

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 20, 1975

1 PRESIDENT:

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

6 FATHER NELIS:

7 (Prayer given by Father Nelis)

8 PRESIDENT:

9 Reading of the Journal. Senator Kenneth Hall.

10 SENATOR KENNETH HALL:

11 Thank you, Mr. President, I move that reading and approval
12 of the Journals of Wednesday, June the 11th, Thursday, June 12th,
13 Friday, June 13th, Monday, June 16th, Tuesday, June 17th,
14 Wednesday, June 18th, Thursday, June 19th, of all 1975, be
15 postponed pending arrival of the printed Journals.

16 PRESIDENT:

17 You heard the motion. All in favor say Aye. Opposed Nay.
18 The Ayes have it. The motion carries. Messages from the
19 House.

20 SECRETARY:

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

22 Mr. President - I am directed to inform the Senate
23 that the House of Representatives has passed bills of the
24 following titles in the passage of which I am instructed
25 to ask the concurrence of the Senate, to-wit: House Bills
26 995, 1342, 1996, 1036, 3002, 3023, 3056, 3069 and 3091.
27 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 concurred with the Senate
30 in the following bills along with House Amendments.
31 Senate Bill No. 284, with House Amendment No. 1, Senator Soper's
32 the chief sponsor. Senate Bill No. 314 with House Amendment No.
33 1, Senator Johns is the chief sponsor. Senate Bill No. 425

1 with House Amendment No. 1, Senator Fawell is the chief sponsor.
2 Senate Bill No. 486 with House Amendment Nos. 1 and 2, Senator
3 Rock is the chief sponsor. Senate Bill No. 488 with House
4 Amendments No. 1 and 2, Senator Knuppel, as the chief sponsor.
5 Senate No. 512 with House Amendment No. 1, Senator Dougherty
6 is the chief sponsor. Senate Bill No. 558 with House Amendments
7 No. 1 and 2, Senator Palmer is the chief sponsor. Senate
8 Bill No. 608 with House Amendments No. 1 and 2, Senator Partee
9 is the chief sponsor. Senate Bill No. 610 with House Amendments
10 No. 1 and 2, Senator Partee is the chief sponsor.

11 PRESIDENT:

12 All to the Secretary's Desk. House Bills 1st reading.
13 House Bill 415. House Bill 592. House Bill 1137. House
14 Bill 1476. House Bill 2529. House Bill 3035. House Bill
15 3038. House Bill 3039. House Bill 3058. House Bill 3063.
16 House Bill 3066. Senator Rock. Read the bill.

17 SECRETARY:

18 House Bill 3066.

19 (Secretary reads title of bill)

20 1st reading of the bill.

21 PRESIDENT:

22 House Bill 3076. House Bill 3088. House Bill 3099.
23 House Bills on 2nd reading. House Bill 3, Senator Lemke.
24 House Bill 284, Senator Joyce. House Bill 396, Senator
25 Kenneth Hall. Read the bill. Oh, pardon me, Senator Hall
26 is recognized.

27 SENATOR KENNETH HALL:

28 There are some amendments that will go on this bill.
29 I just talked to Senator Soper. Could we move it to, two
30 of them are okay with me, one will be objectionable, could
31 we move this to 3rd and bring it back when you do call for
32 that time please? If it's agreeable.

33 PRESIDENT:

Handwritten notes: "6/6/67" and "6/6/67" with a checkmark.

1 Leave is granted.

2 SENATOR KENNETH HALL:

3 Alright, move it to 3rd and bring it back.

4 PRESIDENT:

5 Read the bill.

6 SECRETARY:

7 House Bill 396.

8 (Secretary reads title of bill)

9 2nd reading of the bill. With Committee on Local Government
10 offers one amendment.

11 PRESIDENT:

12 Any further amendments at this time? 3rd reading.

13 Senator Hall moves the adoption Committee Amendment No.

14 1. All in favor say Aye. Opposed Nay. Committee Amendment

15 No. 1 is adopted. Any further amendments? 3rd reading.

16 House Bill 449, Senator Dougherty. House Bill 612, Senator

17 Brady. Read the bill.

18 SECRETARY:

19 House Bill 612.

20 (Secretary reads title of bill)

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

22 PRESIDENT:

23 Any amendments from the Floor? Senator Brady.

24 SENATOR BRADY:

25 Yes, Mr. President, I have an amendment from the Floor.

26 I think it's on the Desk, is it not?

27 PRESIDENT:

28 It has been distributed.

29 SENATOR BRADY:

30 Do you have it, Mr. Secretary? This amendment...House
31 Bill 612, simply adds the Department of Public Health as
32 one of the agencies covered under this Act and I move its
33 adoption.

HB 983
2nd Reading
6/20/75
HB 984

1. PRESIDENT:
2. Any discussion? Senator Brady moves the adoption of
3. Amendment No. 1 to House Bill 612. All in favor will say Aye.
4. Opposed Nay. Amendment No. 1 is adopted. Any further
5. amendments? 3rd reading. House Bill 736, Senator Hickey.
6. House Bill 738, Senator Vadalabene. House Bill 743, Senator
7. Vadalabene. House Bill 852, Senator Joyce. House Bill 942,
8. Senator Buzbee. House Bill 983, Senator Brady. Read the bill.
9. SECRETARY:
10. House Bill 983.
11. (Secretary reads title of bill)
12. 2nd reading of the bill. No committee amendments.
13. PRESIDENT:
14. Any amendments from the Floor? 3rd reading. House
15. Bill 984, Senator Brady. Read the bill.
16. SECRETARY:
17. House Bill 984.
18. (Secretary reads title of bill)
19. 2nd reading of the bill. No committee amendments.
20. PRESIDENT:
21. Any amendments from the Floor? 3rd reading. House
22. Bill 1048, Senator Kenneth Hall. Read the bill.
23. SECRETARY:
24. House Bill 1048.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. The Committee on Appropriations
27. offers one amendment.
28. PRESIDENT:
29. Senator Kenneth Hall.
30. SENATOR KENNETH HALL:
31. I move the adoption of the amendment.
32. PRESIDENT:
33. Senator Kenneth Hall moves the adoption of Committee

1 Amendment No. 1 to House Bill 1048. Any discussion?
2 All in favor say Aye. Opposed Nay. Ayes have it.
3 Amendment No. 1 is adopted. Any further amendments?
4 Any amendments from the Floor? 3rd reading. House Bill
5 1079, Senator Palmer. House Bill 1089, Senator Dougherty.
6 House Bill 1172, Senator Netsch. House Bill 1274, Senator
7 Demuzio. What is your pleasure, Senator? Page 21. House
8 Bill 1399, Senator Savickas. Read the bill. 1399, Wholesome
9 Milk and Dairy Products Act. House Bill 1420...take it out of
10 the record. House Bill 1426, Senator Knuppel-Joyce. House
11 Bill 1506, Senator Palmer. House Bill 1589, Senator Shapiro.
12 Senator Shapiro, what is your pleasure with reference to
13 House Bill 1589? House Bill 1662, Senator Schaffer. House
14 Bill 1732, Senator Brady. House Bill 1837, Senator Don
15 Moore. Read the bill.

16 SECRETARY:

17 House Bill 1837.

18 (Secretary reads title of bill)

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

20 PRESIDENT:

21 Any amendments from the Floor? Senator Don Moore has
22 an amendment. Senator Moore would you explain the amendment.

23 SENATOR DON MOORE:

24 Thank you, Mr. President, this is an amendment that was
25 worked between the firemen of the State and the Pensions Committee.
26 It's an agreed amendment, it revises the Pension law insofar
27 as the downstate Firemens' Act is concerned. I move its
28 adoption.

29 PRESIDENT:

30 Any discussion? Senator Moore moves the adoption of
31 Amendment No. ... just a moment, have to locate the amendment.
32 Senator Don Moore moves the adoption of Amendment No. 1 to
33 House Bill 1837. All in favor will say Aye. Opposed Nay.

1 The amendment is adopted. Any further amendments? 3rd reading.
2 House Bill 1968, Senator Nudelman. House Bill 1977, Senator
3 Demuzio. House Bill 1979, Senator Hickey. House Bill 2074,
4 Senator McCarthy. House Bill 2099, Senator Latherow. House
5 Bill 2160, Senator Brady. House Bill 2355, Senator Netsch.
6 House Bill 2475, Senator Vadalabene. House Bill 25...House
7 Bill 2692, Senator Schaffer. Read the bill.

8 SECRETARY:

9 House Bill 2692.

10 (Secretary reads title of bill)

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

12 PRESIDENT:

13 Any amendments from the Floor? 3rd...alright, there's some
14 amendments.

15 SECRETARY:

16 Amendment No. 1 offered by Senator Morris.

17 PRESIDENT:

18 Senator Morris on the Floor? Senator Schaffer you cognizant
19 of this matter.

20 SENATOR SCHAFFER:

21 Well, I'm aware that Senator Morris is waiting in the weeds
22 with a billy club on this bill, but I've got a couple of amend-
23 ments. I'd be happy to bring the bill back for Senator Morris
24 when he's on the Floor.

25 PRESIDENT:

26 Any further amendments? 3rd reading. Well, you have two. Yes.
27 Are they on the Secretary's Desk? This will be Amendment No. 1.

28 SENATOR SCHAFFER:

29 Amendment No. 1 merely includes the provisions of the companion
30 bill which I believe is 2693 in with 2692, we feel they should be
31 addressed together and I will Table the second bill.

32 PRESIDENT:

33 Senator Schaffer moves to adopt Amendment No. 1 to House Bill
34 2692. Any discussion? All in favor will say Aye.

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

2 Any further amendments? Amendment No. 2, Senator Schaffer.

3 SENATOR SCHAFFER:

4 Amendment No. 2 deletes two lines of language that the
5 staff on the other side of the aisle found objectionable...
6 relation to the working relationship between the Legislative
7 Investigating Commission and the Medical Disciplinary
8 Board.

9 PRESIDENT:

10 Senator Schaffer, any discussion? Senator Schaffer moves
11 the adoption of Amendment No. 2 to House Bill 2692. All
12 in favor will say Aye. Opposed Nay. Amendment No. 2 is
13 adopted. Any further amendments? Senator Rock.

14 SENATOR ROCK:

15 I am reliably informed that Senator Morris does have
16 an amendment and when the Senator represented that a couple
17 of lines were found objectionable on this side, that's not
18 the only thing we find objectionable, as a matter of fact,
19 all the lines we find objectionable. If...if we can move
20 it with the understanding that he will call it back - I see
21 the Senator is not on the Floor yet.

22 PRESIDENT:

23 The understanding is that it will be moved to
24 3rd reading with the understanding that Senator Schaffer
25 will call it back for the offering of that amendment.
26 Any further amendments? 3rd reading. House Bill 2784,
27 Senator Egan. House Bill 297...hold it, take that out of
28 the record. House Bill 2475 is Senator Vadalabene's, it's
29 an emergency. Would you read the bill?

30 SECRETARY:

31 House Bill 2475.

32 (Secretary reads title of bill)

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

1. PRESIDENT:
2. Any amendments from the Floor? 3rd reading. House
3. Bill 2972, Senator Buzbee. House Bill...House Bill 2991,
4. Senator Bloom. Read the bill.
5. SECRETARY:
6. House Bill 2991.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. No committee amendments.
9. PRESIDENT:
10. Any amendments from the Floor? 3rd reading. House
11. Bill 3005, Senator Carroll. House Bill 3015, Senator
12. Davidson. Read the bill.
13. SECRETARY:
14. House Bill 3015.
15. (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments.
17. PRESIDENT:
18. Any amendments from the Floor? 3rd reading. House
19. Bill...pardon me, Senator Hynes.
20. SENATOR HYNES:
21. Mr. President, would...would the Calendar please be
22. corrected on 3015? It's eight thousand dollars, not eight
23. million.
24. PRESIDENT:
25. We're happy to make that correction. A great deal
26. more than six percent. House Bill 3024, Senator Daley.
27. It's a minimum wage bill, do you want to move it? 3024.
28. House Bill 3051, Senator Welsh. House Bill 3052, Senator
29. Rock. Read it.
30. SECRETARY:
31. House Bill...
32. PRESIDENT:
33. Pardon me...pardon me 3051 is first, read 3051.

1. SECRETARY:
2. House Bill 3051.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDENT:
6. Any amendments from the Floor? 3rd reading. House
7. Bill 3052, Senator Rock. Read the bill.
8. SECRETARY:
9. House Bill 3052.
10. (Secretary reads title of bill)
11. 2nd reading of the bill. No committee amendments.
12. PRESIDENT:
13. Any amendments from the Floor? 3rd reading. House
14. Bill 3057. Read the bill.
15. SECRETARY:
16. House Bill 3057.
17. (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.
19. PRESIDENT:
20. Any amendments from the Floor? 3rd reading. For
21. what purpose does Senator Graham rise?
22. SENATOR GRAHAM:
23. I would like to ask the Senator if he would agree
24. to bring this back? Senator Harris has the amendment for
25. this, I know he's not on the Floor and I'm sure that he would
26. agree to that.
27. PRESIDENT:
28. He'll bring it back.
29. SENATOR GRAHAM:
30. Thank you.
31. PRESIDENT:
32. House Bill 3074, Senator Weaver. Read the bill.
33. SECRETARY:

1. House Bill 3074.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDENT:
5. Any amendments from the Floor? 3rd reading. House
6. Bill 3077. Read the bill.
7. SECRETARY:
8. House Bill 3077.
9. (Secretary reads title of bill)
10. 2nd reading of the bill. No committee amendments.
11. PRESIDENT:
12. Any amendments from the Floor? 3rd reading. House
13. Bill 3082, Senator Egan. Read the bill.
14. SECRETARY:
15. House Bill 3082.
16. (Secretary reads title of bill)
17. 2nd reading of the bill. No committee amendments.
18. PRESIDENT:
19. Any amendments from the Floor? 3rd reading. House
20. Bill 3093, Senator Savickas. Read the bill.
21. SECRETARY:
22. House Bill 3093.
23. (Secretary reads title of bill)
24. 2nd reading of the bill. No committee amendments.
25. PRESIDENT:
26. Any amendments from the Floor? 3rd reading. House
27. Bill 3105, Senator Newhouse. Senate Bills on 2nd reading.
28. Senate Bill 629, Senator Bruce. Senate Bill 683, Senator
29. Egan. Senate Bill 1506, Senator Kosinski. Read the bill.
30. SECRETARY:
31. Senate Bill 1506.
32. (Secretary reads title of bill)
33. 2nd reading of the bill. No committee amendments.

1 PRESIDENT:

2 Any amendments from the Floor? 3rd reading. Senate
3 Bills on 3rd reading. Senate Bill 632, Senator Rock.
4 Read the bill.

5 SECRETARY:

6 Senate Bill 632.

7 (Secretary reads title of bill)

8 3rd reading of the bill.

9 PRESIDENT:

10 Senator Rock.

11 SENATOR ROCK:

12 Thank you, Mr. President, Ladies and Gentlemen of the
13 Senate, Senate Bill 632 is the appropriate...annual appropriation
14 for the ordinary and contingent expenses of the Bureau of
15 the Budget. There have been four amendments placed on the
16 bill, it also, we have also line itemed out the detailed
17 the thrity-seven plus million dollars that the bureau
18 awards in grants through the office of Manpower. I know
19 of no further objection aside from the bureau itself and I
20 would urge a favorable vote.

21 PRESIDENT:

22 Any discussion? The question is shall Senate Bill
23 632 pass? Those in favor will vote Aye. Opposed Nay.
24 The voting is open. Have all voted who wish? Take the
25 record. On this question the Ayes are 37, the Nays are
26 1, with 8 Voting Present. Senate Bill 632 having received
27 a constitutional majority is declared passed. For what
28 purpose does Senator Howard Mohr arise?

29 SENATOR HOWARD MOHR:

30 Mr. President, while we have a moment I'd like...

31 PRESIDENT:

32 Just a moment, just a moment. Hold it, hold it down
33 please, gentlemen. Senator Mohr.

1. SENATOR MOHR:

2. ...I would like to introduce in the South Gallery a
3. group of members of the Forest Park Veterans of Foreign
4. Wars Post 7181, who are down here for the convention and
5. I'm going to tell them about some of the members of the
6. Body that I think they should lobby a little later on in the
7. day. I would like them to stand and be recognized.

8. PRESIDENT:

9. Senator Smith. Would you go to the mike, Senator, or
10. take that one. Senator Johns' mike.

11. SENATOR SMITH:

12. I erroneously pushed the wrong button on the bill just
13. called, 632. I'd inteded voting Aye and I found that I voted the
14. red light, no.

15. PRESIDENT:

16. The record will reflect the error. House Bill...Senate
17. Bill 1498, Senator Hynes. House Bills on 3rd reading.
18. House Bill 2455, Senator Kenneth Hall. Read the bill.

19. SECRETARY:

20. House Bill 2455.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Kenneth Hall.

25. SENATOR KENNETH HALL:

26. Mr. President, I would like leave to bring this back
27. for the purpose of an amendment.

28. PRESIDENT:

29. Is leave granted. Leave is granted. House Bill 2455,
30. is now on 2nd reading. Senator Kenneth Hall is recognized.

31. SENATOR KENNETH HALL:

32. What this amendment does, it amends House Bill 2455 on
33. page one by deleting lines nine through twelve and inserting

1 in lieu thereof the following: "in this State". In
2 other words, what it takes is these, these goals take
3 precedence over the returns of a profit, although profits
4 from businesses also a goal to measure the effectiveness of
5 business decision and operations. The committee thought this
6 was a little broad and as that is the reason that we are
7 taking this amendment out...taking these lines out.

8 PRESIDENT:

9 Any further discussion? Senator Kenneth Hall moves
10 the adoption of Amendment No. 1 to House Bill 2455.
11 All in favor will say Aye. Opposed Nay. Amendment No. 1
12 is adopted Any further amendments? 3rd reading. Senator
13 Howard Mohr.

14 SENATOR MOHR:

15 Yes, Mr. President, I would suggest, Mr. President, that
16 we have copies of these amendments on our desk before they're
17 called. We're getting down to the crunch now, and it
18 would be helpful if we had them and it would give our
19 staff ample time to go check these amendments.

20 PRESIDENT:

21 Any further amendments? 3rd reading. House Bill
22 2473, Senator Newhouse. House Bill 2538, Senator Johns.
23 House Bill 2541, Senator Knuppel-Mitchler. Read the bill.
24 Senator Donnewald would you come to the podium.

25 SECRETARY:

26 House Bill 2541.

27 (Secretary reads title of bill)

28 3rd reading of the bill.

29 PRESIDENT:

30 Senator Knuppel.

31 SENATOR KNUPPEL:

32 House Bill 2541, is a bill designed to elevate the
33 Department of Veterans Affairs in the State of Illinois

1 to that of code status, heretofore it's been a commission.
2 The bill was sponsored in the House by Representative
3 McClain. I believe that the time has come that the Veterans
4 are entitled to the same type of equal co-existence in
5 State Government with the elderly and other people who
6 have code department. I would recommend the favorable
7 roll call on this vote. It's supported by all the Veterans
8 organizations.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Is there further discussion? Question is shall House
11 Bill 2541 pass? Those in favor vote Aye. Those opposed
12 No. The voting is open. Senator Course, is Senator
13 Savickas's key in the switch? Have all those voted who
14 wish? Have all those voted who wish? Take the record.
15 On that question the Ayes are 52, the Nays are 1, 1 Voting
16 Present. House Bill 2541, having received the constitutional
17 majority is declared passed. Senator Knuppel, for what
18 purpose do you arise?

19 SENATOR KNUPPEL:

20 Yesterday evening I had to amend 2437, and that was the
21 last bill and we started on. I'd like to go back to 2437,
22 it was amended last night, take it from 3rd to 2nd and have
23 a roll call on it.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Just a minute, Senator Graham, for what purpose do you
26 arise?

27 SENATOR GRAHAM:

28 Mr. President, I don't know whether it's the Senate, the
29 Pages, the staff or who it is, but I can't hear what the heck
30 is going on.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 The noise level is rather high, Senator, you're absolutely
33 correct. Would...we please have order? Senator Knuppel

1 requested that we go back to the order of...go back to House
2 Bill 2437. Is there leave? Read the bill.

3 SECRETARY:

4 House Bill 2437.

5 (Secretary reads title of bill)

6 3rd reading of the bill.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Senator Knuppel.

9 SENATOR KNUPPEL:

10 With the amendment that is now on this bill it does
11 nothing except change the location in the statutes with
12 respect to the death of a person involved in an election
13 contest, that is the...upon the suggestion death of any
14 contestee by the contestant anytime within five days or
15 after any electorate state and so forth. And it does just
16 exactly what it says it does except that there already was
17 a provision which presented abatement which was under the
18 Abatement Act rather than in the election law so that now
19 it would be moved from the abatement statute to the election
20 statute.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Is there further discussion? The question is shall
23 House Bill 2437 pass? Those in favor vote Aye. Those
24 opposed No. The voting is open. Have all those voted
25 who wish? Take the record. On that question the Ayes
26 are 48, the Nays are none. House Bill 2437 having received
27 the constitutional majority is declared passed. Senator
28 Kenneth Hall, House Bill 2455. The one you just
29 amended. Read the bill.

30 SECRETARY:

31 House Bill 2455.

32 (Secretary reads title of bill)

33 3rd reading of the bill.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Senator Kenneth Hall.

3 SENATOR KENNETH HALL:

4 Thank you, Mr. President, members of the Senate. Now,
5 this is a companion bill to House Bill 396 which is on
6 the Calendar. Now, House Bill 2455 is set up for training
7 programs by the Vocational Education Rehabilitation Board
8 to reorient and develop skills for people in depressed
9 areas to run and manage local development entities of
10 business that will work with private developers and the de-
11 pressed area authorities to reveal those areas in Illinois
12 that are in deep economic trouble. This bill will provide
13 staff and train people for business and to rebuild this
14 area. I ask your most favorable support.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Senator Howard Mohr.

17 SENATOR MOHR:

18 Well, Mr. President, I had voiced some concern about
19 this bill a few moments ago. We just received the amendment,
20 our staff is checking it out. We're talking about five hundred
21 thousand dollars here. We would like to suggest that Senator
22 Hall hold this bill till we have had opportunity to check it
23 and I would again suggest that we give...

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Take it from the record.

26 SENATOR MOHR:

27 ...it serious consideration on any future amendments
28 because we're going to make the same request till they are
29 cleared and I'm sure that your staff would want to clear our
30 amendments.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 Indeed. Take it from the record. House Bill 2558, Senator
33 Hynes. House Bill 2560, Senator Graham. 2560, Senator

1 Graham. Read the bill.

2 SECRETARY:

3 House Bill 2560.

4 (Secretary reads title of bill)

5 3rd reading of the bill.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Senator Graham.

8 SENATOR GRAHAM:

9 Mr. President, members of the Senate, this bill that has
10 incurred quite a bit of debate. We have had amendments
11 on it and all probability came over originally attempting,
12 suggesting to establish a salary of the clerk of the
13 State Board of Elections to be equivalent to that of the
14 highest paid officer. We've amended that out and the bill,
15 in fact, now does what they did not statutorily have in
16 their program. That is that the board of State Board of
17 Elections does, in fact, establish the salary and they have
18 to justify that in their budget and I ask for a favorable roll call.

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Is there further discussion? The question is shall
21 House Bill 2560 pass? Those in favor vote Aye. Those
22 opposed No. The voting is open. Have all those voted
23 who wish? Take the record. On that question the Ayes
24 are 49, the Nays are none. House Bill 2560, having
25 received the constitutional majority is declared passed.
26 House Bill 2561, Senator Mitchler. House Bill 2566,
27 Senator Vadalabene. Read the bill.

28 SECRETARY:

29 House Bill 2566.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Senator Vadalabene.

1 SENATOR VADALABENE:

2 Thank you, Mr. President and members of the Senate,
3 House Bill 2566 is a bill which seeks to provide a means
4 of extending fire protection to areas which have no fire
5 protection. Unfortunately in todays patchwork arrangement
6 of municipal fire protection services volunteer departments
7 and rural fire districts some people are denied that basic
8 and necessary...process. Now, this passed out of Local
9 Government Committee by a vote of 7 to nothing, supported
10 by the Illinois Fire Protection District Association and I
11 know of no opposition to this bill and I would appreciate
12 a favorable vote.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Is there further discussion? Question is shall House
15 Bill 2566 pass? Those in favor vote Aye. Those opposed
16 No. The voting is open. Have all those voted who wish?
17 Take the record. On that question the Ayes are 51, the Nays
18 are none, 3 Voting Present. House Bill 2566, having received
19 a consitutional majority is declared passed. House Bill
20 2571, Senator Weaver. Read the bill.

21 SECRETARY:

22 House Bill 2571.

23 (Secretary reads titleof bill)

24 3rd reading of the bill.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Senator Weaver.

27 SENATOR WEAVER:

28 Thank you, Mr. President, this bill does just as the
29 Calendar states. It has been amended to relate only to
30 those in the medical and nursing profession and I would
31 move its approval.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Is there further discussion? The question is shall House

4 B2590
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1 Bill 2571 pass? Those in favor vote Aye. Those opposed
2 No. The voting is open. Have all those voted who wish?
3 Take the record. On that question the Ayes are 51, the
4 Nays are none. House Bill 2571, having received a constitutional
5 majority is declared passed. House Bill 2590, Senator
6 Carroll. Read the bill. Now, the noise is beginning to
7 be more apparent. Would the members please be in their seats
8 and avoid all caucuses while on the Senate Floor? Senator
9 Carroll, proceed.

