four doctors, four nurses, which would render
9. opinions on...on activity of nurses throughout the profession. It
10. will permit nurses to perform new duties and these duties will be
11. outlined by the board for opinion. It's a four-four split on the
12. board, that way they will have tie votes if there's not unanimous
13. agreement among the board, then the opinion would not be issued. I
14. know of no controversy or opposition. The State Medical Society and
15. the Department of Public Health, the Comprehensive Health Planning
16. Association all are in support of this legislation.

17. PRESIDENT:

18. The question is shall House Bill 1291 pass. Those in favor
19. will vote Aye. Opposed Nay. The voting is open. Have all voted
20. who wish? Take the record. On this question, the Ayes are 49, the
21. Nays are none, with none Voting Present. House Bill 1291 having
22. received a constitutional majority is declared passed. There's a
23. motion on the Secretary's Desk with reference to House Bill 1704.
24. Senator Newhouse.

25. SECRETARY:

26. A Motion in Writing - Having voted on the prevailing side, I
27. move to reconsider the vote by which House Bill 1703 was lost.
28. Signed, Senator Richard Newhouse.

29. PRESIDENT:

30. Senator Newhouse.

31. SENATOR NEWHOUSE:

32. Mr. President, there is some confusion. Just...there are some
33. people missing from the Floor, and I'd certainly like to have the

1. whole House to have a shot at this. Would it be possible to have
2. leave to call this bill tomorrow?
3. PRESIDENT:
4. Is there leave? Leave is granted.
5. SENATOR NEWHOUSE:
6. Thank you, Mr. President.
7. PRESIDENT:
8. I only called it because I said I would call it today.
9. SENATOR NEWHOUSE:
10. But...but our agreement is that it will be called tomorrow.
11. PRESIDENT:
12. I only wanted you to know that the reason I called it today is
13. because I said I would.
14. SENATOR NEWHOUSE:
15. I appreciate that, Mr. President.
16. PRESIDENT:
17. Fine. House Bill...for what purpose does Senator McCarthy
18. arise?
19. SENATOR MCCARTHY:
20. For a motion. Now, having voted on the prevailing side of House
21. Bill 1654, I now move that the vote by which the same be...was passed
22. be reconsidered.
23. PRESIDENT:
24. Senator Donnewald moves to Table. All in favor will say Aye.
25. Opposed Nay. The motion carries. House Bill 1712, Senator Lane.
26. SECRETARY:
27. House Bill 1712.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. SENATOR LANE:
31. Yes, Mr. President and members of the Senate, House Bill 8...
32. 1712 repeals an Act of 1874, relating to the establishment and main-
33. tenance of a fire patrol by boards of underwriters. This passed

1. through committee without any opposition. I know of none. I
2. request a favorable roll call.
3. PRESIDENT:
4. Further discussion? The question is shall House Bill 17...
5. Senator Howard Mohr.
6. SENATOR MOHR:
7. A question of the sponsor. Is this the old fire patrol that
8. we knew years ago, Senator? And it was phased out and now it's
9. coming back?
10. PRESIDENT:
11. Senator Lane.
12. SENATOR LANE:
13. Yes, Senator Mohr, this takes away the statutory authorization
14. allowing the boards of underwriters to establish and maintain a
15. fire patrol.
16. PRESIDENT:
17. Senator...alright. Any further discussion? The question is
18. shall Senate Bill 1712 pass. All in favor will say Aye. Opposed
19. Nay. The voting is open. Have all voted who wish? Take the record.
20. On this question, the Ayes are 38, the Nays are none, with 13 Voting
21. Present. House Bill 1712 having received a constitutional majority
22. is declared passed. For what purpose does Senator Nudelman arise?
23. SENATOR NUDELMAN:
24. A point of personal privilege, Mr. Chairman.
25. PRESIDENT:
26. State your point.
27. SENATOR NUDELMAN:
28. We are honored to have with us today the Acting Chairman of
29. the Zoning Board of the City of Chicago, Mr. Jack Guffman in the
30. back of the room. I'd ask that he be recognized.
31. PRESIDENT:
32. House Bill 1722, Senator Don Moore and Shapiro. House Bill 1725,
33. Senator Glass. Read the bill.

1. SECRETARY:

2. House Bill 1725.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Glass.

7. SENATOR GLASS:

8. Thank you, Mr. President. This bill provides an additional
9. means for the perfecting of title under the Torrens Act. It
10. eliminates the seven year waiting period. The bill was approved
11. by the eminent Torrens Council, Senator Palmer, and...came out of
12. the committee without opposition. I would ask for a favorable roll
13. call.

14. PRESIDENT:

15. Any further discussion? The question is shall House Bill 1725
16. pass. Those in favor will say Aye...vote Aye. Opposed Nay. The
17. voting is open. Have all voted who wish? Take the record. On this
18. question, the Ayes are 45, the Nays are none, with none Voting Present.
19. House Bill 1725 having received a constitutional majority is declared
20. passed. House Bill 1730, Senator Howard R. Mohr. House Bill 1736,
21. Senator Lane.

22. SECRETARY:

23. House Bill 1736.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Lane.

28. SENATOR LANE:

29. Thank you, Mr. President and members of the Senate. House
30. Bill 1736 provides that the life insurance policies contain...contain
31. a "ten day free look" clause. Many of your large companies are doing
32. just this at the present time, and this would necessitate such action.

33. PRESIDENT:

1. Any further discussion? Senator Nudelman.
2. SENATOR NUDELMAN:
3. Would the sponsor yield for a question please?
4. PRESIDENT:
5. He indicates he'll yield.
6. SENATOR NUDELMAN:
7. Would the individual be insured during this ten day free period?
8. PRESIDENT:
9. Senator Lane.
10. SENATOR LANE:
11. Yes, Sir.
12. PRESIDENT:
13. Senator Bell.
14. SENATOR BELL:
15. I'm sorry. Senator Lane, did I understand you to say yes?
16. Well, would you explain the conditions? That...that would be con-
17. ditional.
18. PRESIDENT:
19. Senator Lane or Bell, either of you may explain it.
20. SENATOR LANE:
21. If...if there is a premium paid on there, he would be covered.
22. PRESIDENT:
23. Senator Bell.
24. SENATOR BELL:
25. I...I was throwing this back to Senator Nudelman, but I see
26. he's...he's kind of engaged over there. Senator Nudelman, did you
27. hear the answer on that?
28. PRESIDENT:
29. Senator Nudelman.
30. SENATOR BELL:
31. Senator Lane, did...did, in fact, say yes that he would be
32. covered if the premium had been paid. I...I think it's cogent to
33. the line that you were developing, and I was throwing it back to you.

1. PRESIDENT:

2. Senator Nudelman.

3. SENATOR NUDELMAN:

4. Yeah, I don't like it, but I think the bill has so much merit
5. that even with that obstacle, I'm willing to vote for it.

6. PRESIDENT:

7. Any further discussion? The question is shall House Bill 1736
8. pass. Those in favor will vote Aye. Opposed Nay. The voting is
9. open. Have all voted who wish? Take the record. On this question,
10. the Ayes are 45, the Nays are none, with 5 Voting Present. House
11. Bill 1736 having received a constitutional majority is declared
12. passed. House Bill 1743, Senator Romano. House Bill 1750, Senator
13. Buzbee. House Bill 1759, Senator Rock. House Bill 1766, Senator
14. Newhouse. House Bill 1785, Senator Knuppel. Read the bill. Senator
15. Knuppel is recognized.

16. SENATOR KNUPPEL:

17. I want to return the bill to 2nd reading. I distributed two
18. amendments this morning, one of which is proposed by Senator Hickey
19. and another by myself.

20. PRESIDENT:

21. Is there leave to take the bill to the order of 2nd reading?
22. Leave is granted. House Bill 1785 is on 2nd reading. Which of you
23. has the first amendment?

24. SENATOR KNUPPEL:

25. I don't know. Are they numbered yet?

26. SECRETARY:

27. Senator Hickey, Amendment No. 1.

28. PRESIDENT:

29. Amendment No. 1, Senator Hickey.

30. SENATOR KNUPPEL:

31. Alright, I'll let Senator Hickey explain it.

32. SENATOR HICKEY:

33. This amendment simply adds two public members to the Examining

1. Board for landscape architects who would be licensed by this bill.

2. Mine is Amendment No. 2? Oh, okay.

3. PRESIDENT:

4. Let's get this straight. Which is Amendment No. 1, Senator
5. Hickey's or Senator Knuppel's? I see. It is No. 2 for the purpose
6. of the record. One has already been put on. Amendment No. 2 is
7. Senator Hickey's amendment. Senator Hickey may explain her amendment.