10 SECRETARY:

11 House Bill 2590.
12 (Secretary reads title of bill)
13 3rd reading of the bill.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)
15 Senator Carroll.

16 SENATOR CARROLL:

17 Thank you, Mr. President, House Bill 2590 is a requirement
18 to the Commissioner of Savings and Loans to require that he
19 provide guidelines to State chartered S&L's to stop the
20 practice of discriminating against what they call the so-
21 called black listed companies. This is identical to the
22 guidelines of the Federal Government had put into the
23 Federal S&L's and I would ask for a favorable roll call.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)
25 Is there further discussion? Senator Clarke.

26 SENATOR CLARKE:

27 I just want to ask the sponsor whether this has to
28 do with the Arab boycott.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)
30 Senator Carroll.

31 SENATOR CARROLL:

32 Yes, as a matter of fact, Senator Clarke, it does.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

HB 2591
3rd Reading
6/20/45

1. Is there further discussion? The question is
2. shall House Bill 2590 pass. Those in favor vote Aye.
3. Those opposed No. The voting is open. Have all those
4. voted who wish? On that question the Ayes...take the record.
5. On that question the Ayes are 50, the Nays are none,
6. 3 Voting Present. House Bill 2590, having received a
7. constitutional majority is declared passed. House Bill
8. 2591, Senator Carroll. Read the bill.

9. SECRETARY:

10. House Bill 2591.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President, the bill does as the
17. synopsis says, it creates an act and sets up the guide-
18. lines of what would be discriminatory and I would move
19. its adoption and be willing to answer any questions.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? The question is shall
22. House Bill 2591 pass? Those in favor vote Aye. Those
23. opposed No. The voting is open. Have all those voted who
24. wish? Take the record. On that question the Ayes are
25. 46, the Nays are 6, 2 Voting Present. House Bill 2591,
26. having received the constitutional majority is declared
27. passed. House Bill 2592, Senator Carroll. Read the bill.

28. SECRETARY:

29. House Bill 2592.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Carroll.

HB 2592
6/20/75

1 SENATOR CARROLL:

2 Thank you, Mr. President, House Bill 2592 as amended
3 makes it a violation of the Illinois Anit-Trust Act to
4 engage in any discrimination based on sex, creed, religion
5 or ethnic background and I would move for passage of
6 the bill.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Is there further...Senator Sommer.

9 SENATOR SOMMER:

10 Senator Carroll, has this bill been amended over here?

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Carroll.

13 SENATOR CARROLL:

14 Yes it has, Senator Sommer.

15 SENATOR SOMMER:

16 It no longer forbids, it no longer gets in the area
17 of foreign policy, is that right or not, I don't have the
18 bill in front of me.

19 SENATOR CARROLL:

20 The foreign policy itself was never within the area
21 of the bill, it just porhibits discrimination against
22 anyone for either racial, ethnic, religous, sex reasons.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Sommer.

25 SENATOR SOMMER:

26 Senator Carroll, does it still do that? Does it
27 say that a corporation which does business in a country
28 that has some sort of discriminatory laws...that corporations
29 officers in this country are subject to prosecution.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Carroll.

32 SENATOR CARROLL:

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1 It says that if they are discriminatory in their
2 practices, then it's a violation to the antitrust laws.
3 It doesn't prohibit them from doing business with anyone
4 other than someone who is discriminatory in their practices.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Senator Sommer.

7 SENATOR SOMMER:

8 Do you mean to say that if a corporation like Caterpillar
9 Tractor Company is doing business in Japan, and Japan has
10 some laws that are...let's say...let's say the way they treat
11 women in Japan is not, not consistent with the way that we
12 do that the Caterpillar Tractor Company's officers could be
13 prosecuted?

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Will we please have order? Senator Carroll. I don't
16 believe he...

17 SENATOR CARROLL:

18 I couldn't hear the...

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 ...caught the question. Would you repeat it?

21 SENATOR SOMMER:

22 Let's run through that again. Let's say that a corporation
23 is doing business in Japan and in Japan they treat women
24 in a discriminatory way, we all know that. Does that say that
25 this, that corporation officers in this country are subject
26 to prosecution because of the business that they do in Japan?

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Carroll.

29 SENATOR CARROLL:

30 No, it says that they would be in violation if they
31 attempted to bring that discrimination into this country
32 and the way they treated their employees here, and if here
33 within Illinois, Caterpillar was discriminating on the basis

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1 of sex that would be a violation of the antitrust law, yes.
2 But if the company was doing business in Japan, and that's
3 what they were doing in Japan the fact that it was happening
4 in Japan, would not be a violation.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)
6 Senator Glass.

7 SENATOR GLASS:
8 I'd like to ask the sponsor a question, Mr. President.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)
10 Indicates he'll yield.

11 SENATOR GLASS:
12 Senator Carroll, I favor the barring of a discriminatory
13 practices but I'm wondering why this, these types of provisions
14 are in the Anti-Trust Act? What does that have to do with
15 Anti-Trust Law?

16 PRESIDING OFFICER: (SENATOR DONNEWALD)
17 Senator Carroll.

18 SENATOR CARROLL:
19 The concept was Senator Glass, for this particular one
20 that the antitrust concept was being violated by the
21 discriminatory practices. If there were substantial amounts
22 of money coming in buying corporations and providing within
23 their contract with their employees of their corporations or
24 within their board minutes that they had to engage in certain
25 discriminatory practices, that we felt and others including the
26 Attorney General's Office, as a matter of fact, was a violation
27 of antitrust and probably the little FTC.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)
29 Is there further discussion? Senator Berning.

30 SENATOR BERNING:
31 Mr. President, and members of the Senate, at the
32 expense of acknowledging my inability to keep abreast of
33 the tide of this Session, I merely want to suggest that we

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1. have now or are considering a package of bills that
2. obviously have great impact not only on a discriminated
3. against individual but every segment of society. I
4. suppose there is great justification for attempting to
5. handle each and every bill just as rapidly as the sponsor
6. can announce what it is and the President handle the gavel.
7. On the other hand, members of the Senate, you and I are
8. responsible for the affects and after affects of the
9. actions we take. It does seem that we ought to be able
10. to deliberate long enough to know what we are really voting
11. on. Most of us I am sure, and I confess me impartial, I
12. have not had time to look ahead at the bills we are
13. considering. This package and many we handled yesterday
14. are manifold in there ramifications. I regret that we
15. find that we have to move so fast that we just are not
16. sure what we are voting on.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Senator Fawell.

19. SENATOR FAWELL:

20. Well, I hesitate to speak on the bill because I must
21. confess I don't understand it, and I don't think that
22. ninty-four and five tenths percent of the people on the
23. Floor understand it, Senator Carroll. Has this been amended?
24. I don't have the amendment, I have the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Yes, Senator Fawell, the amendment simply added the
29. constitutional language against discrimination on the basis
30. of race, creed, sex, national origin.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Fawell.

33. SENATOR FAWELL:

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1 Is...does the amendment refer to the individuals who
2 are apparently covered by this bill to-wit an employee
3 officer or agent of any foreign government or an
4 employee, officer or agent of a corporation or other
5 entity which does business with or seeks to do
6 business with any foreign government or instrumentality.
7 As it reads right...the bill as I see it states that
8 any of those individuals may not enforce, attempt to
9 enforce, agree to or in any way forward the aims of any
10 discriminatory practice by the foreign government which
11 is based on ethnic or religious grounds. If you
12 added to ethnic and religious grounds then, sex and
13 what else.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Carroll.

16 SENATOR CARROLL:

17 By way of Senator Knuppel's amendment he took the
18 language of the Constitution and added the sex, creed,
19 national origin, provision of the Constitution at the
20 very end of that...of line twenty-two,

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Senator Fawell.

23 SENATOR FAWELL:

24 I...I think the basic intent is...it would be
25 difficult to argue with. I'm just not sure of the
26 total ramifications of it...apparently there...had
27 a full committee hearing and there were no objections,
28 I gather.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Is there further discussion? Senator Egan.

31 SENATOR EGAN:

32 Senator Carroll, I wonder if you would yield
33 to a question.

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1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 He indicates he will.

3 SENATOR EGAN:

4 Well, I'm concerned about the foreign involvement
5 and the constitutionality. Are you aware, I'm sure
6 you are of a 1968 case which held a similar statute
7 in Oregon unconstitutional. It wasn't an antitrust
8 act but it involved the State of Oregon involving
9 itself in foreign affairs and the Supreme Court...
10 in that case, the Supreme Court case held that this
11 type of infringement on the hour of the Federal
12 Government involved in foreign aggairs is un...clearly
13 unconstitutional. I'm curious to hear you on that.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Carroll.

16 SENATOR CARROLL:

17 Yes, Senator Egan, I think there might be a misreading
18 however, of this bill and the Federal Government itself of
19 course, has a Foreign, Investment Securities Act and a
20 Foreign Investment Act and does regulate the investment and
21 the discriminatory operations. There's nothing in here
22 that proscribes or prescribes the foreign policy, all
23 it says is however, that is someone is doing business
24 in this country they cannot discriminate in this
25 country to further the aims of that foreign government
26 even though they are investors here. They must live by
27 our rules if they are within our country doing business
28 in our country while in our country.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Senator Clarke.

31 SENATOR CLARKE:

32 Well, Mr. ... Mr. Speaker, I have a particular interest in
33 this situation because on Brainord Avenue in LaGrange, I've

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1 often driven by a house that has a plaque on the outside
2 was called the Lebanese Embassy, and the gentleman who
3 lives in that home was identified in the Chicago newspapers
4 a month or too ago as being the gentleman who makes up
5 the black list for the whole midwest for the opaque nations,
6 the Arab Nations, oil producing country. The fact of the
7 matter is that it seems to me this is a federal program...
8 problem that they have to deal with and there grappling with
9 and the multinational companies because the State of Illinois
10 isn't affected alone this guy does it for the whole midwest
11 and this is going on all over the country, and this is a problem
12 that they've got to deal with at the federal level.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Senator Glass.

15 SENATOR GLASS:

16 Thank you, Mr. President, this is a second time I've
17 spoken and Senator Carroll, I now have the bill and I would
18 disagree with you that the bill is as narrow as you describe
19 and I direct your attention and the attention of the Body
20 to the lines nineteen and twenty on page two of the bill, in which
21 it's a violation of the law if an officer or agent of a
22 corporation in this country who is dealing with a foreign
23 company or tempting to seeking to do business with a
24 foreign government or instrumentality thereof. In any way
25 forwards the aims of a discriminatory practice and that is
26 extremely broad and I would say so much so that it could be
27 construed in many ways I'm sure none of us can imagine
28 now. I think this bill goes much too far and we ought not
29 pass it.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Berning, once more.

32 SENATOR BERNING:

33 Thank you, Mr. President, now that I've also had a

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1 chance to take a look at the bill. I merely want to point
2 out that with the amendment which we all accept as necessary
3 but which in alluding to sex places many individuals in this
4 country in...contravention of our prostitution laws if he's
5 dealing...doing business with a country where prostitution
6 is recognized. Now, how in the name of heaven can we go so
7 far as to attempt to dictate what goes on inside the boundaries
8 of another country.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Is there further discussion? Senator Carröll may
11 close the debate.

12 SENATOR CARROLL:

13 Thank you, Mr. President, and I think many people got
14 far afield including the last speaker on this bill.
15 There's nothing here that says to another country that they
16 cannot engage in prostitution. There's nothing here that
17 says to another country that they cannot do what they want
18 within their further but what we do legitimately say and
19 I think it is a local problem, it is also a national problem
20 but it is equally a local problem. What we do say is that
21 we will not allow under our antitrust laws the citizens
22 of Illinois to engage in a practice that furthers the
23 discrimination imposed upon them by some foreign country.
24 If they want to engage in discrimination within their
25 foreign country that's for their citizens to decide for
26 them, but while they are within Illinois engaging in business
27 in Illinois, we will not tolerate discrimination or furthering
28 the aims of those discrimination as to their practices while
29 within the State of Illinois and I would ask for a favorable
30 roll call.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 Question is shall House Bill 2592 pass. Those in
33 favor vote Aye. Those opposed No. The voting is open.

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1 Have all those voted who wish? Have all those voted who
2 wish? Take the record. On that question the Ayes are
3 27, the Nays are 21, 3 Voting Present. House Bill 2592, having...
4 not having received a constitutional majority is declared
5 lost. Do you wish to...postponed consideration is requested.
6 So be it. House Bill 2596, Senator Weaver. Read the bill.

7 SECRETARY:

8 House Bill 2596.

9 (Secretary reads title of bill)

10 3rd reading of the bill.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Weaver.

13 SENATOR WEAVER:

14 Thank you, Mr. President, this is an very important
15 bill. Appreciate a favorable roll call.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Is there further discussion? Question is...the question
18 is shall House Bill 2596 pass. Those in favor vote
19 Aye. Those opposed No. The voting is open. Have all
20 those voted who wish? Take the record. On that question
21 the Ayes are 55, the Nays are none. House Bill 2596,
22 having received a constitutional majority is declared passed.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Partee, it's now the hour of ten and I believe
25 it was announced yesterday that we would now go on to
26 the order of matters on the Secretary's Desk. Is that
27 correct, Sir? Senator Partee.

28 SENATOR PARTEE:

29 That is correct, Mr. Chairman, and I would like first,
30 though, to make an announcement. Would these gentlemen please
31 move down? Please. There will be passed out very shortly to you
32 two additional documents. One is on yellow paper and it is
33 a supplemental listing of the Senate bills on the Secretary's

1 Desk with which we will be dealing with. This listing was
2 made after yesterdays' Session, which brings you up to date
3 as to all bills on the Secretary's Desk with which we will
4 be dealing this morning. So will the Pages please pass that
5 out. Another document which will be given you is a document
6 which relates to conference committee report procedure and
7 it is very clearly and succinctly outlined what happens in
8 all conference committee reports and you will find that
9 when you...Mr. Sergeant-at-Arms will you hold the conference
10 committee procedures? A...some suggestions are going to made
11 for some changes which are probably are in our best
12 interest. So just hold that one and we will get back to
13 that later but they will be on your desk in the new form
14 prior to the time that we deal with conference committee
15 reports. So it will be there in a few minutes. Go right
16 ahead with Secretary's Desk.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 House Joint Resolution 5, Senator Schaffer.

19 SENATOR SCHAFFER:

20 Mr. President, there's a resolution headed for the
21 Secretary's Desk, oh pardon me, an amendment to the
22 resolution. Thank you, Senator Sommers. The amendment to
23 the resolution simply deletes the last paragraph, this was
24 agreed in the Executive Committee on the passage of the
25 resolution, the paragraph reads...refers to funding.
26 Senator Graham and other members of the Executive Committee
27 felt that it was unnecessary and I would move its adoption.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Is there further discussion? The question is shall
30 Amendment No...all in favor...the question is shall
31 Amendment No. 1 to House Joint Resolution be adopted.
32 All those in favor indicate by saying Aye. Those opposed No.
33 The Ayes have it. The amendment is adopted. You may proceed.

1 Senator Schaffer on the, on the resolution itself.

2 SENATOR SCHAFFER:

3 Do I need intervening business.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 No, you do not.

6 SENATOR SCHAFFER:

7 Alright, alright, Joint House Resolution 5, in effect
8 creates a Joint Committee of the House Human Relations
9 Committee in the Senate, Public Health, Welfare and
10 Corrections Committee to be formed to study Child Care
11 Services involves Children and Family Services. I think
12 Senator Rock is interested in this, I know of no opposition,
13 I think it's an excellent idea and happy to answer any
14 questions not...appreciate a favorable roll call.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Is there further discussion? All those in favor
17 of the adoption of House Joint Resolution 5 indicate by
18 saying Aye. Those opposed. The Ayes have it. The resolution
19 is adopted. House Joint Resolution 14, Senator Egan.

20 SENATOR EGAN:

21 Thank you, Mr. President and members of the Senate,
22 House Joint Resolution 14 creates a Joint Legislative
23 Committee to study the effects of furloughs and prisoner
24 release programs in the State of Illinois. There has been
25 a lot of discourse on the subject in the newspapers, and
26 I don't think that, that they go deep enough. I really
27 believe that we can take a look at the whole furlough
28 program in Illinois, we can aid the effect if it has
29 been official and we can deny it if it's not. I've discussed
30 the matter with Senator Graham. The House passed the House
31 Joint Resolution...overwhelmingly and it's felt that a little
32 indepth study is necessary so that we can clarify any of the
33 mistakes that have been made by the press in the subject. So, I would

1 appreciate your support.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Graham.

4 SENATOR GRAHAM:

5 I certainly am most pleased to rise in support of this
6 resolution. The gentlemen who have proposed this, the kind
7 of people who are supporting it have a genuine interest
8 in attempting to make a permanent and legislative decision
9 with regard to how well this program is working if it isn't
10 working how it can be corrected or what we should do with
11 it. I think it is high time that we do this, the public
12 demands it and I most enthusiastically support the adoption
13 of this resolution.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Is there further discussion? Question is shall House
16 Joint Resolution 14 be adopted. Those in favor say Aye.
17 Those opposed. The Ayes have it. The resolution is adopted.
18 We have House Joint Resolution 38, by Representative Washburn
19 but it's indicated on our Calendar no one in the Senate has
20 picked it up. Is there anyone that wishes to...House Joint
21 Resolution 43 is in the same posture. House Joint Resolution
22 45, Representative Giglio and it's Senator Course.

23 SENATOR COURSE:

24 Yes, Mr. President, members of the Senate, House Joint
25 Resolution 45, urges Congress to amend The Clean Air Act
26 to maintain the 1975,...automotive admission standards
27 requirements through 1980. Now, the purpose for this
28 Ladies and Gentlemen, we know, all know that we're in an
29 energy crisis right now. The present rate the manufactures
30 are going they're increasing the weight of the vehicles
31 to comply with the standards set by the Federal Government.
32 This is result in increasing cost to the automobile
33 purchasers, increasing consumption of gasoline because they,

1 the units are putting on the vehicles are requiring more
2 gasoline. It's requiring more costly repairs when people
3 go in to have these...these emission control devices taken
4 care of and repaired and we feed though as...as though the
5 present standards are sufficient through 1980 and will give
6 the manufacturers time to work on this problem and come up
7 with a decent emission control device which will be less
8 costly, weigh less and thereby saving quite a bit of fuel.
9 It is a good resolution and I would request your support.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Is there further discussion? Question is shall
12 House Joint Resolution 45 be adopted. All those in favor
13 say Aye. Those opposed No. The Ayes have it. The resolution
14 is adoption. House Joint Resolution 50, Senator...Representative
15 Grotberg, Senator Berning.

16 SENATOR BERNING:

17 Thank you, Mr. President, this House Joint Resolution 50
18 sets up Illinois Township Day, merely to commemorate our
19 township Senate. It happens to coincide with the day of
20 the election, second Tuesday in April. I think it's
21 appropriate that we do extend recognition to our townships
22 and I would move for the adoption of House Joint Resolution
23 50.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Is there further discussion? The question is shall
26 House Joint Resolution 50 pass? Those in favor say Aye.
27 Those opposed No. The Ayes have it. The House Resolution
28 50 is adopted. House Joint Resolution 51, Senator Palmer-
29 Mohr.

30 SENATOR PALMER:

31 Mr. President, members of the Senate, House Joint
32 Resolution 51 is a complimentary resolution paying tribute
33 to our tavern owners. I move its adoption.

HJR #1
(HJR #18)
Debate

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Is there further discussion? All those in favor
3 indicate by saying Aye. Those opposed No. The Ayes have
4 it. The...resolution's adopted. House Joint Resolution
5 57, Senator Harber Hall.

6 SENATOR HARBER HALL:

7 Mr. President, fellow Senators, House Joint Resolution 57
8 is indeed an interesting work of art. It is conceived
9 of Representative Webber Borchers, who you probably recognize
10 as I do as being a historical, particularly Illinois historical
11 buff. He has prepared for us in the form of a lengthy resolution
12 which is just being distributed to your desk. Historical
13 account of the Illinois country which he maintains should be
14 the 14th, one to be added to the original thirteen American
15 Colonies. Now, this is indeed a novel suggestion, the merits
16 of it I think will have to be studied by many scholars.
17 I have taken the opportunity to send a copy of this to
18 several people who I respect as authoritative in this line,
19 including the former President of Illinois State University
20 and I get some very interesting reaction. My wife was a
21 school teacher and she couldn't put this down after she
22 started for the enterest that she has in the subject. Representative
23 Borchers, as you can see on the covering page of this
24 resolution, has almost every member of the House of Representatives
25 as a, joining as co-sponsor. All I ask of this Body is
26 to consider this a serious proposition and especially to
27 read it, take it home and read it if you will. I move for
28 adoption of the resolution.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 I'm going to take mine home this evening. All those
31 in favor of House Joint Resolution 57, indicate by saying
32 Aye. Those opposed. The Ayes have it. Resolution's adopted.
33 Senate Joint Resolution 1, Senator Partee.

1 SENATOR PARTEE:

2 Mr. President, and members of the Senate, Senate Joint
3 Resolution 1 was introduced..

4 PRESIDING OFFICER: (SENATOR DONNEWALD).

5 For what purpose do you arise, Senator Harris?

6 SENATOR HARRIS:

7 Just an inquiry of Senator Partee, are you going to proceed
8 with the consideration of this, Senator?

9 SENATOR PARTEE:

10 I am.

11 SENATOR HARRIS:

12 Well, I thought there was an understanding that there
13 would be some notice to the public when we reach this point
14 that they would be familiar with the fact that there
15 was some scheduled attitude on this.

16 SENATOR PARTEE:

17 That was on 18, Senator. I've never said anything
18 about 1. It was assumed that I wasn't going to call 1,
19 by everybody and I've never have any conversation with
20 anybody about it. 18 is the one that we had the conversation
21 about.

22 SENATOR HARRIS:

23 Well now, Mr. President, I would have to say this, that
24 I have not precisely recorded my memory of our conversations
25 but I am precise that the subject matter has been what we
26 have discussed and both you and I become the focal point of
27 responding to the constituency both points of view, and I have
28 been consistently communicating to the public, of both points
29 of view on this question, that it was my understanding on
30 conversations with you that the subject matter would not,
31 insofar as its consideration would not come as a surprise
32 to the public in general and I...I just say to you, Mr. President,
33 that, that is my understanding and while I...I would not debate

1 your response that our conversations have applied only to a
2 specific resolution of course, Senate Joint Resolution 1
3 and House Joint Resolution 18 are identical in their language.

4 PRESIDING OFFICER: (SENATOR DONNEWALD),

5 Senator Partee.

6 SENATOR PARTEE:

7 Senator, I'm sorry that there is any misunderstanding
8 about that, but perhaps I am just a little bit sensitive
9 about this subject because it was I who worked so diligently
10 when we first had this matter before us to get it passed
11 and then it faulted in the House and very recently I have
12 read some rather disturbing statements in the newspapers,
13 which in a measure compromises me and which in a measure
14 refers to my integrity and it has been said that I was
15 interested in tying this legislation in with some other
16 legislation and that there were some deals made and
17 words of that sort. I've ignored it to this point but I...
18 I must say to you that I am sensitive about those kind of
19 irresponsible statements in the press...engendered of
20 course from the lips of one of our members. So, I want to
21 call it, I want the public to know whether it is supported
22 or whether it is not supported. This is the resolution
23 which was put in by Senator Saperstein and on that basis
24 the question has been perseverated in this Body and the
25 other for years now and everybody simply knows what it's
26 about and everybody ought to, it seems to me be on record
27 on this question. Now it's the Equal Rights Amendment.
28 There have been a lot of things said negatively about it.
29 It started out as a very, very simple proposition of a
30 woman's right to equality in the acquisition of a job
31 and in her right to equality in the promotional aspects
32 of that job once she had obtained it. Unfortunately a lot of
33 things have been said which are peripheral in nature but

1 which are associative to this cause which has nothing to do
2 with it. They talk about bra burners and associates them.
3 They talk about lesbians and associate the concept with
4 this one. They talk about right to life and abortion and
5 associate that concept with it and I was concerned about
6 all of these other peripheral things that have gotten involved
7 in this very simple issue and I just tried to look into
8 history to determine if this has ever happened before and I
9 think about a man named, Martin Luther King, who started out
10 with a very simple proposition. It was a proposition that
11 related to the right to vote and public accommodations...by the
12 time the Stokely Carmichaels and the Rap Browns and all of
13 the Black Panthers and all the other people got involved
14 in his issue it became reimagized completely, so much so that
15 before that poor man died he had to go to peace as an issue
16 to survive. His own issue had been so besmirched, had been
17 so repostured by others that he had to go somewhere else.
18 I want to return to the simple issue that this is rights,
19 equal rights. I have lived in the world under conditions
20 where rights were not accorded me. I have a real sensitivity
21 to any person who is not given their full rights, and here
22 we're talking about rights for women. Now, I know a lot
23 of women say they are opposed to it. I would remind you
24 that when we gave the women a right to vote in the 19th
25 amendment there were women opposed to that too, at that
26 time. Now, they say it would have been tragic had they
27 not been given those rights. I say it would be tragic
28 if women are not given their rights under the ERA amendment.
29 And I move the adoption of the resolution.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Partee has moved the adoption of Senate Joint
32 Resolution 1. Any discussion? Senator Harris.