8. SENATOR HICKEY:

9. I'm afraid that a lot of people may have some trouble with the
10. registration and the licensing of landscape architects, but I feel
11. that...that this is a justifiable registration. This bill has been
12. up before, and we've...we have new concepts now about the importance of
13. planning for...for space and care for the environment, and it seems
14. to me that one of the things that we need to do to this bill in order
15. to be sure that everybody does support it enthusiastically is to be
16. sure that members of the public, after all, registration is for the
17. public, health, safety and welfare, that members of the public are
18. represented here so that this isn't just a neat, little, professional,
19. protection kind of licensing. And so my amendment adds two public
20. members to the Examining Board. I'd appreciate a favorable roll
21. call.

22. PRESIDENT:

23. Any further discussion? Senator Hickey moves the adoption of
24. Amendment No. 2 to House Bill 1785. All in favor will say Aye.
25. Opposed Nay. Ayes have it. Amendment No. 2 is adopted. Amendment
26. No. 3, Senator Knuppel.

27. SENATOR KNUPPEL:

28. Amendment No. 3 excludes registered structural engineers when
29. they're doing work incidental to the practice of structural engineer-
30. ing. This amendment was agreed to between the structural engineers
31. and the landscape architects. I move the adoption of Amendment No.
32. 3.

33. PRESIDENT:

1. Senator Knuppel moves the adoption of Amendment No. 3 to House
2. Bill 1785. All in favor will say Aye. Opposed Nay. The Ayes have
3. it. Amendment No. 3 is adopted. Any further amendments? 3rd reading.
4. House Bill 1787, Senator Regner.

5. SECRETARY:

6. House Bill 1787.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Regner.

11. SENATOR REGNER:

12. Mr. President and members of the Senate, this is one of the
13. bills that came out of the Water Resource Study...that the Economic
14. and Fiscal Commission did, and what it does it makes the State Water
15. Survey the central data repository and research coordinator for
16. water resources. Currently, there are about fifteen State agencies
17. involved with water...resources, yet there's no single agency to
18. coordinate and collect the data, and that's all this bill does is
19. to set this one agency as the central collector.

20. PRESIDENT:

21. Any further discussion? The question is shall House Bill 1787
22. pass. Those in favor will vote Aye. Opposed Nay. The voting is
23. open. Have all voted who wish? Take the record. On this question,
24. the Ayes are 46, the Nays are none, with none Voting Present. House
25. Bill 1787 having received a constitutional majority is declared
26. passed. House Bill 1785, Senator Knuppel.

27. SECRETARY:

28. House Bill 1785.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Knuppel. For what purpose does Senator...Senator Knuppel.

33. SENATOR KNUPPEL:

1. House Bill 1785 is designed to license landscape architects
2. and excludes foresters, trained foresters, and structural engineers
3. in conjunction with their work. We've tried to work out the differences
4. with respect to this, and Marshall Sullivay, Commissioner of Public
5. Works of the City of Chicago says that he thinks that it's a good
6. bill, and he would urge the committee to adopt it in the...in the
7. light in the committee at the time it was there. I submit that with
8. ~~so many important things of work and I have~~
9. ecology problems and things the way they are at the present time
10. that this is good legislation, and I would ask for a favorable roll
11. call.

11. PRESIDENT:

12. Senator Netsch.

13. SENATOR NETSCH:

14. Mr. President, I don't want to speak too strongly against this
15. bill because as the saying goes, some of my best friends are land-
16. scape architects, and they were courteous enough to consult with me
17. about some provisions before the bill was introduced, although one
18. of those was to...one of my suggestions was to put public members on
19. the board which I noticed they did not do until we amended it just
20. now. I would call attention to one thing, a bill to license and
21. regulate landscape architects was passed in the early 1960's and was
22. vetoed at that time, and I think the reason why it was vetoed then,
23. unfortunately, is probably just as valid today. I really do not
24. think that there is a crying public interest and public need for the
25. licensing and regulation of this very, very fine honorable profession.
26. It seems to me that this is another example of what we have seen time
27. and time again, and I think many more members of the Legislature are
28. getting more and more concerned about, and that is the use of the
29. State's police power which is the only justification for a licensing
30. statute to provide not just protection of the public and sometimes
31. really not protection at all, but to provide a kind of status to the
32. profession to give it that kind of position so that the others can
33. be kept out. And I would point out that any licensing statute is

1. highly exclusionary by definition even with the grandfather clause,
2. it is exclusionary. That is the purpose of it, and it seems to me
3. that the State should not be exercising this very, very important
4. power which is to close off a profession to many people who might
5. be...who might want to engage in it unless there is genuinely a need
6. in terms of the exercise of the police power which is protection of
7. the public health, safety or welfare. While I think that these people
8. do a very important piece of work, and I hope that they will continue
9. to do it, I do not think that they need the police power of the
10. State to enable them to continue it.

11. PRESIDENT:

12. Senator Bloom.

13. SENATOR BLOOM:

14. Question of the sponsor.

15. PRESIDENT:

16. He indicates he'll yield.

17. SENATOR BLOOM:

18. Senator, how many people have been ripped off by landscape
19. architects in the past, people or entities or districts?

20. PRESIDENT:

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Well, I...I just don't really know how many have been ripped
24. off. I just know this, that as a boy who grew up on a farm who's
25. very much aware of the ecological needs of the country, and what it
26. requires to grow a plant, to display a plant, to...to prevent erosion,
27. to do the things that have to be done today, that as I said to some-
28. body in committee, I'll give you a sack of seed corn and a tractor,
29. let's see if you can do the job. The idea that just anybody can
30. plant a tree or...or do any of these things that...that farmers are
31. ...are stupid and don't know anything, anybody could do the job, is
32. just wrong. It's not true anymore.

33. PRESIDENT:

1. Senator Bloom.

2. SENATOR BLOOM:

3. Well, only God can make a tree.

4. PRESIDENT:

5. Senator Nudelman. Humor...

6. SENATOR NUDELMAN:

7. Thank you, Mr. President. First of all, let me publicly state
8. that the House sponsor of this legislation is the...one of the State
9. Representatives from my district whom I love dearly, and there is
10. no problem between the two of us, but I'm still opposed to the bill.
11. And I join Senator Netsch in that opposition, and I would point out
12. that this is one more licensure bill that's a power grab both by the
13. department concerned, by the people presently in the occupation who
14. want to try and upgrade it and keep other people out of it by increas-
15. ing substantially the educational requirements for this sort of work
16. that in so doing they are now creating "a profession" which does not
17. exist and that all sorts of people who are now in this business would
18. not be able to qualify if they were to go into it now or...if this
19. bill were passed and signed. And ultimately, I think what probably
20. the most important facet is that the cost to the public would ulti-
21. mately be greater for the...for the services of this type of people
22. because they now can call themselves a profession and so forth and
23. have a limited number of people engaged where now it's open to all.
24. I would most strongly urge a No vote on this bad legislation.

25. PRESIDENT:

26. Senator Latherow.

27. SENATOR LATHEROW:

28. Senator Nudelman just said a little more than I was going to
29. say, Mr. President.

30. PRESIDENT:

31. Senator Mitchler. Pardon me, Senator Merritt.

32. SENATOR MERRITT:

33. Yes, Mr. ...Mr. President and members of the Senate, I think

1. Dawn...or Senator Dawn Netsch said it so well as I've...she's heard
2. me say it in committees before, we'll certainly go down in this
3. Session as being one of the greatest regulating and licensing Sessions
4. this State has ever known. I just wonder how much all of our people
5. can take of this any longer. I'd also like to remind all of my
6. colleagues, this is one of those bills that came on the agreed list
7. that was passed out of there on May 23rd, supposedly by a vote of
8. ninety votes. I think there is a lot of questions surrounding that
9. particular roll call vote over there, and I'm not going to be a part
10. of furthering that in this Body, and I certainly hope that I can ask
11. others to join in opposition to the bill.

12. PRESIDENT:

13. Any further discussion? Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, I'm afraid that...that we've licensed a lot of groups
16. and a lot of professions who...who need licensing a lot less, for
17. example, horseshoeing and...and some of the others. And even in
18. this Session, this is not the man who plants the tree there. This
19. is the man who plans, designs the terraces and where they go, what
20. kind of plants compliment each other, et cetera. This takes a great
21. deal of knowledge, and those of you who equate just planting a tree
22. or planting a bush and I'm not so sure that many of those who think
23. they can do it right, equate that with laying out a subdivision and
24. landscaping it or planning for the landscaping is...is entirely two
25. different things. A man with a hoe is certainly not necessarily a
26. landscape architect, and some of the...sizes of the divisions that
27. we have, subdivisions that we have and all the land that's going out
28. of circulation, some of our problems with silt, with erosion and all
29. of the other things, I think that this might be a very worthwhile,
30. as compared to some of the other things I've seen licensed. It's by
31. a very worthwhile area to license in. I request a favorable roll
32. call.