33 SENATOR HARRIS:

1 Well, as I hear some people...

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Excuse me, Senator. For what purpose does Senator
4 Romano arise?

5 SENATOR ROMANO:

6 I may have been off of the Floor. How many votes
7 does this take.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Well, under the Senate rule, the Senate rule has
10 adopted and there has been no motion to change that rule,
11 it's a three fifths vote. That's not the question before
12 us. Senator Harris.

13 SENATOR HARRIS:

14 ...Well, Mr. President, Senate Joint Resolution 1 is
15 the proposal to ratify the 27th amendment to the United States
16 Constitution and I'm sorry that it's now being considered
17 in the light of other collateral questions insofar as its
18 scheduling is concerned, but I would take the opportunity
19 and certainly this doesn't need anymore debate because it
20 has been debated, but I would just recall to mind the members
21 of the Senate the fact that there is something truly marvelous
22 about the United States Constitution and its amendment must
23 be considered very, very carefully. We have a system of
24 law abroad in the fifty constituencies of our country that
25 provide for advantage in many, many circumstances, advantage
26 for women. And it's my conscientious belief that if this
27 amendment is finally ratified by the United States that
28 those opportunities for advantage in special laws that
29 redound to the benefit of women will be constitutionally
30 infirm. There are many, many other considerations about
31 which I believe we should think thoroughly and carefully,
32 and for reasons related to them one would reject. But I
33 will close with what I think is the most difficult to

1 describe but one which I believe is the most important
2 of all and that is the question of the long-run
3 impact on that unit of life, the family. And if I can
4 observe one thing that has been taking place in recent
5 years and by recent years I mean from a perspective of
6 ten, fifteen, twenty years. I'm troubled about the very
7 clear diminution of the value and the integrity and the
8 dignity of the family...

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Time Senator.

11 SENATOR HARRIS:

12 ...and if there is a connection between the principles
13 involved in this amendment and a negative influence on the
14 family we should give that question thought. I'm going to vote
15 no on the adoption of Senate Joint Resolution 1.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Senator Davidson.

18 SENATOR DAVIDSON:

19 Mr. President and members of the Senate, being one
20 individual who voted for this resolution last year, I think
21 since we can not explain our vote, I have an obligation to
22 tell the Senate that I'm a firm believer that in representative
23 government on a constitutional amendment we have to listen to
24 our constituents. Both the proponents and the opponents of
25 this resolution have expressed this to me strongly, strongly
26 in fact they kind of beat me over the head with it. And I say
27 to you that when I voted for this resolution last year, I heard
28 very little, less than five hundred people very much in favor.
29 I say to you I've now received this year, 1975, more than
30 thirteen thousand communication in relation to this resolution
31 and overwhelmingly against it and I have one other item that
32 which now bothers me and troubles me very much in relation
33 to this resolution. I'm aware that Congress could have draft

1 women since 1940, but the exercise, the exemptions and they
2 did not. I think all of you should be aware of the
3 Federal Court Case which last week was filed, so that
4 there will be no exemption. The proponents are correct
5 with saying women would be drafted and they want to
6 share their fair share. The opponents are correct in relation
7 to what that court decision is recommending because they
8 file suit for that very reason. I have to say to you,
9 ladies and gentlemen, in response to the people in this
10 district believe in the faith that you should represent
11 the constituents of your district when it comes time to
12 cast a vote. I will cast a no vote on this resolution.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Senator Glass.

15 SENATOR GLASS:

16 Thank you, Mr. President, this of course is a resolution
17 that has been up many times before but I'm going to take
18 the liberty of reading to the membership Section 18 of
19 Article 1 of the Illinois Constitution, states as follows:
20 "The equal protection of the laws shall not be denied or
21 abridged on account of sex by the State or its units
22 of Local Government in school districts." The ERA which
23 we're about to vote on states, "Equality of rights under law
24 shall not be denied or abridged by the United States or any
25 State on account of sex". Ladies and Gentlemen, we have
26 equal rights for women in Illinois. All of the horrendous
27 projections of the opponents have not come to pass and will
28 not if we'll pass ERA. I ask you to bear that in mind, it is
29 a good amendment, it's time Illinois adopted it. I would
30 urge an Aye vote.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 Senator Egan.

33 SENATOR EGAN:

1 Thank you, Mr. President and members of the Senate. Those
2 of you that were here in 1971, will recall that I opposed the
3 Equal Rights Amendment on the basis that not only is Senator
4 Glass correct in the Illinois Constitution we have a provision
5 that requires that we do not discriminate on the basis
6 of sex and I haven't seen many law suits filed. My, my
7 antagonism to the Equal Rights Amendment in 1971, arose
8 as a result of the fact that through the questioning
9 and all of the discourse on the subject it was illicited
10 that the fact is, that the Equal Rights Amendment is adoption
11 as part of the United States Constitution would render any
12 draft law at that time and certainly any future draft law
13 unconstitutional unless it requires that we draft women.
14 Now, let me point out one thing, since that time I did offer
15 that I would support the Equal Rights Amendment because all
16 of those people that are in support of it that sought my
17 support suggested to me that, that subject matter of the
18 drafting of women became mute because we don't have a
19 draft law in effect and because I, because perhaps in a
20 week moment I exceeded to that thinking but, Gentlemen, you
21 see my three daughters on this Floor during the last two
22 or three days as Pages. It is not me alone that does not
23 wish them to be drafted, those girls themselves say to me
24 each day, "when you vote on the Equal Rights Amendment, Dad,
25 I want you to know that because of that Equal Rights Amendment
26 I could be drafted if it becomes part of the Constitution
27 of the United States", and how do I answer that, my friends.
28 It is not me alone who wishes those girls not to be drafted,
29 they themselves have made that determination. There has
30 been nothing since the time I voted against the amendment
31 in 1971 to date to change my mind on the subject. As a
32 matter of act, the whole approach to...to ratifying the
33 Constitution through the Joint Resolution process in the

1 General Assembly has in fact turned me against it, and not
2 in favor of it. I just, I...I...it's a matter of stomaching
3 the whole process as far as I'm concerned. Everybody here
4 knows we don't have thirty-six votes for the Equal
5 Rights Amendment. Everybody knows here it's not going
6 to pass. This, my good friends, is nothing more than a
7 sycophantic exercise in futility if, Mr. President, I may
8 borrow from your eloquence.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Senator Kenneth Hall.

11 SENATOR KENNETH HALL:

12 Thank you, Mr. President, members of the Senate, I rise
13 in support of this. I want...I cannot be as eloquent as
14 our President who just finished, but I just want to leave this
15 with you. The time has come many of you have not had the pains
16 that he said that has been endured, but the time has come
17 and I certainly hope that you will support this Senate
18 Joint Resolution 1.

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Senator Nimrod.

21 SENATOR NIMROD:

22 Mr. President, and fellow Senators, the last time this
23 bill was voted upon I voted for it and I still support it.
24 I did that in all sincerity because I was of the opinion
25 that it represented the views, and I also believe that the time
26 for Equal Rights was here and that that amendment should pass.
27 However, since that time I have received numerous letters and
28 calls from people within and surrounding my district. It has
29 come to my attention that Section 2 should be the subject
30 that should be addressed. I do believe that none of us
31 and especially myself are opposed to equal rights, to equal
32 pay and the whole area of the Equal Rights Amendment, but
33 has been pointed out this question goes a lot further. I

1 would have voted to bring out the resolution from the
2 committee to this Floor. However, I will not have an
3 opportunity to do that, but I...when it got to the Floor
4 after that last Executive Committee meeting, I did have some
5 experiences at home and my district and meetings with all
6 the representatives of the ERA movement. I have for the
7 last five months asked for information which would confirm,
8 validate my concern about Section 2 and where we have the
9 preemption of State laws. Section 2 of this present ERA
10 is the same as it is in many other amendments, seven or
11 eight to be exact but to this day including legal attorneys
12 from the ERA movement I have not received any...any...facts
13 or information indicating what has been the court experience
14 on these particular Sections within the amendment. Section
15 5 of the 14th Amendment is exactly the same and, in fact,
16 we lost election preemption to the State of New York.
17 I would say one other thing about this, that there is
18 time, we have until 1979 to make this decision. If we would
19 be remiss, if we would do it; ERA proponents have informed
20 me that there are eight hundred and sixty Federal laws
21 which will have to be changed in effect of Illinois. Do any
22 of you know what those laws are? How can you vote on an
23 issue without being informed and have the information? I
24 think at this time and until I receive that information from
25 the proponents who I have asked and met with, until that happens
26 I have no other choice but to vote no on this particular
27 amendment.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator Nudelman.

30 SENATOR NUDELMAN:

31 Thank you, Mr. President, I would...I would like to...
32 to answer Senator Glass and inform him why this is different
33 than the State Equal Rights Amendment of the Equal Rights

1 provision of our State Constitution. The passage of
2 this amendment would concomitantly authorize the Federal
3 Government to legislate in many, many, many areas which
4 are currently strictly state's affairs and I think we should
5 keep them that way. We don't need Federal statutes regulating
6 our day to day lives in the various states anymore than
7 they are and we don't have to open a new avenue to them and
8 I would like to reassure Senator Netsch that while she
9 made a statement which was widely published Saturday,
10 about holding things hostage that I am very much in favor
11 of the bill...the map bill and will vote that way. I'm
12 very much opposed to this and will not vote for this
13 legislation.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Wooten.

16 SENATOR WOOTEN:

17 Thank you, Mr. President and colleagues, I suppose
18 it is frustrating to all of us not only to hear all of the
19 speeches again but also as well to give them. And the thing
20 that is particularly frustrating is the mind set that we
21 encounter in something like the Equal Rights Amendment.
22 Let's face it, the whole concept of democracy requires a great
23 leap of faith. It is almost irrational to believe that if
24 you let everybody, the educated and the uneducated alike vote,
25 that somehow you're going to come up with the proper system of
26 government. We have made that leap of faith and I think
27 we have a rather, sometimes chaotic society, but on the whole
28 we have the freest society in the face of the Earth. It
29 required a leap of faith for us to give the vote to women
30 and the dire predictions that were ripe at that time
31 were enough to discourage anyone. We made that leap of
32 faith and it has been justified. The leap of faith we're
33 required to make now, or we're asked to make now, is not a

1 very great one at all. What we're asked to do is remove,
2 in effect, the prejudice toward women principally we
3 inherit from English Common Law. We don't quite have this
4 problem in our Western and Southwestern States where they
5 do not have the inheritance of English Common Law. If you
6 recall, English Common Law in the beginning, counted women
7 as chattel, and gradually through the years that prejudice
8 against women has been eroded. You can simply do away with
9 it with the passage of this amendment. All the other things
10 that we're worrying about, the draft and all the rest, are being
11 taken care of, are being answered in the courts and they will
12 continue. What this amendment does is remove the prejudice
13 against women because they are women that we inherit as the
14 heirs of English Common Law. That's all there is to it.
15 And if you don't think that works, I just hired a young
16 woman to work for me this summer who is complaining because
17 while she has a good paying job and her husband is a student,
18 in order to buy a car she had to go down and put all her
19 money in her husband's name because they simply would not
20 accept a transaction from her. I don't know if we can make that
21 leap of faith, apparently we cannot and if so, well, so be it.
22 We'll have to achieve full equality by other means. But this
23 would simply make life a lot easier for a lot of our fellow
24 citizens.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Senator Clarke.

27 SENATOR CLARKE:

28 Mr. President, I think that everybody here is for equal
29 rights and one of the thing that I deeply resent is when
30 somebody says well, if you're not for the ERA you're not for
31 equal rights. But the thing that triggered my wanting to
32 speak was Senator Glass saying we've got it in Illinois
33 and I'd say to Senator Glass, all he has to talk...do is talk

1 to the women's groups, talk to the FEPC members and anyone
2 else; look at the court cases if he thinks that there's not
3 discrimination today in Illinois and just because we've
4 got a constitutional amendment doesn't mean there's not
5 discrimination. AT & T didn't pay out all that money because
6 they weren't discriminating and in equal wages you're going
7 to have discrimination after the ERA gets passed, if it
8 does. The fact of the matter is that constitutional amendments
9 as such aren't going to solve a thing. Ten years ago Senator
10 Partee was down here talking about open occupancy and we
11 got it passed and there's still discrimination in housing.
12 It hasn't changed more than one or two percent, and the only
13 way you're going to do it is through fighting on the line
14 through the courts and through pushing it at the level where
15 they respond.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Senator Netsch.

18 SENATOR NETSCH:

19 Mr. President, on this issue as some others we've talked
20 about in the last twenty-four hours or so, the issue has
21 been before us before and a great deal has been said. I think
22 I have expressed my legal and philosophical views on the
23 Equal Rights Amendment in times passed. I assume I do not
24 have to repeat that I am strongly committed to it. I think
25 it is of enormous importance symbolically and I think
26 it is of practical importance on some major legal areas of
27 discrimination that still exist. What I would like to
28 do is to direct my attention just very briefly to the point
29 raised by Senator Nimrod, because I have heard that as one
30 of the last ditch stands of the opponents of ERA to the
31 amendment and that is somehow Section 2, is going to remake
32 the world, this country and all of institutions. I think
33 as Senator Nimrod fully knows Section 2 has been, and this,

1 incidentally says that Congress may pass laws implementing
2 this amendment. I cannot even quote the exact language
3 because like all others here I had no warning that ERA
4 was going to be called today and I do not have any of my
5 notes with me, but what it does is authorize Congress to
6 implement the provisions of the Constitution. The...it
7 is, incidentally, it is a word for word part of the 14th
8 Amendment, part of several other proposed and existing
9 amendments and it has never, I repeat never had the effect
10 that Senator Nimrod has tried to attribute to it and he well
11 knows that because he has been given written memorandum on
12 it from Jim Fletcher, who is the Attorney for ERA Central.
13 We have had several discussions about it, I have tried to
14 persuade him that he is now calling and questioned my
15 academic integrities because I have taught this area of law,
16 I know perfectly well what Section 2 stands for, I know what
17 the Katzenbach Case stands for, it is not a preemption.
18 What it does is to say that Congress may legislate with respect
19 to the subject matter of the amendment which is equality
20 of rights or nondiscrimination. It...in no way does it
21 diminish the police power of the States. There is no way
22 that the amendment could diminish the police power of the
23 States. They continue with full power to legislate in all of
24 the areas that you have suggested and that the others who have
25 raised this argument have suggested. We are concerned with
26 only one thing and this is, where the amendment is not
27 carried out an implemented Congress itself may pass laws
28 to help. As a matter of fact, it has already done with
29 respect to the 14th Amendment. That is all that argument
30 is worth, Senator Nimrod. That has been repeated time and
31 time again and I think it should be made crystal clear now.
32 It is a smoke screen I'm afraid and I am sorry to see that
33 kind of legal confusion injected into a...an important and basic

1 philosophical question. Are you willing to put into the
2 United States Constitution that equality of rights shall
3 not be denied on account of sex. The issue is that simple,
4 now more no less.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Senator Harber Hall.

7 SENATOR HARBER HALL:

8 I don't know from this point on if we can make new or
9 better ag ment. I think I have a couple of items that I'd like
10 to express however, Mr. President. First of all this is not
11 really a simple statement that we can just vote on and say,
12 well, we've done it. This is a very important statement. I
13 recall when this resolution was first introduced in the House
14 of Representatives, it didn't take much coaxing to get me to
15 sign as the cosponsor of it because it is a simple statement
16 and wording but the effects...the effects of it are not all that
17 simple. After I studied it and I read some constitutional
18 authorities on what this would really do, I asked the Clerk
19 of the House to remove my name as the cosponsor of the
20 amendment and following that twenty-two other members of
21 the House did likewise. Since that time approximately four
22 years ago, two states that have ratified this constitutional
23 have voted in their House to rescind that ratification,
24 others are contemplating this. There's a reason for this,
25 my fellow Senator, and that is that this would be a shock
26 upon this Nation. That as Senator Harris has pointed out
27 would affect family life for all future generations. Now,
28 Senator Egan pointed out to the fact that he has three
29 lovely daughters and I have been admiring them for some
30 days as they acted as Pages herein our Senate and he said
31 that there wasn't a draft law but there is a draft law,
32 Senator Egan. Every man now has to register for the draft,
33 every young man, even though they aren't drafted. If this

1 if this Constitutional Amendment is passed every lady,
2 every girl...

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Senator, Senator Graham for what purpose do you arise?

5 SENATOR GRAHAM:

6 Mr. President, a close observation of the Senate Chambers
7 indicates to me there are two kinds of speakers, those who
8 have the microphone and more of those who don't.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 The point is well taken, I think the...

11 SENATOR HARBER HALL:

12 Thank you, Mr. Graham, Mr. President, there is...there is...
13 and we would have to have our young ladies registering for any
14 future draft that is forced upon our people in a time of
15 necessity. Lastly Senators, this is a symbolic gesture and
16 I suggest to you that it should not become a matter of
17 a constitutional change just to make a symbolic gesture to
18 the ladies that we revere so much. I intend to vote No and
19 I hope this constitutional amendment is defeated.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Berning...Senator Knuppel.

22 SENATOR KNUPPEL:

23 Mr. President, I'm going...not going to speak very
24 much on the ERA for or against it as such because I've heard
25 all the petty little arguments and...and about the draft and
26 all that and hew the ones who are in favor of it come on
27 so strong. Let me tell you those who are against it come
28 on just as strong or a little bit stronger. For the first
29 time in my life I had to put my hands on a woman with force,
30 who was opposed to the ERA and push her out of my office with
31 three pre-age school children. That isn't the point, what I
32 see here today is something far larger than that. I see
33 a further decline of the legislative ability of the State

1 Legislature involved in legislative symmetrics. We
2 wonder why the courts have taken away our legislative power,
3 we wonder why the State Legislatures are the weakest branch
4 of government today, we wonder why the Governor can make
5 us look like a bunch of snooks. It's because we don't have
6 the ability as a legislative group to accept, digest and
7 understand a large idea or concept. We're concerned, all
8 of us are concerned about whether we going to get elected
9 back home. Now, I say to you people that sometimes a
10 concept is bigger than we are and I predict that no matter
11 what we do here we feather our little nest to get reelected.
12 The job doesn't mean that much to me. I want to vote what
13 I think is right and I want to deal with concepts that are
14 a little bit bigger than whether you change the name of a
15 state park or something like that. This is one of the
16 really big ideas that has come before this Body and I'm
17 appalled at...at the real intellectual scope that's...that's
18 illustrated, the collective scope of the intelligence of a
19 group who are caught by things like common restrooms and
20 the kind of arguments we've heard against this. No
21 thing is more powerful than an idea whose time has come and
22 if we don't act here today and we won't sooner or later the
23 courts will take it away from us. They will find something
24 under United States Constitution that will allow them
25 to do exactly what would have been done by the amendment
26 anyway. It may be ten years, it may be fifteen and then
27 were're going to scream that the courts are legislating,
28 that they've invaded our province. I say to you today
29 you've got a chance to vote for something that is a large
30 idea, something that's more than a little but of jingle in
31 your pocket. You know I remember, "Rhapsody In Blue", and
32 Gershwin's Father said, "Don't write tunes that jingle like money
33 in your pocket, write something great, something big". Think about

1 the mundanes daily things and whether or not your people
2 are going to vote for you to return if you know this is right,
3 and I know it's right.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Gentlemen, I would ask to inform you that we are seeking
6 leave to have silent pictures, silent I might add, silent
7 pictures being taken, is leave granted. Leave is granted.
8 Mr. Schilke you have the Floor. I again reiterate they
9 are silent, so we needn't prolong this. Senator Hickey.

10 SENATOR HICKEY:

11 Thank you, Mr. President, I know too much has already
12 been said, both today and other days here too. But I want
13 to make three points, two of which I think have not ever
14 been made before. Before I do that I want to congratulate
15 Senator Partee on his brilliant case he made for the ERA,
16 first of all, and...but my first important point I want to
17 make, I want to make in reference to what Senator Harris
18 said. He talked about the family and as if anybody who might
19 be for ERA was against the family. I think if you look
20 at me and look at my life you can see that I wouldn't be
21 interested in doing anything that jeopardized the family, in
22 any way whatsoever and I think that it has not been said
23 on this Floor before that forty percent of the women
24 in this country who work now, are either the soul or
25 principal supporters of their families. Now, as Senator
26 Harris speaks I'm sure that all of us like to have the
27 beautiful idea of family that we have in...in our imaginations
28 but as I say, in forty percent of the women who work in
29 this world or in this country having to support their
30 families themselves were really not looking at the real
31 picture and ERA would help them. One of the most
32 regrettable things about this whole business is that there
33 has been so much misinformation dealt out in the line of

1 of emotionalism, one...one of those things I want to counteract at
2 this point. I think we would all agree that most of the problems
3 of this world, the problems of crime, drug addiction, alcoholism,
4 most of the great problems that confront us are because peoples'
5 feelings of dependency. I would like for you to think about the
6 fact that ERA gives an opportunity for us to lick the problem of
7 dependency as far as half of the people of this county are con-
8 cerned. It's very nice for many...many men certainly no one in
9 this room I'm sure, but many men find a great ego builder in
10 thinking of themselves carrying women around on silver platters,
11 and lots of us women have enjoyed that too, but we need to
12 look at the thing squarely in the face, do we want to keep
13 women as immature children or do we want them to be dependent
14 mature adults able to cope with the problems that they have
15 to cope with when perhaps a man isn't there to help them.
16 And then thirdly, I want to make the point that again, that
17 Senator Knuppel made. We're going to vote against this today...

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Time.

20 SENATOR HICKEY:

21 ...I'm afraid, but this is an idea whose time has come,
22 as a matter of fact, if the trend weren't already with us,
23 Senator Egan's lovely daughters ten years ago would never
24 have been able to be Pages on the Senate Floor. The trend
25 is here, it's moving, don't resist it, it's going to come
26 whether you do or not but try to get with it today. Thank you.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 / Senator Chew.

29 SENATOR CHEW:

30 Mr. President, if I can move this conference off to my right.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Your point is well taken.

33 SENATOR KENNETH HALL:

1 Move the previous question.

2 SENATOR CHEW:

3 That's my look alike.

4 SENATOR KENNETH HALL:

5 Nobody can tell us apart. I eat Matzo Balls. Senator.

6 SENATOR CHEW:

7 ...Mr. President, members of the Senate, you know, I sometimes
8 wonder whether we are authentic, shrew or hypocritical. This is not
9 a test to man's ability to be fair. It's a test of man's inhumanity
10 to man. These people that we are debating their rights today, first
11 of all are the people who are responsible for our being on this
12 Earth. We take our women in this country they keep our houses, they
13 wash our dirty clothing, they have our babies, they are our
14 general auditors, our bookkeepers, we lie to them, we'll cry if
15 they don't believe it, we said they couldn't vote, it was in
16 1920, women suffrage. This should not have to debated by
17 any Legislative Body in this country, it should be automatic,
18 but is has become a political football. And we have started
19 down trend and now we're starting on people's rights.

20 It's because of women that make this country great
21 many of us here that are elected officials would not be here
22 if it were not for women because they outvote men two to one.
23 They have a right to equal rights and anyone that will deny this
24 right to a woman in my opinion does not operate with sanity.
25 Let me tell you something, I think a lot of us are against equal
26 rights because we won't have a whipping boy. You know let's
27 face it, we like to prostitute our women off, we like to lie
28 to them, we like to beat the hell out of them, and we like to
29 be men, we like to be bosses and yet we'll send them out on
30 these jobs and when they go out and bring in a paycheck we
31 want to boss that too. Let us give these women their rights
32 and you talk about going to the draft, I heard some Senator
33 say, "Will they be drafted", you've got more volunteers

1 in the armed services today, no and I don't see that light.

2 Then...then...

3 PRESIDING OFFICER: (SENATOR ROCK)

4 I do.

5 SENATOR CHEW:

6 ...you've had and many more applications are on
7 file. That's just a bunch of bunk about being drafted.
8 And if they are drafted so be it, they're citizens like men
9 and if they want their rights let us give it to them and
10 stop going around here parading and being hypocrites and...
11 and...and denying these people their rights. It is absolutely
12 wrong, and I would urge a yes vote on this that includes
13 rights in any other legislation that includes equal rights
14 to any citizen.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Senator Berning.

17 SENATOR BERNING:

18 Thank you, Mr. President, for one I would like to say
19 that let Senator Chew speak for himself. I am not interested
20 in taking any rights from anybody, in fact, one of my major
21 concerns over this whole debate for these many years is
22 simply this. No one has been able to demonstrate any
23 denial or equality to any of our American women. This question
24 of a credit card is something that no Constitutional Amendment
25 will ever change. We could amend the Constitution from here
26 till doomsday and some people could not qualify for credit.
27 But as one parting comment, let me just remind you that there
28 was a recent court decision which requires schools to now
29 intergrate their athletic programs. Maybe we all wish we
30 were back in school so we could play football with the
31 girls. This...this constitutional amendment would forever
32 foreclose to the States any action in the whole human re-
33 lations area in my opinion and I think it's a bad amendment.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Don Moore.

3 SENATOR DON MOORE:

4 Thank you, Mr. President, members of the Senate, I was
5 completely disillusioned when this ERA matter was called today.

6 I was under the impression that it was going to be up on
7 June 26. I have had over four thousand letters or tele-
8 grams or communications on this question from my district.

9 A majority of them have been in favor of this amendment.

10 I resent this matter being called today, Mr. President. I
11 was shocked when Senator Partee did call it today to resolve
12 a political question and a political problem that exists on
13 that side of the aisle. This matter was to come up on the
14 26th of June, at least that was my intention, or my under-
15 standing. Senator Partee, I'll give you a vote today but
16 that's it. If the ERA matter does come up again during
17 this Session of the General Assembly to say what the
18 Governor says, "I'm going to keep my options open." Thank you.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Senator Bell.

21 SENATOR BELL:

22 Well, thank you, Mr. President, I've hesitated in speaking
23 on this issue but I don't believe at any time in the past
24 several years that I've voted on the question on ERA that
25 I have publicly addressed myself to it. I'd like...what has
26 caused me to want to respond particularly at this time is
27 some of the comments by my colleague and friend, Senator Knuppel.
28 He talked, fellow Senators, in reference to great ideas arriving.

29 Well, there are ideas and there are great ideas of course, of
30 human events and I'm sure that Karl Marx felt that what
31 he disseminated in Das Capital was great ideas or that
32 Lenin in his various writings felt that he was promulgating
33 on mankind great ideas and indeed they have arrived because

1 we find our country an embattled nation because of some
2 of those ideas. There was a man thirty years ago by the
3 name of Adolf Hitler, who wrote a book called "Mein Kampf",
4 and those are great ideas for the area in society also.
5 Now, I don't mean, Senator Knuppel, to equate the ERA movement
6 into those notorious and famous schemes that have been
7 thrust upon mankind, but I do say that great ideas are
8 sometimes clouded and besmirched by the...the etiology and
9 the ranting and ravings of...of people trying to...gain great
10 power. Now, I'd like to mention also, your comment and
11 reference to self-interest. I really don't believe there's
12 many legislature...legislatures in this Body that on this
13 question are voting in reference to self-interest. I would
14 bring forth to this group at this time that in reference to
15 my district that very likely it's got a sixty - forty
16 situation in reference to my supporting the ERA position,
17 but I feel so dedicated after the years of study, the last
18 two or three years of study that I've given to this question,
19 that it would be bad for American Society that I'm willing to
20 go back and face the music and I'm sure I will because I've
21 been told by the proponenets of the ERA that they're going to
22 see that I don't return. Well, I offer the gauntlet and throw
23 it down and I'm willing to go back and face that challenge
24 because I think as a Legislator, as a Senator of this State,
25 that I have an obligation to American Society specifically
26 in reference to this question, devote my convictions and
27 I'll face that issue when I go back. And finally I'd like
28 to say that to me anything that is so decisive as to cause
29 roughly a fifty - fifty situation in reference to whether it's
30 good or whether it's bad, right there in itself logic tells
31 me that it should not be thrust upon American Society in
32 the form of adopting the 27th Amendment, known as the Equal
33 Rights Amendment. I think it should be defeated again

1 this year and I plan to vote against it. Thank you.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Senator Smith. Senator Smith, did you seek recognition,
4 Sir?

5 SENATOR SMITH:

6 Mr. President, Ladies and Gentlemen of the Senate, I've
7 sat here...I've sat here since this debate began until this
8 moment. I've listened to the various speeches that have been
9 made and I want to believe and I wish I could believe that
10 each and every speaker has spoken his honest opinions and
11 views. With reference to Fred Smith, I think you know that
12 since the day I came into your legislative Body I tried to
13 honestly ascertain the facts. I try to say exactly what
14 I think and yet I try always to think before I say anything.
15 My honest opinion is at this late moment in this debate that
16 you take all of the speeches that have been made here today
17 both for and against. My honest opinion is that you would
18 not change nor have you changed a single vote here during
19 the course of this debate. I do not rise for the purpose
20 of attempting to make a speech. I believe that speech making
21 alone would decide this issue gladly would I sacrifice of my
22 remaining strength, seek to make a speech. I have as I listened
23 to, two of the speakers in particular, one caused my mind to
24 run back to the hills of East Tennessee where I was born.
25 A lady to my left who sits there at times at intervals used
26 the word discrimination. Two things entered my mind. I
27 saw Senator Carroll put forth his very best, he in the
28 course of a speech this morning in support of a bill, and
29 he lost. And I haven't a doubt in my mind Senator Carroll,
30 who is not back there at the moment, but the reason why he
31 lost that fight was because of one word. The word was used
32 by the lady, it was used by Senator Wooten, and I now use
33 it. The word, "discrimination". If he could of eliminated

1 that word from his bill I believe that he would've won, that's
2 simply my belief, others may think otherwise. Please keep
3 quiet for a moment, I listened to you and I rose simply because
4 of the fact that I wanted to add additional color to the
5 fact of this debate here this morning. You had Senator Chew,
6 a member of my ethnic group, you had Senator Hall, a member of my
7 ethnic group and I thought and I said when I sent my name to the
8 speaker I would take perhaps less than a minute. Senator Wooten
9 used two words, Senator, in the course of your debate, a speech
10 you used the word, "discrimination", and you used the word,
11 "prejudice". I listened to so many things that are said here, now
12 please let me predicate this by saying in the light of what
13 happened last evening, that I said merely a matter of correction,
14 not as a matter of criticism, and I hope you will accept it in that
15 light. There's a vast difference, Gentlemen...I don't know why
16 they would want to hear me. Frankly, there's a vast difference
17 between discrimination and prejudice. All forms of discrimination
18 Senator, enlight, but prejudice, and inner thought a matter...
19 practice of thinking will never be reached by use of the law
20 alone. Prejudice is invulnerable to direct legal attack, but
21 discrimination an outward deed - an act, a form of conduct it
22 can be legislated against, it can be successfully attacked and is
23 daily being attacked. I hope you accept that, Senator, I
24 wanted to make a dissertation and a difference as between
25 the two words you used. Some seem to think that words have no
26 real effect in life but they do and I discriminate as between
27 the use of language only. Now, with reference to this
28 measure, I have voted for it on each and every occasion.
29 I voted once out of pure cussed meanness. I saw what I
30 thought was an attempt by another to take from former Senator
31 Saperstein, the direction that this resolution might take here
32 on the Floor of the Senate. Had that been done I would've
33 voted against the resolution, but the good

1 Senator, she maintained control of the bill and out of respect...
2 of the resolution and out of respect for her and her only
3 not because I'm dedicated or sold to the belief that
4 what you are seeking to do is right. I've studied it as
5 earnestly as you have. I've reached an opinion for myself.
6 I'm not sold to the cause of ERA. Then there's another
7 member, and there are only two members of the Smith family, the
8 other member of the Smith family is against it. And according
9 to mathematics or arithmetic as I have studied it, one plus
10 one doesn't make one, one plus one makes two. So there
11 are two Smiths, my wife and myself, neither of whom have
12 been sold to the cause of ERA. I voted against it last
13 time and the time before out of deference to the respect
14 and the hard work that former Senator Saperstein had put
15 forth. I know that this matter is not going to prevail here
16 today and others know it. And I'm sure that with the
17 political acumens of farsightedness the marked ability of
18 my leader I am constrained to the belief that he has knowledge
19 of not to know that it will not prevail here today. I
20 have a deal of respect for our Cecil A. Partee. Each time
21 that he has been elected here I think you will recall those
22 of you that have been here it was Fred J. Smith, who placed
23 him in nomination, chances are that I will again if he
24 wills or wishes it. I will be here three years longer
25 God being my judge, not a day longer. I'm growing old here.
26 If I live until July the 4th, I'll be seventy-six years
27 of age. And I think younger men should step upon the
28 scene, and take...and do that, that I have tried to do let
29 them do it, far better than I've done. I'm going to close
30 now and sit down by simply saying that out of respect for
31 you, Cecil, that's the only reason in high heaven that I'll
32 cast my vote Aye here today.

33 PRESIDING OFFICER: (SENATOR ROCK)

1 Senator Bell for what purpose do you rise?

2 SENATOR BELL:

3 Yes, thank you, Mr. President, in the Southwest Gallery,
4 a group of sixty-four students from Bowlingbrook West U, Jr.
5 High School, lead by the teacher, Mr. J. Vidmyer, and before...
6 I say before introducing the students to the Senate and asking
7 the Senate to acknowledge their presence I would like to draw
8 attention to this group from my great county of Will. That
9 they are a privilege this morning to be here to listen to and
10 witness a part of the debate that concerns itself with the
11 vital question of the Equal Rights Amendment, the ratification
12 state by state for the adoption to the United States Constitution
13 and they are here witnessing a bit of Illinois History and
14 indeed American History and I would only have wished that possibly
15 they could've gotten here a little early to have heard some of
16 the outstanding debate that's been going on in reference to
17 this vital question, and so, I would now ask the members of
18 the Senate to rise and acknowledge the presence of a group from
19 Bowlingbrook West U, Jr. High School. Thank you.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Will our guest in the gallery please rise? Senator Buzbee.

22 SENATOR BUZBEE:

23 On a point of personal privilege, Mr. President. I make
24 inquiry of the Chair on a point of personal privilege.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 What is your point, Sir.

27 SENATOR BUZBEE:

28 I think every speaker that I've heard today on this issue
29 has said we have hashed and rehashed this and there's no reason
30 to go over it, and then they continue to go over it. I'm just
31 wondering if on Monday, when House Joint Resolution 18 is called
32 if we will invoke the Senate rule that says that those who have
33 spoken today will not be allowed to speak on Monday. I was..I

1 await your ruling on that.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 --- It will be the ruling of the Chair that all twenty-three
4 who have thus far spoken will certainly have another crack at
5 it. Senator Kosinski.

6 SENATOR KOSINSKI:

7 ---Mr. President, and members of the Senate, I shall be
8 very brief. There is a song written and sang throughout
9 the country and no true words, and no truer words could
10 be said about the lovely lady. It says (foreign language)
11 I love you and I want to add these following words, I
12 respect you, and I cherish you and I promise you that I
13 will vote for ERA.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Newhouse. Excuse me, Senator. There has been
16 another request from a television station in Decatur, I am
17 informed that would like to also to take silent films and
18 I again repeat they are silent. Senator Newhouse.

19 SENATOR NEWHOUSE:

20 Thank you, Mr. President, Senators and I do respect the time
21 of this Chamber but I thought...I do have a responsibility here
22 and I wanted to discharge it and that is this, I have changed
23 my vote on this matter and I think that everyone's entitled to
24 know why. When this matter first came to light I had some of the
25 same concerns Senator Nudelman asked that I'll tell you why, I'll
26 do that, Senator Nudelman. My first concerns were with what I
27 see as an erosion of a...of the family relationship and my concern
28 was for some third party that few people talk about. Most
29 third parties are the children that are born of the union
30 between man and woman. In the course of the debate earlier
31 on some of those who are proponents of the bill then said to me
32 that the deterioration of the family that is something that
33 is going to take place and has nothing to do with ERA. I'm

1 afraid they're right. I'm not even sure that, that process
2 can be reversed although I do regret that. Secondly, my
3 district is overwhelmingly pro ERA. And I do have...I do have
4 a responsibility to those who sent me here to reflect the
5 feelings that they do have. I do hope however that the
6 discussion during the period when we did have debate was
7 a healthy one to point out some things to those whom I think
8 did not recognize how deeply feelings ran on both sides and how
9 honest people and sincere people can disagree on this issue.
10 I would hope that we pass this bill out today, I will vote for it.
11 I would hope that because it seems to me that the one thing that
12 we don't need is further division in our social structure today.
13 The fabric simply cannot stand it. And I would hope that out
14 of this would begin a sort of a healing process that the
15 educational effect of the debate on both sides will have
16 put into perspective some of the...some of the deep social
17 desires that those on either side may not recognize from
18 those who appear to be on the other side on this single issue.
19 I think there are people of good will on both sides. My
20 way, my method of resolution will be to vote for ERA today,
21 to vote for ERA tomorrow and hopefully after this bill is
22 passed that all of us will pull shoulder to shoulder together
23 and try to save the children that's the point. Thank you
24 very much, Mr. President.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Senator McCarthy.

27 SENATOR MCCARTHY:

28 Yes, Mr. President, an issue like this I think sometimes does
29 require a verbalization. What we're doing is a ratification
30 of the Constitution amendment as everyone knows. Let me
31 give three examples of how we have played with the Constitutions.
32 When 14B was added to the Taft-Hartly Act in the Federal Congress
33 back in the 1950's, the State of Florida among others

1 drove into their State Constitution a prohibition against
2 collective bargaining and now even though the industrial
3 climate in those states have changed, the voters must through
4 the process now unlock that Constitution which is extremely
5 difficult to do. The second one is in Illinois, the 1970
6 Constitution drove into the Constitution a provision relating
7 to branch banking, Mr. President, or now if you want
8 to do anything about permitting branch banking a majority
9 of this Body does not necessarily make it so. They've got a
10 sixty percent rule that you have to, because of the Constitution
11 get sixty percent of the vote of this and the other Chamber
12 before you can change branch banking subject to a manipulation
13 which is a constitutional amendment and there's no way that
14 can be changed unless the Constitution be amended. The third,
15 I think, is the one that we're all familiar with and that was
16 the Federal Congress putting in the prohibition amendment in
17 about 1920, which was deemed to be a great social failure for
18 twenty-two years and it took twenty-two years before that
19 amendment was undone. So there is, I think, delivery of action
20 and the issue is distinctly this. Shall we do this by
21 way of a merely irreversible act of the constitution or
22 should we rather adopt legislative acts step by step? I think
23 the latter is the more wise course to take. Now, there have
24 been, I think, some publicity around that this Body as to endorse -
25 Mrs. Betty Ford was reported to have been in favor of the
26 amendment. We have seen Allan Alda down here and also
27 Marlo Thomas. Senator Nudelman and I both happened to
28 watch the Tomorrow Show this morning at about 12:15, where
29 Tom Snider, the host had as his guest, Kate Smith,
30 Kate Smith, you know, is a singer. Her recording of God Bless
31 America, I think has perhaps sold more records than any
32 other recording that I know of. And Kate Smith was rather
33 explicit in her position on women liberation. She said she

1 wanted to be known as Miss, M-i-s-s Kate Smith, not Ms.
2 and were she married she'd want to be know as Mrs. Kate Smith.
3 She didn't come out flat against the ratification of this
4 amendment but she said, "that in her opinion, when a woman takes
5 on the responsibilities of a husband and child bearing, she
6 must subvert herself to that" and that's from a person who
7 does have fame that is equal to that of Mrs. Betty Ford, Marlo
8 Thoman, or Allan Alda, because of the recording sales of that
9 she has done and that...in the past, and I mentioned that
10 to the members of the Body because those that are persuaded
11 by endorsements may take a look at what she said last night.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator Mitchler.

14 SENATOR MITCHLER:

15 Mr. President, members of the Senate, just for the
16 record I want a statement that I have used this year in
17 responding to the mail and communications I have had on this
18 question. This is a question that when I served on a
19 Commission on the Status of Women, I have the opportunity to
20 listen to the pros and cons. I've studied a tremendous
21 amount of mail both, pro and con, I've listened to different
22 groups express their opinions, both pro and con, and after
23 full evaluation and also with consultation with my wife
24 on this subject, I have arrived at the decision to continue
25 voting today and in the future as I have in the past and
26 that is in oppostition to the proposed ERA amendment to the
27 United States Constitution. However, today and in the
28 future as in the past I will continue and always will
29 support legislation and try in my own life to avoid any
30 dsicrimination not only because of the sexes but because
31 of any race, creed, color or national origin, and I mean
32 that and I want that to go on the record. If I error from
33 that at any time, please remind me. Thank you.

1 PRESIDING OFFICER: (SENATOR ROCK).

2 Senator Howard Mohr. Number twenty-five.

3 SENATOR HOWARD MOHR:

4 Yes, Mr. President I would first want to compliment
5 the Chair for the fair manner in which he has conducted
6 these proceedings this morning. I talked to him earlier
7 I was number five...

8 PRESIDING OFFICER: (SENATOR ROCK)

9 It's like a party, we save the good wine till the last.

10 SENATOR HOWARD MOHR:

11 ...Thank you, Mr. President, I would publicly like
12 to apologize to nine members of the VFW post...from Forest
13 Park, 7181, that were here earlier this morning and
14 specifically ask if this legislation was going to be talked
15 about today and I advised them no that is was held off,
16 that is was going to be held off until the 26th. They
17 expressed some concern as others have about daughters
18 and these were fellows that have been in the service and
19 know a little something about that operation. I would, I
20 do want to be very brief and promise to be. We have heard
21 a subject matter I don't know how many times, Mr. President,
22 but I don't think anybody's vote have been changed. If anything,
23 perhaps the proponents are losing ground because those
24 people at home are now awakening to what this is really
25 all about. One of the statements made this morning was that
26 by a Senator stating that being down here as a mother certainly
27 would not put the home life in jeopardy. I would take
28 issue with that. It's alright if a Grandmother in my opinion
29 is here. I think any parent that has young children do make
30 great sacrifices by being here, and especially a mother, and
31 I guess I'm from the old school and think the mother's place
32 is really in the home. I think the important thing that
33 we should think about here this morning is that we

1 have spent more time on this subject than we have, in my
2 opinion, on the ten billion dollar budget which is a great
3 concern not only to us here but to the people all over
4 the State of Illinois. I think it's high time we got on
5 with the business at hand. I don't know about the proponents
6 of ERA but I have maintained right along that we have
7 other things to concern ourselves with. We have a fiscal
8 problem here in the State of Illinois, I think we should
9 get on with it and...adopt the...or take action on the bills
10 that we have on hand. Again, there are no votes that are
11 going to be changed. And as long as I'm twenty-five I have...
12 has anybody else, has any other member asked to be recognized?
13 PRESIDING OFFICER: (SENATOR ROCK)

14 Not yet, Senator.

15 SENATOR HOWARD MOHR:

16 Well, then I'll move the previous question, just to
17 safeguard that, Mr. President.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 The motion is well taken. All in favor signify by saying
20 Aye. Opposed. The Ayes have it. Senator Partee may close
21 the debate.

22 SENATOR PARTEE:

23 I will just point out that I'm not taking time, I didn't
24 ask anybody to make a speech against the bill. I didn't make...
25 ask anybody to make a speech so I'm not taking the time, that's
26 the decision made by others. You know I can just think
27 about today, I started out I thought it was a good day.
28 At six o'clock this morning I went out to play golf and I
29 played nine holes one over par and I said this is going to
30 be a good day. But this is a time right now to just sort of
31 fish or cut bait. I can almost reify Senator Saperstein,
32 who has fought and bled for this issue. She asked me to
33 proceed with it, I have done so. I've listened to the debate

1 and there are real. my Father once told me there are
2 two reasons for everything. A good reason and a real
3 reason. I've heard a lot of good reasons today why
4 they are against it, but they have not many expressed the
5 real reason, why they're opposed to it. This vote is not
6 an assault on the committee system. You can't hide behind
7 the fact that committees are sacrosanct and you don't want
8 to take something away from a committee. This is a open,
9 completely unvarnished vote, reflecting your belief in
10 freedom, in equality for a minority group, women. You're
11 hiding behind drafting. I've heard lawyers here today
12 say they don't want their daughters drafted. Well for their
13 information, the issue of drafting women has come up in the
14 Federal Court just a few months ago and a Federal Judge ruled
15 that if boys can be drafted, girls can be drafted under
16 our existing law. So this ERA amendment has nothing to do
17 with it. More than that, the experiences of last conflicts
18 have taught us that the draft system is perhaps an anitquity
19 anyway, and the Army is going to a hired system, but
20 in any event, only one percent of the people in armed services
21 are ever in combat and Sergeants make assignments and they
22 assign some people to some duties and others to others.
23 So drafting is a phony issue. It is a red herring. I would
24 only ask all of you to remember what you told your audiences
25 during the campaign as to how you stood on this issue. It is
26 not a symbolic gesture. Maybe somebody said the 13th
27 amendment that freed my ancestors was a symbolic gesture.
28 Or the 14th amendment that made them citizens, or the 15th
29 amendment that gave them the right to vote, maybe they
30 said it was symbolic. I think quite differently. This is
31 not a political problem. People on both sides of the
32 political spectrum are involved on either side of this
33 question. The wife of the President of the United States,

1 Mrs. Betty Ford, is on the same side that I am on in this
2 issue and I am sure there are many Democratic wives...in high
3 standing who are on the other side of the issue. So it really
4 isn't a political issue in that context. Adolf Hitler got
5 drug in here somehow. We talked about prejudice, we talked about
6 preference. I suggest to you that the words, "prejudice",
7 and, "preference", are sometimes interchangeably used without
8 people really realizing which one they mean. I think all
9 of us have preferences and sometimes the exercise of a
10 preference goes as a prejudice. How many times have you
11 heard someone say, I have six aunts, but Aunt Fanny is my
12 favorite aunt, that is a preference, but it is not a
13 prejudice against the other five. And the person who said
14 it would do as much for any of the six as they would for
15 Aunt Fanny, but there is a preference for Aunt Fanny. I
16 only suggest to you that I believe in equality, I believe
17 in freedom. My experiences in life have taught me that no
18 person of any description, of any gender should ever be
19 discriminated against, should ever be denied freedom, equality,
20 and the rights to which they are entitled, and women are indeed
21 a minority in this country, and they are indeed treated as
22 a minority, and this amendment would bring us closer to the
23 pronouncements of that great document the Declaration of
24 Independence, that all men in the generic sense are created
25 equal. I move the adoption of this amendment.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Mr. Secretary, ring the bell. The question is the
28 adoption of Senate Joint Resolution 1. Those in favor
29 will vote Aye. Those opposed will vote Nay. The voting
30 is open. Have all voted who wish? Senator Partee.

31 SENATOR PARTEE:

32 Postpone consideration.

33 PRESIDING OFFICER: (SENATOR ROCK)

1 Senator Partee has moved to postpone consideration.

2 Consideration will be postponed. On the order of the

3 Secretary's Desk, Senate Bill 4, Senator Mitchler.

4 Senator Mitchler.

5 SENATOR MITCHLER:

6 Mr. President, members of the Senate, House Amendment

7 No. 1 to Senate Bill No. 4, put on the Home Rule Amendment,

8 but through error, the Home Rule Amendment they put on

9 covered all home rule units of government instead of

10 the intended amendment to cover home rule units of government

11 in municipalities of one million population and over. Therefore,

12 I, in order to send it back to the House and come back, I

13 move that the Senate do not concur in House Amendment No. 1 to

14 Senate Bill No. 4.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Senator Bloom for what purpose do you rise?

17 SENATOR BLOOM:

18 Point of parliamentary inquiry...

19 PRESIDING OFFICER: (SENATOR ROCK)

20 State your point, Sir.

21 SENATOR BLOOM:

22 ...How many times do you postpone consideration, of a

23 bill or resolution?...

24 PRESIDING OFFICER: (SENATOR ROCK)

25 One time.

26 SENATOR BLOOM:

27 ...hasn't Senate Bill 1 been postponed consideration once?

28 PRESIDING OFFICER: (SENATOR ROCK)

29 I think not. Senator Mitchler has moved to nonconcur

30 with House Amendment No. 1 to Senate Bill 4. Is there

31 any discussion? All those in favor signify by saying

32 Aye. All those opposed. The Ayes have it. Secretary will

33 so inform the House. Senate Bill 28, Senator Kosinski.

1 SENATOR KOSINSKI:

2 Mr....Mr. President, the members of the Senate, I wish
3 to concur with Senate Bill 28, with the amendment from
4 the House. It is only a change in the language to clarify
5 it and so I move for an adoption of the amendment on Senate
6 Bill 28.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Question is shall the Senate concur in Amendment No. 1
9 to Senate Bill 28. Those in favor will vote Aye. Those
10 opposed will vote Nay. The voting is open. Take the record.
11 On that question the Ayes are 57, the Nays are none, those
12 Voting Present are none. Senate concurs in House Amendment
13 No. 1 to Senate Bill 28, and this bill having received a
14 required constitutional majority is declared passed. Senate
15 Bill 35, Senator Hickey. Is Senator Hickey on the Floor?
16 Senate Bill 44, Senator Fawell. Senate Bill 44. Senator
17 Fawell.

18 SENATOR FAWELL:

19 Yes, Mr. President, members of the Senate, the amendment
20 is simply a home rule amendment which the House affixed, therefore,
21 I move to concur in the House Amendment to Senate Bill 44.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Question is shall the Senate concur in Amendment No. 1 to
24 Senate Bill 44? Those in favor will vote Aye. Those opposed
25 will vote Nay. The voting is open. Senator Donnewald will
26 you vote Senator Rock Aye, please. Have all voted who wish? Take
27 the record. On that question the Ayes are 51,
28 the Nays are none, none Voting Present. The Senate concurs in
29 Amendment No. 1 to Senate Bill 44 and this bill having received
30 a required constitutional majority is declared passed. Senate
31 Bill 45, Senator Fawell. Senator Fawell.