33. PRESIDENT:

1. The question is shall House Bill 1785 pass. Those in favor
2. will vote Aye. Opposed Nay. The voting is open. There's a request
3. for a Postponement of Consideration. Take it out of the record.
4. Is there leave to go to the order of the Secretary's Desk for a
5. bill which is an emergency? Senate Bill 496. Is there leave? The
6. sponsor is Senator Berning. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President. This bill does have a degree of
9. urgency. this is Senate Bill 496, which passed this Body several
10. weeks ago. There are two small House Amendments. One that makes
11. a correction in a word, a typographical error actually, and the other
12. sets an effective date effective upon becoming law. I would urge
13. concurrence in House Amendments 1 and 2.

14. PRESIDENT:

15. Senator Berning moves for concurrence on House...House Amendment
16. No. 1. All in...and 2. All in favor will say Aye. There has to
17. be a roll call. This is final action. The question is shall the
18. Senate concur in Amendments Numbered 1 and 2 to Senate Bill 496. Those
19. in favor vote Aye. Those opposed vote Nay. The voting is open.
20. This is final action. Have all voted who wish? Take the record. On
21. ...on...sung by the Breakfast Club Express. On this question, the
22. Ayes are 46, the Nays are none, with none Voting Present. Senate
23. Bill 496...the Senate concurs in Amendments Number 1 and 2 to Senate
24. Bill 496, and the bill having received the required constitutional
25. majority is declared passed. Senator Palmer, for what purpose do you
26. arise?

27. SENATOR PALMER:

28. I am the Senate sponsor on this, and how come Senator Berning
29. makes that motion?

30. PRESIDENT:

31. The...Senate Bill 496, are you the Senate sponsor of 496?
32. Senate Bill?

33. SENATOR PALMER:

1. Yes. Senate Bill 49...wait...wait just a minute. No, House
2. Bill, I'm sorry.

3. PRESIDENT:

4. What a difference a day makes. Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
7. While we're on the order of bills of an emergency nature, if I might
8. have leave, I would like to go to the order of House Bills on 3rd
9. reading at the bottom of Page 21. That is House Bill 2262.

10. PRESIDENT:

11. Is there leave to go to the order of 3rd reading on House Bills
12. for the purpose of taking this emergency bill, House Bill 2262?
13. Leave is granted. Read the bill.

14. SECRETARY:

15. House Bill 6262.

16. (Secretary reads title of bill)

17. 3rd reading of the bill...2262...

18. PRESIDENT:

19. House Bill 2262. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
22. House Bill 2262 at the request of the Department of General Services,
23. provides the sum of seventy-nine thousand dollars for rehabilitation
24. of office space in the State of Illinois Building, 160 North LaSalle
25. Street. The department did call me today. They expect to let the
26. bids on Monday. The Capital Bond Board informed them that they
27. could not go ahead without the money being available. They have asked
28. that I represent to this Body that this is of an emergency nature.
29. They have spoken with the Chief Executive of our State, and I would
30. urge a favorable roll call.

31. PRESIDENT:

32. Any further discussion? The question is shall House Bill 2262
33. pass. Those in favor will vote Aye. Opposed Nay. The voting is

1. open. Have all voted who wish? Take the record. On this question,
2. the Ayes are 48, the...the Nays are none, with none Voting Present.
3. House Bill 2262 having received a constitutional majority is declared
4. passed. For what purpose does Senator Harber Hall arise?

5. SENATOR HALL:

6. A parliamentary inquiry, Mr. President.

7. PRESIDENT:

8. State it.

9. SENATOR HALL:

10. Mr. President, at 3:30, an hour and a half after the filing
11. deadline established by you, I filed a list of some twenty-five
12. or thirty bills that I would have liked to have voted No. I would
13. like to have the President inform me if those bills will be so recorded
14. on the...when the agreed list is called?

15. PRESIDENT:

16. The rule was that the list should be filed by 2:00 o'clock.
17. It would be my ruling, unless it's changed by an affirmative vote of this
18. Body, that any list filed after 2:00 o'clock would not be applied
19. to the bills on that Calendar.