32 SENATOR FAWELL:

33 Yes, Mr. President, members of the Senate, the Amendment
34 which the House affixed to Senate Bill 45, is a...

1 this deals with security deposits and is an agreed to amendment
2 which authorizes the payment to be made at the time
3 the security deposit is returned and I would move to concur in the
4 amendment.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 The question is shall...any discussion? Do you wish to
7 discuss Senate Bill 45, Senator Netsch.

8 SENATOR NETSCH:

9 I do not, Mr. President and Senator Fawell, I don't
10 have the language here in front of me of the amendment. I
11 think I know what it does. It in effect accumulates the payment
12 of the interest, this is the security deposit law by the
13 way, until the very end of the lease, and I would simply
14 rise in opposition to that concept and hope that we did not
15 accept that amendment. It seems to me that, that is not
16 the way it ought to be done. That was not in the law before
17 to the best of my knowledge and a...it radically changes the
18 whole idea it seems to me of paying interest on security
19 deposits, which is that the money is being held by the
20 owner and the landlord and any earnings are being accumulated
21 and earned by that person rather than the person whose money
22 it really is, and I don't see why it should all just be held
23 off to the very end, when I'm sure the landlords in many
24 cases, and I don't mean they're all unscrupulous, are going to
25 have lots of reasons why it should not then be paid back.
26 It's a regular thing and it ought to be paid on that basis.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Further discussion? Senator Fawell, you may close.

29 SENATOR FAWELL:

30 Well, Senator, this...this covers, of course, downstate.
31 But I frankly didn't see any great problem. There was
32 controversy on the point and as far as I am concerned the more
33

1. important thing is that we inculcate the concept, that the
2. interest which is...is earned on security deposits which
3. insofar as downstate is concerned heretofore has not been
4. the case, ought to be turned over to the lessee. Now, as
5. far as I am concerned I...I don't have any great problem
6. in...in determining whether that should be annually or
7. whether it should be at the time that the security deposit
8. is turned over. It's going to go to the lessee either way,
9. that's the important thing and rather than have this measure,
10. Senator Netsch, go down the tube because we might have a bit
11. of a nit picking fight over whether it should be annual or
12. not, I would...I...at least exercise one scintilla discretion
13. of this and said, well, I don't have any big problem there.
14. I think it's more important that the lessee ought to be able
15. to be secure in the knowledge that he's going to get his
16. interest.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. The question is shall the Senate concur in House
19. Amendment No. 1 to Senate Bill 45. Those in favor will
20. vote Aye. Those opposed will vote Nay. The voting is
21. open. Will you vote me Aye, please? Have all voted who
22. wish? Take the record. Pardon me. On that question the
23. Ayes are 46, the Nays are 7, two Voting Present. Senate
24. concurs in Amendment No. 1 to Senate Bill 45, and this
25. bill having received a required constitutional majority is
26. declared passed. Senate Bill 35, Senator Hickey.

27. SENATOR HICKEY:

28. Mr. President, this simply changes the number of
29. petitioners necessary to call a referendum, which could
30. allow school boards to have elections by district rather than
31. at large. And it changes the number from one thousand or
32. ten percent to twenty-five hundred or five percent of the
33. registered voters in the district and I move to concur.

SB 55
4/20/75
Concurrence

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Any discussion? The question is shall the Senate
3 concur in Amendment No. 1 to Senate Bill...House Amendment
4 No. 1 to Senate Bill 35. Those in favor, will vote Aye.
5 Those opposed will vote Nay. The voting is open. Have all
6 voted who wish? Take the record. On that question the
7 Ayes are 51, the Nays are none, 3 Voting Present. Senate
8 concurs in House Amendment No. 1 to Senate Bill 35 and
9 this bill having received a required constitutional majority
10 is declared passed. Senate Bill 55, Senator, Senate Bill 55,
11 on the Secretary's Desk. Senator Nudelman.

12 SENATOR NUDELMAN:

13 Thank you, Mr. President, and I would point out now to
14 all the members that my name now again is, Nudelman, instead
15 of Nudelperson, now that we've defeated that resolution.
16 The amendment to Senate Bill 55, requires only that once
17 there has been a proceeding started that the department
18 have contact with the defendant, or the respondent's lawyer,
19 if in fact he has a lawyer who has filed an appearance. I would
20 move concurrence in the amendment.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Any discussion? The question is shall the Senate
23 concur in Amendment No. 1 to Senate Bill 55. Those in
24 favor will vote Aye. Those opposed will vote Nay. The
25 voting is open. Have all voted who wish? Take the
26 record. On that question the Ayes are 44, the Nays are 2,
27 6 Voting Present. The Senate concurs in Amendment No. 1
28 to Senate Bill 55, and this bill having received a required
29 constitutional majority is declared passed. Senate Bill 56,
30 Senator Johns.

31 SENATOR JOHNS:

32 Thank you, Mr. President, does the Senate's Secretary have
33 to read the bill? He doesn't okay. Gentlemen, I have before

1 me now, Senate Bill 56, which we passed and sent over
2 to the House. And I would be less than honest if I told you
3 that the digest gave you the correct contents of the bill.
4 The House sponsor, Representative Hart, chose to strike
5 the enacting clause, everything below the enacting clause
6 and then he designed the bill to meet the needs of one
7 person, a widow, that lives within his district that
8 was a wife of a State Trooper who died and she was forty-
9 nine at the time. State Trooper John Neil, paid into
10 the State Pension Fund twenty-one years. She wrote each
11 of the Legislators for the last few years asking for help,
12 she is denied all pension rights and benefits, can I have
13 some attention, Mr. President...

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Yes, Sir, your motion I take it is to concur...

16 SENATOR JOHNS:

17 My motion will be to concur.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Alright. Continue, Senator Johns.

20 SENATOR JOHNS:

21 ...as I said, the bill strikes everything from the
22 enacting clause down and puts in the fact that this widow,
23 regardless of the fact that she was less than fifty at the
24 time of her husband's death, that she would be entitled to
25 the rights of the State Police Pension benefits. There's several
26 legal questions involved. The staff on both sides of the
27 aisle have presented me with their viewpoints. I'm at
28 a loss as to say yes, we should support this bill because
29 I had no prior knowledge that this amendment was to be
30 entered, no discussion by the House member with me to that
31 effect. I'm in sympathy with the widow. There's no question
32 about it, her husband was a dear friend of mine, and she
33 does not have an income after her husband paid into the

1 Pension Plan for twenty-one years and he was an honorable man,
2 a great guy. So, I have more or less left this to your
3 discretion in the approval of my move to concur with the
4 House Amendment.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Shapiro.

7 SENATOR SHAPIRO:

8 Well, Mr. President, Ladies and Gentlemen of the Senate,
9 I'm rising to urge the Senate to nonconcur in this amendment.
10 This amendment causes many problems for the State Employees'
11 Retirement System and I want to point out several things to
12 the members of the Senate. Now, this amendment amends the
13 Amendatory Act of 1971, which did two things for surviving
14 spouses, it increased benefits and reduced the qualifying age
15 from fifty-five to age fifty. Now the one premise that we
16 have to go on that all benefits enacted in any Act which is
17 supported by the State, are prospective only. In other words,
18 those people who are already survivors, surviving spouses,
19 do not receive them. So, here's two bad things that this
20 amendment will do. It will give a benefit to one surviving
21 spouse whose husband or husband who was an employee of this
22 system who died prior to July 15th, 1971. Now, supposing
23 in this same system, and there are many widows of this
24 category, who on the day this Act took effect was fifty
25 years and one day of age. They would not, they did not
26 receive this increased benefit at that time. So now are
27 they entitled to all the back benefits because they'd had
28 to wait till age fifty-five because recall that Act was
29 only prospective. The second thing that it does is that we
30 recently passed House Bill 574, which again is prospective
31 and increases maximum survivor benefits to five hundred dollars.
32 Since this Amendatory Act only takes care of those people whose
33 husbands or spouses died prior to July 15th, 1971, they

1 would be eligible for this new benefit. Any prospective spouse
2 would be eligible for it, but those who, whose...spouses
3 died between July 15th, '71 and 1975, would not. The
4 amendment would be discriminatory. It would create complete
5 chaos for the State Employees Retirement System as far
6 as survivor's benefits are concerned and even though I am
7 in sympathy with this one surviving widow who this bill
8 takes care of, all she has to do is wait till she is age
9 fifty-five. She will get these increase benefits. The bill
10 is not necessary and I urge the Senate to nonconcur.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 I might point out that the question has just been
13 raised justifiably by Senator Harris as to the possibility
14 of breaking for lunch. My understanding was that we were
15 not going to break that we would work straight through so
16 that we could finish up by six o'clock. Senator Berning.

17 SENATOR BERNING:

18 Thank you, Mr. President, and members of the Senate,
19 I want to reiterate the comments by Senator Shapiro and
20 emphasize, members of the Senate, that this party will not
21 be denied benefits. In the due course of events she will
22 qualify for her benefits admittedly at age fifty-five.
23 That's the whole crux of the matter right here. Rather than
24 wait the normal course of events, this one instance would roll
25 it back to present, to the...provisions of the other Act, and
26 this would cause a manifold problem and I submit while the one
27 individual may be worthy, the total impact cannot be
28 substantiated and I urge that this Body do not concur.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Senator Johns may close the debate.

31 SENATOR JOHNS:

32 Mr. President, what has been said here has been truthful
33 from the sponsors viewpoint, it has been truthful from, in

1 every, in my belief from what Doctor, Senator Shapiro,
2 and Senator Berning has said. I find myself having been
3 put in a very sensitive position by my colleague in the
4 House, as I told you I was not prepared for this. I do want
5 the widow to have the benefits, since her husband paid
6 in for twenty-one years. I would ask for a favorable roll
7 call and leave it to the decision of the Senate.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 The question is shall the Senate concur an Amendment
10 No. 1 to Senate Bill 56. Those in favor will vote Aye.
11 Those opposed will vote Nay. The voting is open. Have
12 all voted who wish? Take the record. It's automatic, Senator
13 Johns. On that question the Ayes are 25, the Nays are 22.
14 The Senate does not concur with House Amendment No. 1. The
15 motion fails. The motion now is to nonconcur and the
16 Secretary shall so inform the House. We did not concur
17 in the House Amendment. By record vote we did not concur.
18 The Secretary so informs the House. Senate Bill 57, Senator
19 Kosinski.

20 SENATOR KOSINSKI:

21 Mr. President, before I go on into this bill, I'd like
22 to congratulate a very fine outstanding Senator at this
23 time who has spent five years...this is his anniversary day
24 of five years in the Senate, Senator Palmer.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Senator Palmer.

27 SENATOR KOSINSKI:

28 Now, Mr. Chairman, that you're not so bitter, that I have
29 gone out of my way to make that announcement. I move not
30 to concur with this amendment because it is, I agree with
31 its concept but it is written wrong. Senator, we...we talked
32 to Representative Skinner, and he agrees that he should
33 correct the amendment.

1 . PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Kosinski moves to nonconcur in House Amendment No.
3 1 to Senate Bill 57. Those in favor signify by saying Aye.
4 All those opposed. The Ayes have it. The motion carries,
5 and the Secretary shall so inform the House. Senate, Senate
6 Bill 69, Senator Vadalabene. Senator Vadalabene.

7 SENATOR VADALABENE:

8 Yes, I've had reassurance from Senator Carroll that he
9 will support Senate Bill 69. He likes the number.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Senator Vadalabene.

12 SENATOR VADALABENE:

13 I move to concur with Amendment No. 1 to Senate Bill
14 69.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 The question is shall the Senate concur in Amendment No. 1
17 to Senate...werè taking one at a time, alright. Senator Harris.

18 SENATOR HARRIS:

19 Well, Mr. President, I'm, we're trying to keep track
20 of staff reports on this and I'm advised that there are some very
21 serious consequences in this House Amendment to...this piece
22 of legislation. I believe the sponsor does have the
23 responsibility to acquaint the membership with these changes
24 and I...I...am deeply concerned myself on only a very cursory
25 evaluation of the House Amendment of that this impacts quite
26 seriously on the original intent of the bill. Might we have
27 just a little bit more explanation about the House Amendment
28 and i's impact.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Senator Vadalabene.

31 SENATOR VADALABENE:

32 Yes, Senator Harris, you're exactly right and I apologize
33 for not explaining the House Amendment. What House Amendment

1 No. 1 does to Senate Bill 69, immediately after the word-
2 gift, the following is put in, in the amendment-or accept
3 such lands for which Woodriver Township, Madison County
4 Illinois, held an option to purchase before the effective
5 date of this Amendatory Act, of the 79th General Assembly.
6 And I'm sorry for not explaining the amendment.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Any discussion? Senator Harris.

9 SENATOR HARRIS:

10 Well it does seem to me that the original intent of
11 the bill was to eliminate the ten acre per park restriction
12 in the Townships Act to acquire lands for parks, to now
13 impact very specifically and precisely on a single parcel of
14 property and I, I honestly don't know what the consequences
15 are as it relates to those units of government to accept
16 gifts. I'm just concerned about the effect of this.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Any further discussion? Senator Soper.

19 SENATOR SOPER:

20 Will the Senator Vadalabene answer a few questions?
21 I think, Senator Dougherty, I think you'll remember, I think
22 this was the act where, where they were receiving some property
23 as a gift, and the law, as it states today, allows the park
24 district to buy, or receive property up to ten acres. They
25 were, they wanted to receive fifty acres, and I thought we
26 amended the bill correctly, which would say- that they can
27 purchase or condemn up to ten acres, but if they receive
28 a gift, then they can receive any amount of land as a
29 gift, where they wouldn't have to pay for it. Now, what
30 does this House Amendment do?

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Senator Vadalabene will you please again for the third time...

33 SENATOR SOPER:

1 Yeah, Vadalabene, maybe he could tell Dougherty and
2 myself what the House Amendment did to this thing.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 ...Senator Vadalabene, will you explain the amendment once again.

5 SENATOR VADALABENE:

6 The...the present Township Act remains the same - that no
7 land can be acquired over ten acres of land for park purposes.
8 What this amendment did it specifically said, that Woodriver
9 Township could on land that they had an option, acquire the
10 additional land and it's only Woodriver Township and no
11 other place in the State of Illinois.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator Dougherty, did you seek recognition?

14 SENATOR DOUGHERTY:

15 Yes, Mr. President, I did, I just wanted to merely
16 coincide that, what Senator Soper said coincides with
17 the manner in which I thought this bill emerged from the
18 Senate. Now, this amendment is put on here by Senator
19 Vadalabene...

20 PRESIDING OFFICER: (SENATOR ROCK)

21 No put on by the House.

22 SENATOR DOUGHERTY:

23 ...put on by the House rather on Senator Vadalabene's
24 bill. I think it just merely spells out, I think it
25 clearly identifies it as a particular area, that's...
26 it would apply to no one to no other township or park district with-
27 in that area. That's the way I understand it. Am I correct,
28 Senator Soper?

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Senator Soper.

31 SENATOR SOPER:

32 Well, what I, what I thought was that we were limiting
33 the purchase or the condemnation of any land by a park

1 board to ten acres, but we were unlimiting the receiving of
2 a gift. Somebody wanted to give a Park Board some money
3 that would be a different proposition. Now if they've amended this
4 thing to allow them to purchase this land that's a different
5 ballgame again....

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Vadalabene....

8 SENATOR SOPER:

9 ...I think this ought to go to a conference committee...

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Senator...

12 SENATOR SOPER:

13 ...and it will be ironed out.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Vadalabene.

16 SENATOR VADALABENE:

17 Yes, it was Senator Soper who I agreed to put on the
18 amendment - except when received as a gift, and all we did
19 was extended the after the word gift - lands which
20 Woodriver Township, Madison County held an option to purchase.
21 And we're not changing the rest of the Act, Township Act.
22 And I move for its adoption.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Any further discussion? The question is shall the
25 Senate concur...Senator Dougherty.

26 SENATOR DOUGHERTY:

27 I, I'm like Senator Soper, I think we should rather go
28 to nonconcur to discuss this because we're changing the entire
29 methodology of acquiring property. This here, the option
30 to purchase was never mentioned in my presence and this
31 was land that was being given by, I believe by the Department
32 of Mental Health if I recall, and to do this to increase
33 acreage from ten to fifty acres as a result of a gift. Now

1 we're invading the entire area of park districts and townships
2 and increasing it with an option to purchase on the basis upon a gift.
3 In other words, you're going...going to get a gift and then you're
4 going to purchase to land possibly more than ten acres, I think
5 this should be worked out in a conference committee for the
6 satisfaction of all, because there are many townships and I
7 think it can be worked out but I believe it should be worked out
8 in that manner.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator...

11 SENATOR DOUGHERTY:

12 I'm going to vote to nonconcur.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 The motion has been made otherwise. Senator Vadalabene.

15 SENATOR VADALABENE:

16 Yes, what...I really believe that Senator Dougherty and
17 Senator Soper...had trusted with them in the Local Government
18 Committee. What I will do is move to nonconcur...

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Senator Vadalabene moves to nonconcur in House Amendments
21 1 and 2 to Senate Bill 69. All those in favor signify by
22 saying Aye. All those opposed. The Ayes have it. The motion
23 carries and the Secretary will so inform the House. Senator
24 Fawell.

25 SENATOR FAWELL:

26 I...I wonder if I could make this inquiry as a point
27 of procedure. I know we do not have copies of the House
28 Amendments and I don't mean we should stop and have them
29 supplied in regard to what's on the Secretary's Desk right
30 now, but perhaps as a point of future procedure if this
31 could be done it would be very helpful for us...who are...
32 those of us are looking at these bills to take a look at
33 that amendment. It could, I think of course forestall a lot of

1 questions that we would have. At this point we have none
2 of the amendments, I believe, on our desks and it makes it
3 awfully difficult to comprehend what is going on. I think
4 we're going to have a lot of questions as a result of it.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 There is no question about that and your point is
7 well taken. I understand that there is some problem with
8 the printing of these because of the flurry of paper around
9 here. The Legislative System, Information System has
10 provided everyone with a printout to obviate those kinds of
11 complaints. Leadership on both sides, the staff and the sponsor,
12 I understand, do have copies of the amendments. Further than
13 that, I just physically don't know how we can do it but your
14 point is well taken and we will bear that in mind. Senate
15 Bill 73, Senator Nudelman.

16 SENATOR NUDELMAN:

17 Thank you, Mr. President, the House Amendment to this
18 bill is a mere technicality that...that makes some language
19 clearer and I would move the...that we concur in the amendment.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Any discussion? Is there any discussion? The question is
22 shall the Senate concur in Amendment No. 1 to Senate Bill 73.
23 Those in favor will vote Aye. Those opposed will vote Nay.
24 The voting is open. Senator Egan, will you vote me Aye please?
25 Have all voted who wish? Take the record. On that question
26 the Ayes are 51, the Nays are none, none Voting Present. The
27 Senate concurs in House Amendment No. 1 to Senate Bill 73 and
28 this bill having received the required constitutional majority
29 is declared passed. Senate Bill 87, Senator Vadalabene.

30 SENATOR VADALABENE:

31 Yes, thank you, Mr. President, and members of the Senate.
32 Senate Bill 87 has been amended in the House and I move to
33 concur with House Amendment No. 1 and what it does is,

1 is that the State Superintendent of Education shall cause
2 an audit to be performed of all such grants. Such audits
3 include an accounting for all expenditures from such grants
4 and determination whether such expenditures were in
5 accordance with the terms and conditions of such grants. And
6 I might add at this time, that the Legislative Audit Commission, also
7 was insistent that this amendment be put on this bill. And
8 I move to concur.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Is there any discussion? The question is shall the
11 Senate concur in Amendment No. 1, House Amendment No. 1 to
12 Senate Bill 87. Those in favor will vote Aye. Those opposed
13 voted Nay. The voting is open. Senator Egan, will you
14 vote me Aye please? Have all voted who wish? Take the
15 record. On that question the Ayes are 49, the Nays are 4,
16 none Voting Present. The Senate concurs in Amendment No. 1
17 to Senate Bill 87, and this bill having received the required
18 constitutional majority is declared passed. Senate Bill 100,
19 Senator Nudelman.

20 SENATOR NUDELMAN:

21 Thank you, Mr. President, the House Amendment clarifies
22 the language and states specifically what should be
23 included in the transcript that shall be taken before the
24 Grand Jury. Its good language and I move the adoption,
25 the acceptance.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Is there any discussion? Senator Roe.

28 SENATOR ROE:

29 Mr. President, Senator Nudelman, I...am concerned about
30 the specificity contained in this amendment. It would
31 appear to me with the adoption of this amendment that, it...
32 does state does it not that every word spoken in front of
33 the Grand Jury would have to be transcribed?

1 SENATOR NUDELMAN:
2 Every word spoken...
3 PRESIDING OFFICER: (SENATOR ROCK)
4 I'm sorry, Senator Nudelman.
5 SENATOR NUDELMAN:
6 ...by the prosecutor or juror, yes.
7 SENATOR ROE:
8 Can you indicate to me what that adds to the bill?
9 PRESIDING OFFICER: (SENATOR ROCK)
10 Senator Nudelman.
11 SENATOR NUDELMAN:
12 Previously the bill said a transcript of the testimony, the
13 questions and answers and this would enlarge that to include
14 commentary and so forth.
15 PRESIDING OFFICER: (SENATOR ROCK)
16 Senator Roe.
17 SENATOR ROE:
18 I'm opposed to the bill so I'm opposed to concurring
19 in the amendment.
20 PRESIDING OFFICER: (SENATOR ROCK)
21 Any further discussion? The question is shall...shall
22 the Senate concur in Amendment No. 1 to Senate Bill 100.
23 Those in favor will vote Aye. Those opposed will vote Nay.
24 The voting is open. Have all voted who wish? Take the
25 record. On that question the Ayes are 33, the Nays are 18,
26 none Voting Present. The Senate concurs in Amendment No. 1
27 to Senate Bill 100 and this bill having received a required
28 constitutional majority is declared passed. Senator Dougherty.
29 You are next, Sir, if you wish on Senate Bill 138. Senator
30 Dougherty do you wish 138 called?
31 SENATOR DOUGHERTY:
32 I'm calling 138 and I wish to concur in the amendment.
33 PRESIDING OFFICER: (SENATOR ROCK)

1 Will you explain the amendment, Sir?

2 SENATOR DOUGHERTY:

3 The amendment just clarifies the operation of expenses
4 and simply says they could incur no liabilities beyond that
5 amount that they are appropriated...of the appropriated funds.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Is there any discussion? Senator Weaver.

8 SENATOR WEAVER:

9 Thank you, Mr. President, well I just would like to alert
10 the membership that this is part of the accelerated building
11 program. I didn't hear exactly what House Amendment No. 1
12 did, Senator Dougherty.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Well why don't we, Senator Dougherty, can we get the
15 jewish block out of the way so you can adequately explain
16 Amendment No. 1. Senator Dougherty.

17 SENATOR DOUGHERTY:

18 Yes Sir, Mr. President, this amendment, the expense
19 of the authority shall not include the project cost or
20 the obligation for the payment of principal interest...
21 beyond the terms of any bond. The Senate version
22 stated all expenses of the authority shall be paid out of
23 the appropriated funds and the authority shall incur
24 no liabilities beyond the amount of the appropriated funds.
25 This House Amendment the bill to clarify these expenses
26 do not include either of the actual project cost for
27 principal interest payments on any bond. The extent of
28 the Senate version was to require the appropriation of the
29 administration expenses. Hence, is the amount...this amendment
30 is consistent with the original intent of the bill. Now this
31 House Bill...Senate Bill 138 calls for the increase in the
32 allocation of the issuance of bonds from two hundred and fifty
33 million to five hundred million, for the correction of the

1 Pollution Control Facilities Act. It is vitally needed and
2 this is one way of doing it and this amendment is not in
3 any way, as a matter of fact, in my opinion, this amendment
4 puts on or clarifies what we can do in paying for the cost
5 of this...the operations.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Weaver.

8 SENATOR WEAVER:

9 Well, Senator Dougherty, didn't we make this an appropriated
10 authority and we also...they have been existing on that half of
11 one percent from the sale of bonds. Does this change that?

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator Dougherty.

14 SENATOR DOUGHERTY:

15 As I understand it this...take this money goes into
16 General Revenue from that one half cent and then the
17 appropriation covers the actual cost of the operation.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 ...No it doesn't change it, if that's what you're asking.
20 Senator Harris.

21 SENATOR HARRIS:

22 Well I would point out that this is a part of that
23 accelerated bonding program and I would also inquire how
24 many votes does it require to concur in this amendment?

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Ruling of the Chair is that it takes thirty votes. Senator
27 Dougherty.

28 SENATOR DOUGHERTY:

29 I move the adoption of the amendment. This is part of the
30 bond program and it's vitally needed, if you realize the immense
31 amount of monies that are required. Under a court ruling
32 these facilities must be put in operation and it's true that
33 some of the...the in order to acquire these facilities

1 to put them in operation there must be some capital building,
2 but these are all Revenue Bonds. These are not General
3 Obligation Bonds these are all Revenue Bonds and they are
4 guaranteed by the recipients of these funds. The bond
5 owns...Common Wealth Edison and Company, Republic
6 Steel, among others. I don't have the list here but it's...
7 they've all been approved of they go through hearings. It's
8 been very successful so far. This bill was handled originally
9 in the Senate by Senator Knuepfer. When this program was
10 originally announced, I amended it to put in what I thought
11 was proper safeguards are there. A hundred and seventy five
12 million dollars of this money must be maintained for small
13 business. This is been living up to this. This is a very
14 worthwhile program and I ask concurrence in this amendment
15 so we can get this show on the road.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 The question is shall the Senate concur in House
18 Amendment 1 to Senate Bill 138. Those in favor will vote
19 Aye. Those opposed will vote Nay. The voting is open.
20 Have all voted who wish? Have all voted who wish? Take
21 the record. On that question the Ayes are 30, the Nays are
22 13, 6 Voting Present. The Senate concurs in House Amendment
23 No. 1 to Senate Bill 138 and the bill having received the
24 required constitutional majority is declared passed. Senator
25 Harris for what purpose do you rise?

26 SENATOR HARRIS:

27 Verification. Verification.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Senator Harris has requested a verification. Will
30 all the members of the Senate please be in their seats?
31 Mr. Secretary that bill please? Senator Wooten, for
32 what purpose do you rise?

33 SENATOR WOOTEN:

1 Parliamentary inquiry.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 State your point, Sir.

4 SENATOR WOOTEN:

5 That was on a Revenue Bond. On adoption of an amendment
6 it only takes thirty instead of thirty six to adopt.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 It takes thirty votes are required for passage. This is
9 final action.

10 SENATOR WOOTEN:

11 But it is...it is a bonding thing. It doesn't take thirty...

12 PRESIDING OFFICER: (SENATOR ROCK)

13 It's not a General Obligation Bond it is a Revenue Bond.
14 The Chair has ruled, and I think rightfully so, it takes but
15 thirty votes.

16 SENATOR WOOTEN:

17 Thank you.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Will the members please be in their seats? The Secretary
20 will read the affirmative votes.

21 SECRETARY:

22 Bruce. The following voted in the affirmative:

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Hold it, hold it, for what purpose do you rise, Senator
25 Morris?

26 SENATOR MORRIS:

27 I...can you verify on concurrence? I'd just like that
28 cleared up.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Yes. Sir, this is final action, this is passage. Secretary
31 will read the affirmative votes.

32 SECRETARY:

33 The following voted in the affirmative. Bruce,

1 Buzbee, Carroll, Course, Demuzio, Donnewald, Dougherty,
2 Egan, Kenneth Hall, Hickey, Hynes, Johns, Joyce, Knuppel, Lane,
3 Lemke, McCarthy, Morris, Netsch, Newhouse, Palmer, Rock,
4 Romano, Savickas, Smith, Soper, Vadalabene, Welsh, Wooten,
5 Mr. President.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Is Senator Buzbee on the Floor? Senator Buzbee is on
8 the Floor? Senator Kosinski on the Floor? Senator Kosinski
9 is not on the roll call. Senator Fred Smith is on the Floor.
10 Senator Romano is on the Floor.

11 SENATOR HARRIS:

12 Senator McCarthy.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator McCarthy is on the Floor?

15 SENATOR HARRIS:

16 Yes, I see him, yeah. Was Senator Kosinski confirmed as being within
17 the bar?

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Senator Kosinski is listed as absent on the roll call.

20 SENATOR HARRIS:

21 Oh, I'm sorry.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 The roll call has been verified. The Ayes are 30, the
24 Nays are 13, those Voting Present are 6. Amendment...House...
25 the Senate concurs in Amendment No. 1 to Senate Bill 138, and
26 this bill having received the required constitutional majority
27 is declared passed. Senate Bill 155, Senator Berning.

28 SENATOR BERNING:

29 Thank you, Mr. President, Senate Bill 155 has a House
30 Amendment which adds one thing to the Rivers Conservancy
31 District Act, provides that the Board of Trustees may appoint
32 an Executive Vice President. I've discussed this with the
33 co-sponsor of the bill, Senator Dougherty. This was a County
Province Commission Bill. There should be no objection to

1 this provision. It's not mandatory, and I move to concur in House
2 Amendment...

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Number 2.

5 SENATOR BERNING:

6 Number 2.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 The question is shall the Senate...is there any discussion?

9 The question is shall the Senate concur in...House Amendment
10 No. 2 to Senate Bill 155. Those in favor will vote Aye.
11 Those opposed will vote Nay. The voting is open. Have all
12 voted who wish? Take the record. On that question the Ayes
13 are 45, the Nays are none, none Voting Present. The Senate
14 concurs in House Amendment No. 2 to Senate Bill 155, and this
15 bill having received the required constitutional majority is
16 declared passed. 162 we will skip for the moment. 173,
17 Senator Hynes. Senator Hynes.

18 SENATOR HYNES:

19 Mr. President, Amendment No. 1 added in the House is
20 a technical amendment that makes sure that a succeeding Section
21 in the bill does not apply to the Act, the principal Act. That's
22 the only change that it makes. I would move to concur in
23 Amendment No. 1.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Is there any discussion? The question is shall the
26 Senate concur in House Amendment No. 1 to Senate Bill 173.
27 Those in favor will vote Aye. Those opposed will vote
28 Nay. The voting is open. Have all voted who wish? Take
29 the record. On that question the Ayes are 48, the Nays are
30 none, none Voting Present. The Senate...the Senate concurs
31 in Amendment No. 1 to Senate Bill 173, and this bill having
32 received the required constitutional majority is declared passed.
33 Senate Bill 183, Senator Harris.

1 SENATOR HARRIS:

2 Senate Bill 183 is the bill we passed that created
3 the Retail Theft Act. The House Judiciary Committee in a
4 working subcommittee proposed this amendment. Let's see is
5 it one or two.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 No. 1, I think.

8 SENATOR HARRIS:

9 ...Yeah, it's just one amendment. It does these six things.
10 It corrects some typos in the bill, it clarifies in the
11 language relating to penalties for retail theft making them
12 identical with the penalties provided in the Theft Article
13 of the Criminal Code and adds the requirement of - an attempt to
14 purchase merchandise at less than retail value, to the
15 presumption Section. It requires an intent to prove a
16 violation for retail theft of a shopping cart. It requires
17 proof that an alleged violator knew he was past the last
18 pay station certainly is strengthening on the part of the
19 accused and it limits civil recovery from parents of minors
20 to the limits of the Parental Responsibility Act. Now
21 we've discussed these amendments with Senators Nudelman and
22 Carroll. I frankly did not have a chance to go over them
23 with Senator Fawell. They were the members of our working
24 subcommittee. We do concur insofar as the group that I've
25 been working with it, and I would move to concur in the House
26 Amendment but would be happy to give an opportunity for any
27 discussion by the members of the Body or the members of the
28 Judiciary Committee.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Is there any discussion? The question is shall the
31 Senate concur in Amendment No. 1 to Senate Bill 183. Those
32 in favor will vote Aye. Those opposed will vote Nay. The
33 voting is open. Have all voted who wish? Take the record.

1 On that question the Ayes are 55, the Nays are none, none
2 Voting Present. The Senate concurs in Amendment, House
3 Amendment No. 1 to Senate Bill 183 and this bill having
4 received the required constitutional majority is declared
5 passed. Senator Schaffer, Senate Bill 184.

6 SENATOR SCHAFFER:

7 We still have some...

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Senator Donnewald for what purpose do you rise?

10 SENATOR DONNEWALD:

11 There are some questions about this, Senator. Could you
12 hold it, we want them resolved.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 But we don't know what kind of motion he's making
15 yet.

16 SENATOR DONNEWALD:

17 Oh I see.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Senator Schaffer.

20 SENATOR SCHAFFER:

21 ...Well I haven't been here very long, but when the
22 Speaker of the House and the President of the Senate, the
23 Minority Leader of the Senate, ask me to nonconcur an amendment
24 and put it in a conference committee so we can work out
25 some problems. I get the message...

26 PRESIDING OFFICER: (SENATOR ROCK)

27 That is...that is the better part of valor...Senator
28 Schaffer moves to nonconcur in House Amendment No. 1 to
29 Senate Bill 184. All those in favor signify by saying Aye.
30 Those opposed say Nay. The Ayes have it. The motion carries
31 and the Secretary will so inform the House. Senate Bill
32 204, Senator Sommer.

33 SENATOR SOMMER:

1. Mr. President, I would move to concur in the House
2. Amendment. Briefly what it does is it conforms the
3. bill to the language that is preferred by the Secretary
4. of State in regard to this topic. I had my own bill and
5. I drafted it and then the Secretary of State requested this
6. language.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Is there any discussion? The question is shall the
9. Senate concur in House Amendment No. 1 to Senate Bill
10. 204. Those in favor will vote Aye. Those opposed will
11. vote Nay. The voting is open. Have all voted who wish?
12. Take the record. On that question the Ayes are 50, the
13. Nays are none, none Voting Present. The Senate concurs
14. with House Amendment No. 1 to Senate Bill 204, and this
15. bill having received the required constitutional majority
16. is declared passed. Senate Bill 208, Senator Nimrod.

17. SENATOR NIMROD:

18. Mr. President, I would vote that we not concur with House
19. Amendment 1.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Nimrod moves to nonconcur in House Amendment
22. No. 1 to Senate Bill 208. All those in favor signify by
23. saying Aye. All those opposed Nay. The Ayes have it. The
24. motion carries and the Secretary will so inform the House.
25. Senate Bill 211, Senator Davidson.

26. SENATOR DAVIDSON:

27. Mr. President, I move to concur with the House Amendment to
28. Senate Bill 211. Amendment does two things. It makes the
29. corrections on the automatic repealer date effective July 1st
30. '77, which is put in wrong and exempts counties over one
31. million.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Is there any discussion? Senator Latherow.

1 SENATOR LATHEROW:

2 Well, Mr. President, I would just like for the members
3 to recognize this is the bill allows transfers out of
4 funds without repayment and the expenditures for funds
5 for things other than what they're appropriated for.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Any further discussion? Senator Glass.

8 SENATOR GLASS:

9 Thank you, Mr. President, I wanted to be sure I heard
10 the explanation of the amendment. Senator Davidson, did
11 you say that the amendment excludes counties of over one
12 million?

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator Davidson.

15 SENATOR DAVIDSON:

16 Excludes counties over one million.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Senator Glass.

19 SENATOR GLASS:

20 So this, in effect, is the home rule amendment or it
21 eliminates Cook County? And I, do you know at whose request
22 that was done or what the reason for it is?

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator Davidson.

25 SENATOR DAVIDSON:

26 There was a request for it to be done of the fact there's
27 very few miles of township roads involved in Cook County that
28 this would apply to and secondly, Cook County requested that they
29 be exempt.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Glass.

32 SENATOR GLASS:

33 Well...well I will yield to Senator Nimrod, but I would

1 just point out that at least in the townships I represent,
2 there are substantial numbers of miles and I would not like
3 to see us eliminated.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Senator Nimrod.

6 SENATOR NIMROD:

7 Thank you, Mr. President, and thank you, Senator Glass.
8 I would like to call attention that in Cook County there are
9 more miles of township roads than there are county roads.
10 There are six hundred and twenty-four miles of township roads
11 compared to six hundred and four miles of county roads. I
12 think we are making a mistake by doing this and I would
13 suggest to the sponsor that he...take this from the record
14 so we can discuss this and really it is a major issue and I
15 would...otherwise we would just have to not support this.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Any further discussion? Senator Davidson may close
18 the debate.

19 SENATOR DAVIDSON:

20 Mr. President, I'd move to concur with the amendment.
21 This was...exclude Cook County's request by Cook County and
22 I agreed to that acquisition and let's vote it up or down.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 The question is shall the Senate concur in Amendment...
25 Senator Dougherty.

26 SENATOR DOUGHERTY:

27 Thank you, Mr. President, I'm somewhat in agreement with what
28 Senator Nimrod has said. What he says is true about these
29 township roads within Cook County. I believe this could...can be worked
30 out in a conference and I think Senator Nimrod is right and I
31 think there are some in my areas of Cook County, Thornton
32 Township, where I live, and I just think we could work this
33 out by agreement. I...I hesitate to vote to nonconcur at this

1 time but I do believe it can be worked out by...come conferences.
2 Just hold it, keep it out of the record.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Davidson.

5 SENATOR DAVIDSON:

6 Well if we take it out of the record we haven't got
7 any action. Just take it out of the record for now.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Take it out of the record. Senate Bill 223, Senator
10 Fawell.

11 SENATOR DAVIDSON:

12 Mr. President, I move to nonconcur amendments on Senate
13 Bill 211.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Davidson moves to nonconcur in House Amendment
16 No. 1 to Senate Bill 211. All those in favor say Aye.
17 All those opposed say Nay. The Ayes have it. The motion
18 carries and the Secretary shall so inform the House.
19 Senate Bill 223, Senator Fawell.

20 SENATOR FAWELL:

21 Yes, Mr. President, I also would move to nonconcur.
22 Apparently this Amendment No. 1 which the House put on
23 would jeopardize medicaid payment and they're already ready
24 I understand to recede, so I would move to nonconcur.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Senator Fawell moves to nonconcur in House Amendment No.
27 1 to Senate Bill 223. All those in favor signify by
28 saying Aye. All those opposed. The Ayes have it. The
29 motion carries and the Secretary will inform the House.
30 248, Senator Sommer. Senate Bill 248.

31 SENATOR SOMMER:

32 Mr. President, I would move to concur in both amendments
33 and I'll explain them. Amendment No. 1 provides essentially

1 what we were attempting to provide in the first Act - that
2 an employer cannot make a charge of ineligibility against
3 an employee applying for unemployment compensation unless
4 he has evidence and the Department of Labor asked that this
5 Section that I had originally passed here be rewritten, and it
6 was done in the House and added as Amendment No. 1. Amendment
7 No. 2 provides what is, in effect, now a nullity because President
8 Ford last Saturday signed a bill, but it provides that teachers
9 could not receive unemployment benefits at such times if they
10 had contracts from the past year and the previous year. This
11 is in that bill. It was put on in the House prior to President
12 Ford's action, but to have it in the bill now means nothing.
13 This bill passed the House a hundred and fifty something to
14 nothing. It's apparently acceptable to them.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Any discussion? Senator Savickas.

17 SENATOR SAVICKAS:

18 Mr. President, members of the Senate, I would just make
19 note that the Calendar has the wrong synopsis on Senate Bill
20 248. They've given the synopsis for Senate Bill 249 in its
21 place. This is a bill dealing with unemployment compensation
22 and I would hope that everybody would look at it.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Any...Senator Bruce.

25 SENATOR BRUCE:

26 Well was...was the sponsor's motion to concur?

27 PRESIDING OFFICER: (SENATOR ROCK)

28 The sponsor's motion was to concur in House Amendments
29 1 and 2.

30 SENATOR BRUCE:

31 I wonder if he would extend the courtesy then of taking
32 it out of the record until some of us have...a chance to take
33 a look at what the bill would do?

1 . PRESIDENT:

2 He indicates he will take it out of the record.

3 Senate Bill 275, Senator Bell.

4 SENATOR BELL:

5 Thank you, Mr. President, I would move to concur in
6 House Amendment No. 1 to Senate Bill 275. Essentially, fellow
7 Senators, what it does is simplifies the...House Amendment No. 1
8 simplifies the implementation of the legislation, by deleting lines
9 seventeen through twenty of the original bill. Problem seems
10 to be that there be very, very difficult for the determination
11 of the cost factors from a short rate cancellation basis.
12 This was recommended by the Department of Insurance. It was
13 implemented over in the House and I would move for concurrence.

14 PRESIDENT:

15 Is there...Senator Wooten.

16 SENATOR WOOTEN:

17 Mr. President and colleagues, I am not learned in insurance
18 matters but I was just looking at the summary of House Amendment
19 No. 1. It deletes - solicitor, from provisions of bill. My
20 first question is what is the effect of that?

21 PRESIDENT:

22 Senator Bell.

23 SENATOR BELL:

24 Excuse me, yes, Senator Wooten, there's no longer such
25 a thing as a solicitor in the Insurance Code and so it was
26 necessary to take that out.

27 PRESIDENT:

28 Senator Wooten.

29 SENATOR WOOTEN:

30 I read too much English literature then, cause the solicitor
31 ...has a very lively meaning for me. I...deletes provision
32 that written notice shall clearly show the amount of money
33 which insured would save by permitting policy to remain in force

1 to anniversary of determination. Why would a provision like
2 that, which seems to be a salutary provision, be deleted?

3 PRESIDENT:

4 Senator Bell.

5 SENATOR BELL:

6 Well that's what I referred to in the first place was
7 a short rate cancellation procedure. Many of these policies
8 it's a...would be impossible to determine the cost factors in-
9 volved to the short rate cancellation as compared to pro rata.
10 Now if, you have to understand in the insurance industry the
11 difference between pro rata and short rate cancellations. The
12 short rate cancellation is where the insured asked to drop
13 the policy himself. It hasn't expired it's right during the
14 middle period of the term of the policy and there are certain
15 prospectors that are added to the pro rata cost so that the
16 insured does not get back an exact portion of his unearned
17 premium from the pro rata standpoint. There is a cost
18 factor added on this and this becomes known as a short
19 rate cost. Now you get into certain types of insurance
20 policies it becomes very, very difficult to figure the
21 short rate cost under that type of procedure. So the
22 Department of Insurance recommended that we delete lines
23 seventeen through twenty. It's a technicality, Senator
24 Wooten, it's...I hoped I've explained it.

25 PRESIDENT:

26 Any further discussion? Senator Wooten.

27 SENATOR WOOTEN:

28 Alright it seems to me, Senator and I'm not trying to
29 be stubborn but I really am having difficulty aligning what
30 you are saying with what our summary says here. That maybe
31 it is more beneficial to the insurance company but what is
32 wrong with a written notice showing you how much money the
33 insured would save by letting the policy remain in force.

1 What's wrong with that? Alright...

2 PRESIDENT:

3 Senator Bell.

4 SENATOR BELL:

5 Well...this would be the third time I've tried to
6 explain that to you. I...I...

7 PRESIDENT:

8 Senator Wooten.

9 SENATOR WOOTEN:

10 Alright maybe I'm not, each industry in each profession
11 has its own jargon and maybe we can cut through very simply.
12 This says it deletes a provision to tell a person how much
13 money they can save by keeping the policy in effect. Why
14 would you want to delete a provision like that? You're
15 giving me a technical answer...some kind of short rate
16 pro rata of...I don't understand it. Is it...is it to the
17 advantage of the consumer that he not be shown how much
18 money he can save?

19 PRESIDENT:

20 Senator Bell.

21 SENATOR BELL:

22 Well, Senator Wooten, if you'll read the bill right above
23 where line seventeen through twenty are removed. For instance,
24 starting on line fourteen - anniversary expiration date, unless
25 he informs the insured in writing of the additional cost
26 of such cancellation before the insured is requested or
27 required to take action to cancel or terminate the policy
28 which is then in force. Essentially that provision is still
29 in the bill.

30 PRESIDENT:

31 Any further discussion?

32 SENATOR BELL:

33 You see line seventeen through twenty gets into the

1 short rate cancellation procedure which is almost an
2 impossibility to implement under the way insurance policies
3 are constructed in determining cost factors. This is a...
4 this House Amendment was recommending, not by the Insurance
5 Industry, but by the Department of Insurance. I would
6 recommend concurrence in House Amendment No. 1 to Senate
7 Bill 275.

8 PRESIDENT:

9 Any further discussion? The question is shall the
10 Senate concur in Amendment...House Amendment No. 1 to
11 Senate Bill 275? Those in favor vote Aye. Those opposed
12 vote Nay. The voting is open. Have all voted who wish?
13 Take the record. On that question the Ayes are 40, the
14 Nays are 5, with 5 Voting Present. The Senate concurs in
15 Amendment No. 1 to Senate Bill 275 and the bill having
16 received the required constitutional majority is declared
17 passed. For what purpose does Senator Mitchler rise?

18 SENATOR MITCHLER:

19 Mr. President, I would like to rise on a point of
20 personal privilege.

21 PRESIDENT:

22 State your point, Senator.

23 SENATOR MITCHLER:

24 In the Gallery at the West side there's a group of
25 summer school, grade school students from the City of Aurora,
26 the 39th district. They're visiting Springfield today witnessing
27 the House and Senate and also visiting various spots around
28 the Capitol. I wonder if they would please stand and be
29 recognized by the Senate.

30 PRESIDNET:

31 Senate Bill 283, Senator Soper and Berning.

32 SENATOR SOPER:

33 Mr. President, I move to concur in the amendment, the

1 House Amendment to Senate Bill 282. Senate Bill 283
2 recreates the Local Government Tax Study Commission. This
3 is a product of the Local Government Committee. At that
4 time when this was created it was in a broad form. It studied
5 all forms of taxation. It was meant only to study the
6 impact, the loss of the personal property tax on corporations.
7 When this loss comes into effect according to the 1970
8 Constitution when personal property tax on corporations be
9 eliminated. So this tightens up the research on this and it
10 also adds...the...the reporting date April 30th, 1976. I move
11 concurrence.

12 PRESIDENT:

13 Senator Soper moves concurrence to House Amendment No. 1.
14 Any discussion?

15 SENATOR SCHAFFER:

16 Senator Soper you say this is the commission that's
17 supposed to find a replacement for the personal
18 property tax. I didn't understand what the amendment does.
19 Would you explain it a little further. You say it narrows the
20 purposes...

21 PRESIDENT:

22 Senator Soper.

23 SENATOR SOPER:

24 Well it says it places in there it says the commission shall
25 study the personal...property tax on corporations and that's
26 what it's supposed to do. Before it says to study the impact
27 and the loss of taxes created by the...by the...by the...
28 mandate in the 1970, Constitution.

29 PRESIDENT:

30 Senator Hickey.

31 SENATOR HICKEY:

32 I wonder if Senator Soper could tell me how much money
33 is appropriated to this commission?

1 PRESIDENT: ...

2 -- Senator Soper..

3 SENATOR SOPER:

4 About fifty thousand dollars.

5 PRESIDENT:..

6 Senator Hickey.

7 SENATOR HICKEY:..

8 Can you tell me what it's spent for. I went to

9 a very plush dinner last year at the Sangamo Club with this

10 commission. I...I think I really wasn't on it and don't know

11 how I got invited but I've never heard of any other, and that

12 night they hired somebody who was supposed to come up with

13 some answers to this problem. If the commission has met

14 since then, I don't know. I don't know whether I'm on it or

15 not, but I've read in the paper that this man that was hired

16 that night, I think it was for nineteen thousand dollars a year,

17 hasn't done anything yet. He's been too busy with his own

18 private business to come up with any answers, and so I'm wondering exactly

19 what the fifty thousand dollars is for.

20 PRESIDENT:

21 Senator Soper.

22 SENATOR SOPER:

23 Well this commisssion was...was...Representative Shea's

24 original idea in the House and he's my House member and we

25 were co...we were co-chairman in...in the first year we spent

26 three hundred and fifty dollars. In the second year, I think

27 the total spending has been about sixty five hundred or

28 seven thousand dollars. We've done considerable research.

29 And if you're asking about this Sangamo Club Dinner, that was...

30 that was Representative Shea's idea and he paid the bill and

31 I think you enjoyed the dinner. You had a couple of glasses

32 of wine...

33 PRESIDENT:

1 Senator Hickey.

2 SENATOR SOPER:

3 ...I think you ought to thank Representative Shea.

4 SENATOR HICKEY:

5 What about this staff person...

6 SENATOR SOPER:

7 The staff person is very educated, well...learned person
8 in this field he's made his report you've got a copy of the
9 report we...we had a committee meeting hear, a commission
10 meeting, about three weeks ago and when Shea got off as co-
11 chairman we elected...Representative Beatty, and we're in
12 the process of going through all of the reports, but if
13 you didn't come it's because you got notice and you didn't
14 attend, I really don't know if you're still on the commission.

15 SENATOR HICKEY:

16 I don't either...

17 SENATOR SOPER:

18 Okay.

19 SENATOR HICKEY:

20 ...I haven't any idea.

21 SENATOR SOPER:

22 Well we'll see that you get a special invitation, I'm
23 not the Secretary.

24 SENATOR HICKEY:

25 But last year you say they spent about sixty-five
26 hundred dollars. The report is in but now we need fifty
27 thousand dollars for another year, even though the report
28 is completed. How did we get, since that was over a year
29 ago and we hired him for nineteen thousand, how was that paid?

30 SENATOR SOPER:

31 We...we didn't...we didn't have a director a year ago
32 and I don't think it's any crime when you're getting a few things
33 together to return money to the State. Now I think it's one

1 of the few commissions that operates under the Bohemian
2 conduct for commissions. You don't have to spend everything
3 that you allocate to the commission. Now if want us to
4 spend the fifty thousand, if you'll come around and tell
5 us how to do it we'll help you do it.

6 PRESIDENT:

7 Senator Dougherty.

8 SENATOR DOUGHERTY:

9 Thank you, Mr. President, I wish to join with Senator
10 Soper in...concurring this amendment. I've had some
11 experience on this, although I'm no longer a member of the
12 commission. I don't believe that the people in Illinois
13 realize what the full impact is going to be on the abolition
14 of personal property tax and I've been in this...back a
15 number of years ago we wanted to amend the Revenue Article.
16 At that time, it was a recommendation of our commission that
17 we do away with the Revenue Article. The Constitution
18 followed through, but I'm going to say right here and now,
19 it's my very considerate opinion that we are going to have
20 a return of personal property tax even with classification on
21 some form on individuals and there should be a study to determine
22 of whether or not there is need. This is a most important
23 commission and I advocate a request that we concur in this
24 amendment. I'm not a member of the commission.