20. SENATOR HALL:

21. I...I agree. I...I'm aware that it was late, Mr. President. I
22. wonder if it would be too much trouble if there were only two or
23. three who filed late because they couldn't peruse all the...those
24. bills in the allotted time, if...it would be too much trouble to have
25. those included.

26. PRESIDENT:

27. You see, I just talked to the Secretary and the Assistant
28. Secretary, and the reason the deadline was given is because of the
29. work that's entailed in the Secretary's office after they are brought
30. in. The roll calls have all...have to be hand made on each of these,
31. and they have been working on them. Now, to come in with others at
32. this time just absolutely discombobulates them. Now, if anyone had
33. asked in a formal or informal way before 2:00 o'clock today for

1. dispensation or elastic...elastic...elasticizing of the rule, it
2. may could have been conveniently done with the Secretary's office.
3. Nobody said a word. 2:00 o'clock came and left, and then 3:00, 3:30
4. people strolled down with their...with their bills. Now, it's just
5. ...a rule is a rule.

6. SENATOR HALL:

7. Mr. President, on that point, I don't...I'd be the last one to
8. ask the staff to do an inordinate amount of work. It...it was con-
9. siderable...work to review all those in a rather short time, and I
10. recall that the President in passing by this chair earlier in the
11. day was asked if there wouldn't be some extension, and I...I didn't
12. know that at that time that the...there was an affirmative no in
13. response to the question that there couldn't be a little bit more
14. time. I probably could have had the list in if I hadn't...if I
15. realized it was absolutely essential to have...be right on the dot.
16. I think all of us are probably working a little too hard, and I...
17. I...if it's that much trouble, why I'll forego...I'll forego it, Mr.
18. President. I'd certainly would like to be recorded on that, however.
19. I'll leave the decision in your hands. There's apparently are only
20. two or three others in the same boat.

21. PRESIDENT:

22. Senator Glass.

23. SENATOR GLASS:

24. Mr. President, I'm also in that same boat, and I...I will abide
25. the ruling of the Chair, but I...I would ask this question. What
26. are our alternatives, not having gotten that list in? If...if we
27. vote Ayes on the...on the roll call on the consent Calendar, then I
28. suppose we're recorded in favor of all the bills. Is there any way
29. to avoid that result, or do we just have the choice of voting yes or
30. no on that?

31. PRESIDENT:

32. Well, after the roll call has been completed, you could send
33. a letter to the Secretary saying what your problem was that you did

1. not file your list prior to the time and say whatever you desire
2. to say in the letter which was factual. Senator Bruce.

3. SENATOR BRUCE:

4. Well, it...it seems to me that we're going to spend more time
5. on debate of this. If the Gentleman would ask leave, I...I certainly
6. would not oppose having the five people who did not file. We're
7. operating under extraordinary conditions, and when we do that, we
8. ought to have extraordinary remedies. The remedy is to ask leave,
9. and I...I think it would be given. And I certainly don't think that
10. we should not allow a courtesy to be extended to a member. We've
11. worked late. I was...on my list until 11:00 o'clock last night,
12. and I just think that...

13. PRESIDENT:

14. Did you get yours in before 2:00?

15. SENATOR BRUCE:

16. I finalized mine at a quarter till 2:00.

17. PRESIDENT:

18. Did you get it in before 2:00?

19. SENATOR BRUCE:

20. I got it in, yes, but I...I certainly think that there are times
21. when we ought to extend to members a courtesy, and this is certainly
22. one of those times.

23. PRESIDENT:

24. Senator, if every rule can be changed at the whim of three
25. or four or five members every time they desired it, if you
26. did that this afternoon, there would be somebody here in the morning
27. saying that they didn't get there's in, hold it for them. You know,
28. a rule is a rule. Senator Wooten.

29. SENATOR WOOTEN:

30. Mr. President, I would also add my voice to those who have
31. asked for a relaxation of this informal rule, not...certainly not a
32. rule of the Senate. There were a couple of bills that I was going
33. to speak on to call the attention of the Body to the fact that a

1. couple of them...one of them was misstated in the synopsis. I
2. decided not to go through that since I didn't want to interrupt the
3. procedure, but I would personally feel very uncomfortable if I
4. thought that every Senator did not have the widest possible latitude
5. to register a negative vote. It does...it can't take that much time
6. in...in view of the time we're saving tomorrow voting some ten and
7. a-half pages of bills. Now, certainly, we can accommodate the few
8. Senators who did not make the deadline. I think perhaps if we had
9. made an announcement at 1:00 o'clock reminding everyone that this,
10. Mr. President, I think perhaps if we had taken the precaution of making
11. an announcement at 1:00 o'clock to remind folks, we would not find
12. ourselves in this predicament.