25 PRESIDENT:

26 Any further discussion? The question is shall the
27 Senate concur in House Amendment No. 1 to Senate Bill 286.
28 Those in favor vote Aye. Those opposed...283, I'm sorry,
29 not 286, 283. Those in favor will vote Aye. Those opposed
30 vote Nay. The voting is open. Have all voted who wish?
31 Take the record. On this question the Ayes are 42, the
32 Nays are 6, with 1 Voting Present. The Senate concurs in
33 House Amendment No. 1 to Senate Bill 282, and the bill having

1. received a constitutional majority is declared passed.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senate Bill 286, Senator Rock.

4. SENATOR ROCK:

5. Thank you MY. President, Ladies and Gentlemen of the
6. Senate, House Amendment No. 1 to Senate Bill 286 did one
7. and only one thing. You will recall that when 286 was
8. before the Senate, Senator Nudelman put on an amendment
9. which effectively limited the power of the State's attorney
10. to have a second crack at an alleged defendant. The House
11. took Senator Nudelman's amendment off. I understand he was
12. in the House Committee when it was taken off. I understand
13. it has its concurrence. The bill is now in its pristine
14. form as introduced. I would move to concur with House
15. Amendment No. 1 to Senate Bill 286.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? The question is shall the
18. Senate concur in House Amendment No. 1 to Senate Bill 286.
19. Those in favor vote Aye. Those opposed vote Nay. The
20. voting is open. Have all voted who wish? Have all voted
21. who wish? Take the record. On that question the Ayes are
22. 48, the Nays are none, none Voting Present. Senate Bill
23. 286, the Senate concurs in House Amendment No. 1 to
24. Senate Bill 286 and the bill having received the constitutional
25. majority is declared passed. House Bill 295, Senator Dougherty.

26. SENATOR DOUGHERTY:

27. Thank you, Mr. President, I move to nonconcur in the
28. Amendment...Senate Bill 295. There's some technical difficulties
29. that need to be worked out. They're not earthshaking but I move
30. to nonconcur.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Daley...Senator Dougherty moves to nonconcur.
33. All in favor say Aye. All opposed Nay. The Ayes have it.

1 Senate nonconcur. House will be so informed. Senate Bill
2 298, Senator Ozinga.

3 SENATOR OZINGA:

4 Mr. President, I would move to nonconcur and ask the
5 House to recede from this amendment, on the basis that it
6 puts back exactly what we took out.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Senator Ozinga moves that we nonconcur. All in favor
9 say Aye. All opposed Nay. The Ayes have it. The Senate
10 nonconcur and the House will be so instructed. Senate
11 Bill 302, Senator Buzbee.

12 SENATOR BUZBEE:

13 Yes, Mr. President, there...House Amendment No. 1 is
14 a removal of the sexist language which was in the bill which
15 kept referring to - he. This amendment simply now says - he or
16 she or that person, and so I would therefore concur, move
17 to concur with House Amendment No. 1.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Is there debate? The question is shall the Senate
20 concur in House Amendment No. 1 to Senate Bill 302. Those
21 in favor vote Aye. Those Opposed vote Nay. The voting is
22 open. Have all voted who wish? Take the record. On that
23 question the Ayes are 48, the Nays are 2, 2, none Voting
24 Present. The Senate concurs in House Amendment No. 1 to
25 Senate Bill 302, and the bill having received a required
26 consitutional majority is declared passed. House Bill
27 306...Senate Bill 306.

28 SENATOR ROE:

29 Mr. President, members of the Senate, I move that
30 the Senate concur in House Amendment No. 1. It is
31 a constructive amendment and it refers to the definition
32 of a dangerous weapon to Section 33 A-1 of the Criminal Code,
33 for definition.

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Is there further debate? The question is shall the
3 Senate concur in House Amendment No. 1 to Senate Bill 306.
4 Those in favor vote Aye. Those opposed vote Nay. The
5 voting is open. Have all voted who wish? Take the record.
6 On that question the Ayes are 46, the Nays are none, none
7 Voting Present. The Senate concurs in House Amendment No. 1
8 to Senate Bill 306, and the bill having received the required
9 constitutional majority is declared passed. House...Senate
10 Bill 334, Senator Kenneth Hall.

11 SENATOR KENNETH HALL:

12 Thank you, Mr. President, members of the Senate. The House
13 Amendment No. 1 to Senate Bill 334 it requires first, the
14 Chairman of the County Board in which counties and municipalities
15 has established a housing authority, to form an advisory
16 committee for the assignment of low income housing. Two,
17 the committee is to be composed of the following:
18 Chairman of the County Board, County Board member, if the
19 county has authority, or a city council member for each city
20 with the housing authority. Representatives of the United
21 Fund, Representative of Public Aid or Children and Family
22 Services, Representative of Visiting Nurses Association and
23 a Representative for each housing authority. Third, it
24 requires Advisory Committee to compile list of persons
25 found to be in need of public housing ranking them as to
26 need. Fourth, it authorizes Chief Operating Officer of
27 housing authority to take committee recommendations into
28 consideration when assigning units of low income housing.
29 I move to concur with this amendment.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Is there further debate? Senator Partee.

32 SENATOR PARTEE:

33 My understanding is the Senator was going to move to

1 nonconcur, otherwise I was going to have something to say
2 about this. I thought we were going to move to nonconcur.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Senator Kenneth Hall.

5 SENATOR PARTEE:

6 I heard...I heard what you said, but we were under the
7 impression that you were going to move to nonconcur. And if
8 you're going to move to concur then we would be opposed to
9 concurrence.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Senator Kenneth Hall.

12 SENATOR KENNETH HALL:

13 Well evidently there must of been a change in what was
14 happening. So I move at this time to nonconcur.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Senator Kenneth Hall...

17 SENATOR PARTEE:

18 We'll work it out for you.

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 Senator Kenneth Hall moves that we nonconcur. All those
21 in favor say Aye. All opposed Nay. The Ayes have it. Senate
22 nonconcurs, the House will be so informed. Senate Bill 327,
23 Senator McCarthy.

24 SENATOR MCCARTHY:

25 Yes, Mr. President, members of the Body, I want to move to
26 concur in House Amendment No. 1. What House Amendment
27 No. 1 does is clean up language which referred to the Bureau
28 of Internal Revenue where that is no longer the technical
29 name and they inserted the Internal Revenue Service. It's
30 a nonsubstantiative change. Any questions? Otherwise, I move
31 to concur.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Is there further debate? The question is shall the

1 Senate concur in House Amendment No. 1 to Senate Bill
2 327. Those in favor vote Aye. Those opposed vote Nay.
3 The voting is open. Have all voted who wish? Have all
4 voted who wish? Take the record. On that question the
5 Ayes are 41, the Nays are 8, 4 Voting Present. The Senate
6 concurs in House Amendment No. 1 to Senate Bill 327, and the
7 bill having received the required constitutional majority is
8 declared passed. Senate Bill 336, Senator Carroll. Senator Carroll.

9 SENATOR CARROLL:

10 Yes, Mr. President, I would move that we do concur with
11 House Amendment No. 1 to Senate Bill 336. This amendment
12 provides...it's the Dan Dougherty amendment that was put on in
13 the House.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Is there further debate? The question is shall the
16 Senate concur in House Amendment No. 1 to Senate Bill
17 336. Those in favor vote Aye. Those opposed vote Nay.
18 The voting is open. Have all voted who wish? Take the
19 record. On that question the Ayes are 47, the Nays are
20 3, 1 Voting Present. The Senate concurs in House Amendment
21 No. 1 to Senate Bill 336, and the bill having received the
22 constitutional majority is declared passed. Senate Bill
23 338, Senator Hickey.

24 SENATOR HICKEY:

25 This is simply a technical amendment which takes a
26 couple of words out and I would move to concur it.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Is there further debate? The question is shall the
29 Senate concur in House Amendment No. 1 to Senate Bill 338.
30 Those in favor vote Aye. Those opposed vote Nay. The
31 voting is open. For what purpose does Senator...have all
32 voted who wish? Take the record. On that question the
33 Ayes are 42, the Nays are 5, 1 Voting Present. The Senate

1 concurs in House Amendment No. 1 to Senate Bill 338, and
2 the bill having received the required constitutional majority
3 is declared passed. Senator Harris.

4 SENATOR HARRIS:

5 Well, Mr. President, I want the members of the Senate to
6 hear this. The explanation of this amendment was that it
7 was a technical amendment. A representative of the Speaker,
8 staff quality person, was discussing with me another important
9 matter about which that branch of our Legislature was interested
10 in communicating to me. I was not able simutaneously to
11 watch my book. But the amendment we just concurred in there
12 was something more than a technical amendment. Very clearly
13 there is a policy determination that we have just made.
14 It involves the public policy of the State of Illinois
15 to distribute tobacco products that have been confiscated.
16 Now I know that that's an issue about which some members
17 have a very extreme concern.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Senator Harris, if you will wait one moment I think
20 the error has been corrected...

21 SENATOR HARRIS:

22 Okay.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 ...the Secretary inadvertently gave Senator Hickey
25 the amendment to Senator McCarthy's bill which only did
26 strike the words - bureau of, rather than - Internal Revenue
27 Service. The error was down there, we are moving very
28 quickly. I think Senator Hickey is recognized.

29 SENATOR HICKEY:

30 I'm very sorry I...I hadn't seen that, I went over
31 to ask for the amendment because I hadn't seen it all...all
32 before. It may have been put on my desk but I didn't see it
33 and so I asked for it and saw the wrong one. I'm very sorry.

1 ...can we move to reconsider...

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Senator Hickey now moves to reconsider the vote by which...

4 SENATOR HICKEY:

5 ...and then I'll get the amendment.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 ...the Senate concurred in amendment, in House Amendment
8 No. 1 to Senate Bill 338. All in favor say Aye. All
9 opposed Nay. Motion to reconsider is adopted. The bill
10 is on the order of Secretary's Desk. We will return to it
11 as soon as the difference has been resolved. Senate Bill
12 340, Senator Kenneth Hall.

13 SENATOR KENNETH HALL:

14 Thank you, Mr. President, members of the Senate, Senate
15 Bill 340, the House Amendment No. 1 requires that certificates of
16 indemnity bonds on insurance filed with the Illinois
17 Commerce Commission have continuous coverage until
18 cancelled. The Senate version required indemnity bonds,
19 insurance policies or certificates of bonds on the
20 insurance filed with the ICC to show continuous coverage
21 until cancelled. Now only certificates of bonds or insurance
22 are filed with the ICC, not the bonds or policies themselves.
23 Insurance companies fear the Senate language will prohibit
24 them from putting expiration dates on policies. The House
25 Amendment clears up the insurance companies' problems without
26 affecting the intention of the bill. So, therefore, I move
27 to concur in the House Amendment.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Is there further discussion? Senator Hall moves...
30 the question is shall the Senate concur in House
31 Amendment No. 1 to Senate Bill 340. Those in favor vote
32 Aye. Those opposed vote Nay. The voting is open. Have
33 all voted who wish? Take the record. On that question

1 The Ayes are 50, the Nays are none, none Voting Present.

2 The Senate concurs in House Amendment No. 1 to Senate
3 Bill 340, and the bill having received the required
4 constitutional majority is declared passed. Senate Bill
5 343, Senator Palmer.

6 SENATOR PALMER:

7 Mr. President, members of the Senate, I move that the
8 Senate concur with House Amendment 1 and 2 on Senate Bill
9 343. Now Senate Bill 343 is an appropriation bill. The
10 Appropriation Committee concurs with these amendments.
11 Amendment No. 1 is purely a correction of the total which
12 has been verified and Amendment No. 2 provides for compliance
13 with the Federal Employment Practice Commission. I move
14 that we concur.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Senator Palmer moves that we concur. Is there
17 discussion? Senator Weaver.

18 SENATOR WEAVER:

19 Thank you, Mr. President, well Amendment No. 2 is adding
20 substantive language into this appropriation bill. We've
21 tried not to do that, Senator Palmer, and I see no reason
22 to make an exception in this bill. So I would object to
23 Amendment No. 2.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Senator Rock.

26 SENATOR ROCK:

27 Well I do not in any way disagree with Senator Weaver
28 except I come to a different conclusion. I think it's
29 pretty apparent that it is substantive and therefore
30 frankly null and void, but I think if we attempt to take...they're
31 putting that amendment on every bill and if we attempt
32 to try to take them all off we are going to get...we're
33 going to blow the whistle and meet in the middle of the

1 rotunda. I just think you know, it really does not serve
2 any purpose, you are quite correct and I think we're just
3 better advised to let it go through with that on there.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Senator Weaver.

6 SENATOR WEAVER:

7 Well, I tend to agree with Senator Rock at this point in
8 time, but I just wanted to bring it to the attention of the
9 Senate that this is what's in this bill and I think it's wrong.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Senator Hynes.

12 SENATOR HYNES:

13 Well I was happy to hear Senator Weaver's comments.
14 I, too, would concur in the conclusion that it is substantive
15 language but I think we ought to move these two or three
16 bills that are involved here out today. I do not think
17 it...it impairs the validity of the overall appropriation
18 bill. It simply is a nullity to the provision itself and
19 furthermore the Governor has the power to excise it from
20 the bill, but I would suggest that we attempt to get this
21 worked out with the House with respect to future bills so that
22 we don't have this controversy on every appropriation
23 bill.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Senator Harris.

26 SENATOR HARRIS:

27 Well I would call attention to the conclusion in Kirk
28 versus Lindburg and this kind of monkey business is just
29 inoperative, ineffective and...very frankly I'm not going
30 to acquiesce. I think these two Houses are co-equal and...
31 and...bologna about saying - the time frame is serious that
32 we just accept what is obviously an inconsistent act on the
33 part of the House with the conclusions in that Department

1 of Local Government case that was litigated. At some
2 point in time it seems to me we have to recognize for what
3 it's worth the activities of the House on this question, and
4 that is they're just carrying on a lot of foolishness that has
5 been decided and no vote of mine is just going to say, well
6 we know what you're doing and it really doesn't amount
7 to anything. There comes a point where we have to make that
8 distinction and I think that time is right now. I'm
9 not going to go along with it.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Senator Partee.

12 SENATOR PARTEE:

13 Well, I think most of us have a feeling that it is, the
14 language is null and void and should not be put on an
15 appropriation bill, but I would tend to go along with the
16 suggestion made by Senator Hynes and others that we, on these
17 two or three, go ahead and get them out because it doesn't
18 make any difference anyway...because if we start taking them
19 back over there we're going to just get into another hassle and
20 if it doesn't mean anything, it doesn't mean anything, so why
21 worry about it.

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 Is there further debate? Senator Palmer has moved the Senate
24 concur in House Amendments No. 1 and 2 to Senate Bill 343.
25 So the question is shall the Senate concur in House Amendments
26 No. 1 and 2 to Senate Bill 343. Those in favor will vote Aye.
27 Those opposed vote Nay. The voting is open. Have all voted
28 who wish? Take the record. On that question the Ayes are
29 32, the Nays are 21, 1 Voting Present. The Senate concurs
30 in House Amendments No. 1 and 2 to Senate Bill 343, and the
31 bill having received the required constitutional majority is
32 declared passed. Senate Bill 344, Senator Palmer.

33 SENATOR PALMER:

1 Mr. President, members of the Senate, Senate Bill 344 is
2 also an appropriation bill and Amendment No. 1 provides for
3 a reduction of sixty-one hundred dollars which has been
4 approved by the Senate Appropriation Committee. Senate ...
5 I mean Amendment No. 2, same amendment we just talked about,
6 provides for...the provisions to comply with the Federal
7 Employment Practice Commission. I move for its concurrence.

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 In both amendments Senator Palmer? Senator Palmer
10 moves we concur in both...

11 SENATOR PALMER:

12 Both amendments, yeah.

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 ...Amendment No. 1, Amendment No. 2 to Senate Bill 344.
15 Is there discussion? The question is shall the Senate concur
16 in House Amendments No. 1 and 2 to Senate Bill 344. Those
17 in favor vote Aye. Those opposed vote Nay. The voting
18 is open. Have all voted who wish? Take the record. On that
19 question the Ayes are 33, the Nays are 17, 5 Voting Present.
20 The Senate concurs in Amendments No. 1 and 2 to Senate Bill
21 344, and the bill having received the required constitutional
22 majority is declared passed. For what purpose does Senator
23 Harris rise?

24 SENATOR HARRIS:

25 You know I'm dead serious about this business about
26 whether we are equal branches of this General Assembly and
27 I want to verify this roll call.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Been request for a verification. Senator Harris
30 has requested a verification. Will all Senators please
31 be in their seats? The Secretary will read the affirmative
32 votes.

33 SECRETARY:

1 The following voted in the affirmative: Brady, Bruce,
2 Buzbee, Carroll, Course, Daley, Davidson, Demuzio, Donnewald,
3 Dougherty, Egan, Fawell, Kenneth Hall, Hickey, Hynes, Johns,
4 Joyce, Knuppel, Kosinski, Lane, Lemke, McCarthy, Morris,
5 Newhouse, Nudelman, Palmer, Rock, Romano, Savickas, Smith,
6 Vadalabene, Wooten, Mr. President.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Senator Harris, do you question any one on the verification?

9 SENATOR HARRIS:

10 Senator Brady on the Floor?

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 Is Senator Brady on the Floor? Strike his name from the
13 roll call.

14 SENATOR HARRIS:

15 Is Senter Buzbee on the Floor?

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Is Senator Buzbee on the Floor? He's in his seat.

18 SENATOR HARRIS:

19 Okay, fine. I didn't see him. Is Senator Daley on the Floor?

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Senator Daley is by the telephones.

22 SENATOR HARRIS:

23 Is Senator Nudelman on the Floor?

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Is Senator Nudelman on the Floor? Strike his name
26 from the roll call.

27 SENATOR HARRIS:

28 Senator...Newhouse...

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 Is Senator Newhouse on the Floor?

31 SENATOR HARRIS:

32 Okay, fine, I see Rich, yeah. Is Senator Carroll on the Floor?

33 PRESIDING OFFICER: (SENATOR BRUCE)

1 Senator Carroll on the Floor?

2 SENATOR HARRIS:

3 Okay, fine. Is Senator Romano on the Floor?

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 I'm sorry, I don't find...is Senator Carroll on the Floor?

6 SENATOR HARRIS:

7 Yes, he is here. Yes.

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 Oh, I'm sorry I did not see you, Senator Carroll.

10 SENATOR HARRIS:

11 And I see my Godfather is on the Floor. Yes, Senator Netsch
12 is here. I saw her a moment ago. Is Senator McCarthy? Is old
13 interest rate on the Floor?

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 ...is on the podium.

16 SENATOR HARRIS:

17 There's old interest rate, okay.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 The roll call has been verified. The Ayes are 31,
20 the Nays are 17, 5 Voting Present. The Senate concurs
21 in Amendments 1 and 2 to Senate Bill 344 and the bill
22 having received the required constitutional majority is
23 declared passed. House Bill...Senate Bill 346, Senator
24 Vadalabene.

25 SENATOR VADALABENE:

26 Yes thank you, Mr. President, and members of the Senate, I
27 move to concur with Amendment No. 1 and Amendment No. 2
28 to Senate Bill 346. Amendment No. 1 the sum of seven hundred
29 and ninety thousand dollars may be necessary. It is
30 appropriated from the Illinois Art Council Federal Trust
31 Fund to the Illinois Art Council for programs and for grants

1 to Illinois Art Organizations enhancing the cultural
2 environment of Illinois. Amendment No. 2 réarranges some
3 contractual service bonds and establishes line items.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Could we have some order for Senator Vadalabene? He's
6 very quiet himself. Proceed Senator Vadalabene.

7 SENATOR VADALABENE:

8 ...establishes line items for equipment, printing and
9 telecommunications. It also separates the one million dollar lump
10 for grants to two hundred thousand dollars for programs,
11 eight hundred thousand dollars for grants to organizations. It
12 also cuts twenty-five hundred dollars in personal services
13 to adjust more correctly for the actual hiring life predicted,
14 and I move to concur with Amendments 1 and 2 to Senate Bill
15 346.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Is there discussion? Senator Harris.

18 SENATOR HARRIS:

19 Well I will just point out that this concurrence gives
20 you an opportunity one more time to vote against this
21 organization that...that just are continuing to impress
22 me with their profligacy. I was a defender of this
23 organization for awhile but they've reached the point of
24 departure with me and I just want the membership to know that
25 this is the arts council. This is that organization that
26 subsidizes glorification movies of deserters and that kind
27 of monkey business that's got no connection with the arts
28 as far as I'm concerned. It's beyond notice.

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 Senator Berning.

31 SENATOR BERNING:

32 Just to add one more voice in favor of reconsideration
33 of this particular appropriation, let me remind you that we

1 apparently are going to default on our commitment to fund
2 adequately the pension systems and go back to a strictly
3 payout basis. This is one area we could re-coop some of
4 the money necessary to move toward adequate funding of the
5 pension systems.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Senator Regner.

8 SENATOR REGNER:

9 Sponsor yield to question?

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 He indicates he will yield.

12 SENATOR REGNER:

13 Senator Vadalabene, when this crazy commission bill was
14 up before us about a month or two ago I made the statement
15 that the director had not filed his disclosure statement which
16 he had not at that time. And I was just wondering if he's
17 filed it yet?

18 PRESIDING OFFICER:(SENATOR BRUCE)

19 Senator Vadalabene.

20 SENATOR VADALABENE:

21 I have no idea.

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 Senator Regner.

24 SENATOR REGNER:

25 Even the director puts himself beyond what the rules,
26 regulations and laws are. I'm glad that there are so many people who are
27 joining my position on this commission which has been a
28 negative note for the past nine years. And I urge them to
29 continue so.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Senator Wooten.

32 SENATOR WOOTEN:

33 Mr. President, and colleagues, I simply want to take to task

1 to some extent the minority...minority leader because normally
2 he is very precise in his characterizations and I think
3 it's rather careless to tie the entire actions of the
4 Illinois Arts Council with one project and even to rather
5 carelessly describe that one project. I don't believe that the
6 whole range of very worthwhile activities conducted by
7 the Illinois Arts Council ought to be put in jeopardy because
8 we want to exercise artistic control on a single project.
9 Certainly they have spent their money well in communities
10 where I have some knowledge of their work. I, too, question
11 some of the...some of the areas into which money is placed
12 but the problem with arts is almost as speculative as
13 business in terms of results and let's face it, Ladies and
14 Gentlemen, every great civilization of which I have any
15 knowledge in history, is remembered for its works of art,
16 not and not for the other products of its legislation and
17 rule making procedure. It is an important human aspect
18 in which government has a legitimate roll to play and I,
19 I don't think we ought to thus carelessly characterize the
20 important work of this commission.

21 PRESIDING OFFICER: (SENATOR BRUCE)

22 Senator Schaffer.

23 SENATOR SCHAFFER:

24 In the past I have never failed to support this
25 appropriation but when it was here a couple of months ago
26 and some of us did have question about the film Senator
27 Harris alluded to. As the bill passed out of here after
28 some discussion everybody said, oh we'll get the film
29 down, we'll show it to you, I believe there was an absolute
30 commitment made that that film would be brought down and
31 shown to the members of the Legislature. I've been here,
32 I've been here for two months and nobody's offered to show
33 it to me. I'm almost forced to believe that that film is everything

1 that some of us might of feared it is. I'm not interested in
2 censorship but I'm not interested in the taxpayers
3 of Illinois forced to support political propaganda, be it
4 right or be it left. If that film was as inocuous as it has
5 been alleged why haven't they fulfilled their honest
6 commitment to us and brought it back, and brought it down
7 here to show it to us. They said they would, why haven't
8 they?

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Senator Pate Philip.

11 SENATOR PHILIP:

12 Thank you, Mr....thank you, Mr. President, and Ladies
13 and Gentlemen of the Senate. I'd like to make this point
14 that when the first the idea was conceived the Illinois Arts
15 Council the idea and the thought was well, well founded.
16 It was to go in to various communities and encourage private
17 citizens to donate money towards art. That was the whole
18 idea, the whole theory. Now some six or eight years later
19 we find that the Illinois Arts Council is really subsidizing
20 art. So it really isn't fulfilling the real original
21 obligation of the Illinois Arts Council. Now when I was
22 first over in the House the first appropriation was like
23 sixty thousand dollars. You know what it is some six or eight
24 years later? A million three and it keeps growing by leaps
25 and bound and if the Governor is correct, and I think he is
26 that the State is in a financial bind and has a problem, we
27 ought to cut this down or cut it out completely.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Senator Rock.

30 SENATOR ROCK:

31 Well, I urge concurrence in the House Amendments and I
32 would point out as we pointed out in the committee that we
33 are bordering painfully close to an ora of censorship. I

1 didn't see that movie. The Chairman or Executive Director
2 or both did in fact at the committee offer to show it
3 to anyone who requested. To date to my knowledge there
4 has not been a request. I would urge...urge the adoption
5 of the House Amendments so let's get this bill out of here.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Is there further debate? Senator Schaffer.