13. PRESIDENT:

14. Well, you know, this is not a headstart program. This is the
15. State Senate, and when you know that you have a...a list to be in
16. at 2:00 o'clock, and if you expect us to stop in the middle of that
17. and announce that it's due at 2:00, you know, it just makes it a
18. little juvenile and kindergartenish. Well, let me suggest this to
19. you. During the course of the discussion here, I have spoken with
20. the Secretary and the Assistant Secretary. They have indicated to
21. me that although this is very discombobulating, upsetting and frus-
22. trating, those that are here now can be added to that list. There
23. will be none after this.

24. SENATOR WOOTEN:

25. Fine. That's all we ask. Thank you, Sir.

26. PRESIDENT:

27. Fine. The...the agreed bill list itself takes...makes for
28. six hundred printed copies, six hundred pages of printed copy. So,
29. now as of this moment, those that are here will be included on that
30. list. It is final. Senator Johns.

31. SENATOR JOHNS:

32. Just a point of personal privilege.

33. PRESIDENT:

1. State your point.

2. SENATOR JOHNS:

3. Well, Gentlemen, can I have your attention? I...I don't think
4. that it has been...

5. PRESIDENT:

6. We are going to be out in a few moments. You will have a chance
7. to converse and fraternize...would you give the Gentleman your
8. attention.

9. SENATOR JOHNS:

10. I don't know whether it has been called to your attention or
11. not, but there's a guy named Prescott Bloom in here and he has a
12. birthday today, and I just want to say he's a fine young man, and
13. we're glad to have him in the Senate. I didn't buy the cake.

14. PRESIDENT:

15. Where is Senator Bloom? He went to get a cake. Is there any
16. further business to come before the Senate? The Senate stands
17. adjourned. For what purpose...no, this is it. For what purpose
18. do you arise, Senator Kosinski?

19. SENATOR KOSINSKI:

20. To announce...Mr. Chair...Mr. President and members of the
21. Senate, there will be an Election and Reapportionment Committee meeting
22. immediately after the adjournment in Room 400.

23. PRESIDENT:

24. Now, one other thing here. Now, let me have...may I have
25. your attention because some of you will say that I didn't remind
26. you of this. I wanted to remind Senator Netsch and Senator Glass,
27. Senator Egan and Senator Donnewald, and Senator Philip that on the
28. Calendar on Page 42 you each had Motions in Writing for which there
29. was no extension requested. The Chair on its own motion is going
30. to request a...an extension for you for a date in the future. Let's
31. set a certain date, one week from today, 25th? 23rd, 23rd, how's
32. that? How is that? What date do you want it, Senator? You want
33. it the 20th, set them all for the...you want it the 20th? Set them

1. all on the 20th. Senator Nudelman, what purpose do you arise?

2. SENATOR NUDELMAN:

3. Mr. Chairman, a point...a question of procedure. Is it...is
4. it legal to have a committee meeting at 11:00 o'clock tomorrow
5. morning?

6. PRESIDENT:

7. The agreed bill list is going to be read at 11:00 o'clock
8. tomorrow morning. What we can do because there is a necessity for
9. a couple of committees to meet and we thought the hour of eleven
10. would be appropriate since you would not need to be here during the
11. reading. We'll talk about it in the morning.

12. SENATOR NUDELMAN:

13. Thank you.

14. PRESIDENT:

15. Senator Bloom, our birthday boy.

16. SENATOR BLOOM:

17. Yes, thank you, Mr. President, and I'd...I'd like to thank
18. the various members of the Body who from time to time reminded me
19. how old I was getting with the exception of Dog Clarke Sommer, and
20. I just wanted to remind the Body that June 18th is the anniversary
21. of the Battle of Waterloo.

22. PRESIDENT:

23. Whatever turns you on, Senator. Any further business to come
24. before the Senate? The Senate stands adjourned until 9:00 a.m.
25. tomorrow morning.

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