8 SENATOR SCHAFFER:

9 Senator Rock, I requested it of the four mentioned
10 individuals and have not yet had that request honored.

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 Is there further debate? The question is shall
13 the Senate concur in House Amendments 1 and 2 to Senate
14 Bill 346. Those in favor vote Aye. Those opposed vote
15 Nay. The voting is open. Have all voted who wish? Take
16 the record. On that question the Ayes are 33, the Nays
17 are 20, none Voting Present. The Senate concurs in House
18 Amendments 1 and 2 to Senate Bill 346, and the bill having
19 received the required constitutional majority is declared passed.
20 Senate Bill 350, Senator Lane.

21 SENATOR LANE:

22 Thank you, Mr. President, Senate Bill 350 was a dog bill.
23 What Amendment No. 1 does it makes it a dog, cat or other
24 animal bill. I move that we concur with this amendment.

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 Is there further debate? The question is shall the
27 Senate concur in House Amendment No. 1 to Senate Bill 350.
28 Those in favor vote Aye. Those opposed vote Nay. The
29 voting is open. For what purpose does Senator Latherow rise?

30 SENATOR LATHEROW:

31 I'd like to see a copy of the House Amendment, Mr.
32 President. I wasn't recognized. I was trying to get your
33 attention.

1 PRESIDING OFFICER: (SENATOR BRUCE).

2 The Chair apologizes, Senator Latherow, I did not
3 see you.

4 SENATOR LATHEROW:

5 I realize you didn't.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 The Chair has heard that there is another amendment.
8 The records here show that there is only one amendment to
9 the bill.

10 SENATOR LATHEROW:

11 Okay, I would want to recognize that this thing got out
12 of this House two years ago and was...was rotten and I
13 don't want to see that happen again, if possible.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Have all voted who wish? Take the record. On that
16 question the Ayes are 36, the Nays are 1, 7 Voting Present.
17 The Senate concurs in House Amendment No. 1 to Senate
18 Bill 350, and the bill having received the required constitutional
19 majority is declared passed. Senate Bill 355, Senator Knuppel.

20 SENATOR KNUPPEL:

21 Mr. Chairman, this bill was designed to allow filling
22 of vacancies on bank boards and it was correlated to a number
23 I think up to three or four. It was amended in the House
24 so that an entire Board of Directors of a bank could be
25 reinstated by the board itself between the dates of the
26 meetings of the stockholders. I move we not concur because
27 it violates the whole intention and it would allow one
28 person who get on a board by filling a vacancy to drive
29 everybody else out if he was obnoxious enough, I know I
30 could do it. And...and I mean that sincerely if I set my
31 mind to it. I could raise so much hell that I could drive
32 everybody else off the board without there being a stockholder's
33 meeting. And I don't think this is what's intend by this

1 legislation but I say we move to nonconcur.

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Senator Knuppel moves we nonconcur. Is there debate?

4 Senator Merritt.

5 SENATOR MERRITT:

6 Mr. President, members of the Senate I, too, join
7 with Senator Knuppel this nonconcurrence. This changes
8 the complete thrust of the bill and certainly would put
9 up many board of directors for grabs. It's...it's a bad
10 amendment.

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 Been a motion we nonconcur. All in favor say Aye. All
13 opposed Nay. The Ayes have it. Senate nonconcur and the
14 House will be so informed. House Bill 358, Senator
15 Demuzio.

16 SENATOR DEMUZIO:

17 Thank you, Mr. President, members of the Senate, I move
18 that we concur in the House Amendment. It is...the
19 amendment changes reference from the Superintendent of
20 Public Instruction to the State Superintendent of Education,
21 apparently we didn't catch all the language in there. But
22 the bill simply amends the Act creating the Capitol City
23 Planning Commission and substitutes as members of the
24 commission, the Director of Transportation, the Director
25 of Public Works and Buildings, the Executive Director of
26 the Capital Development Board for the Chairman of the Illinois
27 Building Authority and I move for concurrence.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Is there further debate? The question is shall the
30 Senate concur in Amendment No. 1 to Senate Bill 358. Those
31 in favor vote Aye. Those opposed vote Nay. The voting is
32 open. Have all voted who wish? Take the record. On that
33 question the Ayes are 51, the Nays are 1, 1 Voting Present.

1 The Senate concurs in House Amendment No. 1 to Senate Bill
2 358, and the bill having received the required constitutional
3 majority is declared passed. Senate Bill 383, Senator
4 Knuppel.

5 SENATOR KNUPPEL:

6 The Amendment in the House of this bill increased the
7 penalty on the crime of reckless homicide from a Class A
8 misdemeanor to a Class 4 felony and provided distinctly
9 that it didn't apply or didn't prevent the prosecution
10 of an individual for murder by use of an automobile in
11 a crime so, I think this is satisfactory. The only issue
12 is whether you wanted it to be a Class 4 felony or a Class
13 A misdemeanor. I have no objection and I move that we
14 concur in the amendment.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Is there further debate? The question is shall the
17 Senate concur in House Amendment No. 1 to Senate Bill
18 383. All those in favor vote Aye. Those opposed vote Nay.
19 The voting is open. Have all voted who wish? Take the
20 record. On that question the Ayes are 53, the Nays are none,
21 none Voting Present. Senate concurs in House Amendment No.
22 1 to Senate Bill 383, and this bill having received the required
23 constitutional majority is declared passed. Senate Bill 389,
24 Senator Davidson.

25 SENATOR DAVIDSON:

26 Yes, Mr. President, I move that the Senate concur in
27 the House Amendment, the House Amendments put in the words
28 that it would be paid through the Department of Corrections
29 and I move to concur.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Is there further debate? The question is shall the Senate concur
32 in House Amendment No. 1 to Senate Bill 389. Those in
33 favor vote Aye. Those opposed vote Nay. The voting is open.

1 Have all voted who wish? Take the record. On that question
2 the Ayes are 49, the Nays are none, 1 Voting Present. The
3 Senate concurs in House Amendment No. 1 to Senate Bill 389,
4 and the bill having received the required constitutional majority
5 is declared passed. Senate Bill 404, Senator Palmer.

6 SENATOR PALMER:

7 Mr. President, members of the Senate, I move to concur
8 with the House Amendment which changes language. The
9 bill addresses itself to consumer education and what the
10 amendment, the House Amendment does is in reference to the
11 sentence - that the goals of the competitive enterprise system,
12 they are deleting the word competitive and putting in, in
13 lieu thereof - mix free, and...another line they are adding
14 the words - and the understanding of the rolls of consumers.
15 After this they add - interacting with, business and government.
16 The...bill has business and government. What they're adding is
17 the two words - interacting with, and I move to concur it.
18 Just a language change there's no substantive change in the bill.

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 Is there further debate? The question is shall the
21 Senate concur in House Amendment No. 1 to Senate Bill
22 404. Those in favor vote Aye. Those opposed vote Nay.
23 The voting is open. Have all voted who wish? Take the
24 record. On that question the Ayes are 45, the Nays are
25 9, none Voting Present. The Senate concurs in House
26 Amendment No. 1 to Senate Bill 404 and the bill having
27 received the required constitutional majority is declared
28 passed. Senate Bill 406, Senator Carroll.

29 SENATOR CARROLL:

30 Thank you, Mr. President, I would move to concur in House
31 Amendment No. 1. This is a technical amendment, there was
32 an error in Enrolling and Engrossing. And the amendment
33 takes out the underlining in several places where it should

1 not have been underlined. I would therefore move to
2 concur.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Is there further debate? The question is shall the
5 Senate concur in House Amendment No. 1 to Senate Bill 406.
6 Those in favor vote Aye. Those opposed vote Nay. The
7 voting is open. Have all voted who wish? Take the record.
8 On that question the Ayes are 39, the Nays are 9, none Voting
9 Present. The Senate concurs in House Amendment No. 1 to
10 Senate Bill 406 and the bill having received the required
11 constitutional majority is declared passed. Senate Bill
12 418, Senator Demuzio.

13 SENATOR DEMUZIO:

14 Yes, thank you, Mr. President, members of the Senate. House
15 Amendment 1 strikes everything after the enacting clause in
16 the bill and inserts the contents of House Bill 1593, which
17 was a piece of legislation that apparently was on the agreed
18 bill list and got caught in that crunch and confusion over
19 in the House. Senate Bill 418 started out as a bill to
20 define what a consumer was pertinent to the National Health
21 Planning Act. Subsequently what we have now is a bill that
22 does several things. The biggest thing that it does is it
23 puts the State Comprehensive Health Planning Agency back
24 into the Department of Public Health and apparently this is
25 because of the attempt to respond to the Federal mandate
26 to revise all of the purposes and scope and function of
27 State and local comprehensive Health Planning Agencies. It's
28 provided for the National Health Planning and Resource
29 Development Act of 1974, so it is a completely new bill and
30 I would be happy to answer any questions that the members
31 may have.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Is there further debate? Senator Schaffer.

1 SENATOR SCHAFFER:

2 Well is not this very concept perhaps the very words.
3 also embodied in the bill which this Senate has previously
4 defeated in committee?

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 Senator Demuzio.

7 SENATOR DEMUZIO:

8 You want to run that by me again, Senator Schaffer.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Senator Schaffer.

11 SENATOR SCHAFFER:

12 Well my...my suspicion is that you're trying to run one
13 by me. I think this is thereincarnation of the bill that was
14 defeated in committee here in the Senate. I'll accept your
15 explanation of loss in the shuffle in the House and now
16 like many other measures has risen like dracula from the
17 grave in the form of an amendment. Many of us do not feel
18 that the Department of Public Health is the appropriate
19 place for this power or authority. Many of us feel that more
20 appropriately would be, should be placed in the Department
21 of Public Aid, when Senator Mohr has comments on this
22 but my inclination is to resist this as a...and then ran
23 an attempt to - shall we say circumvent the will of the
24 Senate Committee System.

25 SENATOR DEMUZIO:

26 Well first of all let me say to you, Senator Schaffer,
27 I have no intention of running this legislation by anybody.
28 I am not familiar with this bill that you referred to in the
29 that died in the Senate Committee. I refer specifically in
30 my remarks...to the committee, that this bill originated in
31 the House.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Senator Schaffer.

SENATOR SCHAFFER:

1 I fully believe your statement to be one hundred
2 percent accurate, Senator.

3 SENATOR DEMUZIO:

4 Well then I'm not trying to attempt to run anything by
5 you, Senator Schaffer. All I'm saying to you is Senate
6 Bill 418, started out as a simple bill to define what a
7 consumer was to be according to the Federal mandate.
8 There was another bill in the House that would provide for
9 the State Comprehensive Health Planning Agency to be put
10 into the Department of Public Health. Apparently you and
11 I and others differ on where the State Comprehensive
12 Health Planning Agency should be, and I think that that is
13 probably the question of the...of this whole matter of this
14 bill.

15 PRESIDING OFFICER :(SENATOR BRUCE)

16 Is there further debate? Senator Don Moore.

17 SENATOR DON MOORE:

18 Yes, I rise in opposition to the motion. When we get
19 into the field of health planning et cetera, we can look
20 at the sum eight hundred million dollar line item appropriation
21 of the Department of Public Aid for medical. I don't in my
22 opinion, I don't think that the Department of Public Health
23 as far as their authority to license and so forth I have
24 no problems with, but to...to come in with a completely new
25 bill making the Comprehensive Health Planning Agency means the
26 Illinois Department of Public Health, I think this is a step
27 in the wrong direction and I would urge a nonconcurrence on
28 the particular amendment.

29 PRESIDING OFFICER:: (SENATOR BRUCE)

30 Is there...Senator Hickey.

31 SENATOR HICKEY:

32 ...If I understood him correctly, did you say that
33 Comprehensive Health Planning belongs in the Public Aid

1 Department?

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Well, Senator Hickey, I would point out that it's
4 Senator Demuzio's bill and Senator Schaffer's comments
5 related to a question he wanted to ask the Senator. If
6 there is leave you could ask Senator Schaffer that question.
7 Is there leave? Leave is granted. Senator Schaffer.

8 SENATOR SCHAFFER:

9 I guess what I'm saying is that the duties enumerated
10 in this particular motion I believe more appropriately fall...
11 the financial reporting aspects, more appropriately fall
12 in the Illinois Department of Public Aid.

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 Senator Hickey.

15 SENATOR HICKEY:

16 Thank you.

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Senator Partee.

19 SENATOR PARTEE:

20 Well this is a new bill. It started out to define consumers for
21 the Comprehensive State Health Planning Agency and now
22 the bill it deletes everything after the enacting clause and
23 provides several things. One, it abolishes a State Comprehensive
24 Health Planning Advisory Council. It increases a membership
25 from nine to twenty-five to be appointed by the Governor.
26 Provides that the Director of Health Planning in the State
27 Agency shall serve as Executive Secretary of the Council and
28 establishes the responsibilities of the council. Now it is
29 said that this is an administration amendment in response to
30 a federal mandate to revise the purpose, scope and function
31 of State and Local Comprehensive Health Planning as
32 provided on the National Health Planning and Resources
33 Development Act of '74. I think one other thing that has

1 to be taken into consideration is that the Governor's
2 budget does not provide for Fiscal Year '76 funding of the
3 CHASPA but provides for additional funding to the Department
4 of Public Health to fulfill this which is a new responsibility.
5 So it seems to me that if this amendment is not adopted, we
6 have nothing in this area, if it's not concurred in. So
7 I would certainly suggest that there be concurrence in the
8 amendment.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Is there further debate? Senator Harris.

11 SENATOR HARRIS:

12 Well, I would point out that we would still have the
13 Comprehensive Health Planning Agency in the Office of
14 Governor where it's been as a result of an Executive Order
15 of some years ago. We have an outstandingly qualified person
16 filling that roll today, Dr. Leopard. I don't see anything
17 in the world wrong with continuing just the way we are.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Is there further debate? Senator Demuzio may close.

20 SENATOR DEMUZIO:

21 I just want to say to Senator Harris that I agree with
22 your comments relevant to Mark Leopard. I am on the management
23 committee of the State Comprehensive Health Planning Agency
24 and have been prior to being elected to the Senate and my
25 discussions with Dr. Leopard seem to indicate that he favors
26 such a move. Now you can read into that what you want since
27 he is an appointee of the Governor. Whether or not that
28 really represents his personal view I don't know. I think
29 he's the type of individual that is a truthful and honest
30 one and I really believe that he feels it ought to be located
31 in the Department of Public Health. My own comments is that since
32 I am familiar with it, I am familiar with the State Comprehensive
33 Health Planning Agency and the Department of Public Health
because I have administered grants from both or at least with

1 the Department of Public Health, and I really honestly
2 believe that it truly should be in the Department of
3 Public Health and not within the Department of Public Aid.
4 Therefore, I request a favorable roll call.

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 'Senator Netsch.'

7 SENATOR NETSCH:

8 Mr. President, I guess you will have to summarize a
9 second time then, Senator Demuzio. I didn't realize that was
10 your conclusion. I think probably this is a good proposal
11 and I certainly have enormous respect for Dr. Leopard's
12 judgement and for Senator Demuzio's judgement. I think
13 it's essential to call attention to something
14 that's happening here and that is in the form of a House
15 Amendment to which the only action is concurrence or
16 nonconcurrence for which we do not have the text and have
17 only a summary on a yellow sheet of paper, we are really
18 being asked to adopt an entirely new and major piece of
19 legislation and while that insubstance that piece of
20 legislation may be good, the procedure is dreadful and I
21 would hope that we could avoid having to be put into this
22 very, really, impossible position and having to make a
23 rational decision with the issue never having been in
24 the Senate before, never before committee and never in
25 printed form before us.

26 PRESIDING OFFICER: (SENATOR BRUCE)

27 Is there further debate? Senator Harris.

28 SENATOR HARRIS:

29 Well, I would just point out that Senator Netsch has
30 made an excellent observation here and there is some
31 procedure available to us to take some steps in that
32 direction and that is to nonconcur and at least get this
33 matter into a conference committee where at least five

1 of our membership would have an opportunity to make
2 some contribution to it and evaluate it. We would be
3 at least represented by five persons from this Body to
4 give some kind of insight and evaluation into this
5 major policy decision on which right now we've just got
6 a yes or no opportunity on a one-time, ten minute exposure
7 basis which is, of course, not a particularly good procedure.
8 It would be my suggestion to nonconcur and get this thing
9 into conference committee and spend some time on it.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Is there further debate? The question is shall the
12 Senate concur in House Amendment No. 1 to Senate Bill 418.
13 Those in favor vote Aye. Those opposed vote Nay. The
14 voting is open. Have all voted who wish? Take the record.
15 On that question the Ayes are 25, the Nays are 17, 1
16 Voting Present. The Senate fails to concur in Amendment No.
17 1 to Senate Bill 418. Senator Demuzio, do you wish to make
18 a motion to nonconcur? The House will be advised on the failure
19 for the Senate to concur in the amendment.

20 SENATOR DEMUZIO:

21 I move to nonconcur in House Amendment No. 1.

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 I'm told it's automatic by the Secretary. House Bill
24 419, Senator Morris.

25 SENATOR MORRIS:

26 I would like to move to nonconcur on this amendment.
27 The staff has found some errors in the amendment and we would
28 like to nonconcur. The House will recede and it will have to
29 go to conference committee to correct the problem.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Senator Morris moves to nonconcur in Senate Bill 419.
32 All in favor say Aye. Opposed Nay. The Ayes have it. Senate
33 nonconcur. House Bill 421, Senate Bill 421, Senator Vadalabene.

1 Senate Bill 421, Senator Vadalabene.

2 SENATOR VADALABENE:

3 Yes, thank you, Mr. President, and members of the Senate,

4 I move to concur in Amendment No. 1 to Senate Bill 421.

5 And the purpose of this amendment is to eliminate the problem

6 which is confronting the State Community College in East

7 St. Louis, in the six to three weeks, months in delaying

8 payment of their obligations incurred. With this amendment

9 it will provide the State Community College of East St. Louis

10 the same impress system that applies to other State Universities

11 and it will give the, give them the ability to operate the

12 college more efficiently and meet the payment of their bills.

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 Is there further debate? Senator Merritt. Senator

15 Merritt.

16 SENATOR MERRITT:

17 I wonder if, Senator Vadalabene, maybe I missed part of

18 your opening remarks there but for my benefit at least,

19 maybe some others, I would appreciate your giving us just

20 what the establishment of those impressed funds are. It's

21 in both the Department of Agriculture and the Department of

22 B&ED I understand.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Senator Vadalabene.

25 SENATOR VADALABENE:

26 The establishment of the impressed fund bank account

27 does not require an appropriation for its initial funding.

28 What it does it gives them, it's similar to a revolving

29 fund which gives them the opportunity... a voucher to pay

30 their bills promptly. It's similiar to a revolving fund.

31 PRESIDING OFFICER: (SENATOR BRUCE)

32 Is there further debate? The question is shall the

33 Senate concur in House Amendment No. 1 to Senate Bill 421.

1 Those in favor vote Aye. Those opposed vote Nay. The
2 voting is open. Have all voted who wish? Take the record.
3 On that question the Ayes are 52, the Nays are none, 1 Voting
4 Present. The Senate concurs in House Amendment No. 1 to
5 Senate Bill 421 and the bill having received the required
6 constitutional majority is declared passed. Senate Bill
7 432, Senator Partee.

8 SENATOR PARTEE:

9 Mr. President and members of the Senate, this bill
10 originally was a bill that would raise the salary of the Chairman,
11 of the FEPC Commission from seventy-five hundred and twenty-
12 five dollars to ten thousand, that's how it passed here, and
13 this amendment adds several things. It amends the current
14 statute to change the time limits for hearing on a complaint
15 requiring the hearing be held no less than thirty nor more
16 than ninety days after the service of complaint to from
17 thirty to ninety to twenty to sixty. It extends from thirty-
18 five to hundred miles of the occurrence of the alleged complaint
19 where the hearing is held. It authorizes the hearing examiner
20 as well as the commissioner the amendment, to amend a complaint.
21 Substitutes an FEPC commissioner or hearing examiner for the
22 Commission Chairman for authorizing the extension of the
23 filing of answers it grants an FEPC Commissioner or
24 Hearing Officer rather than the full commission authority to
25 allow the omitting of an answer. Now it allows hearing
26 examiners to issue findings as well as recommending orders
27 to the commission. It deletes the present statutory procedures
28 for filing a review of a Hearing Examiner's review of
29 findings. Substitutes new procedures which calls for any
30 party to the proceedings may take written exceptions
31 to any findings and recommended order within thirty days.
32 Any party may respond within twenty-one days to those
33 exceptions and any party may ask for oral arguments before

1 the commission for either exceptions or responses and
2 outlines procedures for those oral arguments. It
3 grants the commission authority to remand a case to Hearing
4 Officer or Commissioner with specification of the reasons.
5 Authorizes a commission to review findings and recommended
6 orders and adopt, modify reverse any or all part
7 thereof, with copies to be filed in his offices and served
8 on all parties. Allows the commissioner, prior to final
9 order of a court, to modify or set aside in whole or
10 in part of its findings or orders and authorizes commission
11 to issue rules and regulations for the issuance in forms of subpoenas.
12 Allows the Hearing Examiners as well as the commission to
13 quash and modify a subpoena. And allows the commissioner to
14 issue rules and regulations regarding the service of complaints, orders
15 and other processes. It is a substantially changed amendment.
16 I don't want anyone to think that it isn't. No I seriously,
17 I'm very serious cause...some of you may not of seen it.
18 Now, I move the concurrence to the amendment.

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 Is there further debate? Senator Harris.

21 SENATOR HARRIS:

22 Mr. President, you know, here's a piece of legislation
23 that starts out as a very simple thing to change the
24 salary of the Chairman of this commission. And then the House
25 adds a complete, complete substantive amendment to it and this
26 Body has the opportunity to make that determination with
27 this kind of consideration. Now what is going on here with
28 that other House? I just find this objectionable and I know
29 this is a sensitive question. The House has an opportunity
30 to introduce legislation and let it consider it and send it
31 over here and let us send it through committee and consider
32 it. As a matter of fact, we had extensive amendments to this Act,
33 this Session. They were acted upon by this House and I just

1 I just am questioning this matter of procedure by the
2 other House. And I don't like it, it's got nothing to do
3 with concurring with this amendment. I would approve
4 of these amendments. As a matter of fact, they correlate
5 the activities to this very cursory examination I've given
6 to them, more consistently with the restrictions in the
7 Practice Act. That's fine but I just don't like this
8 procedure at all.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 For what purpose does Senator Partee rise?

11 SENATOR PARTEE:

12 Well I just wanted to say that that is why I affirmatively
13 made it known that these are substantial amendments to a
14 very, what was a very simple bill. And I was a little
15 discombobulated when I saw them and that is why I wanted
16 this Body to know that my integrity suggested to me that
17 I should explain in detail the fact that we had all of these
18 amendments. Now very honestly there are some that troubled
19 me. There are some that I think gives to the Hearing Officers
20 some power that ought to be reserved solely with the
21 commissioners I'm very honest and frank about that. And
22 on...Mr. President, I think in the interest of fairness,
23 justice and giving us all a chance to know precisely what
24 we're about, I'm going to nonconcur in the House Amendment
25 so that a conference committee can be appointed so that
26 we can approach this on a rational, sane, reasonable basis.
27 I so move.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Senator Partee moves we nonconcur in House Amendment No.
30 1 to Senate Bill 432. All in favor say Aye. Opposed Nay.
31 The Ayes have it. Senate nonconcur and the House shall be
32 so informed. Senate Bill 441, Senator Carroll. Senate Bill
33 444, Senator Buzbee. Senator Buzbee. Senate Bill 444.

1 SENATOR BUZBEE:

2 Yes, Mr. President, Senate Bill 444, there is one House
3 Amendment which says, that the Attorney General of the
4 State is authorized to provide legal services to the board.
5 This is dealing with the University Pension Board. However,
6 if he is unable or unwilling to do so, the board may appoint
7 other counsel to provide these services and I would move
8 to concur with House Amendment No. 1.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Senator Philip.

11 SENATOR PHILIP:

12 I...I think I understand what you said, Senator. Now,
13 generally speaking, the Attorney General has been the attorney
14 for the people and for various Governmental Departments. Now,
15 is this notice going to be in writing? I can see what's
16 going to happen here that down the road somewhere the
17 board is going to want to appoint an attorney other than
18 the Attorney General and nobody will know about it and
19 all of a sudden we will have a lot of lawyers enjoying some
20 nice fees and the Attorney General won't even have any
21 idea what's going on. What's the notification?

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 Senator Buzbee.

24 SENATOR BUZBEE:

25 To the best of my knowledge, Senator, there is none. The
26 bill is a very simple one. The amendment that they put
27 on struck the language of the original bill, the new
28 language of the original bill, the old...the new language,
29 or rather the original bill said - all actions brought by
30 or against the board shall be prosecuted or defended as
31 the case may be by the Attorney General or by other counsel
32 as the board may decide. Their amendment struck that
33 language and inserted the following: "The Attorney General

1 of the State is authorized to provide legal services to the
2 board. However, if he is unable or unwilling to do so the
3 board may appoint other counsel to provide these services.
4 So in answer to your question there is no notification
5 requirement.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Senator Philip.

8 SENATOR PHILIP:

9 Well it would seem to me that...I certainly agree
10 with your idea in the premise but I think it ought to be
11 tightened up so there would be a written notification that
12 the Attorney General doesn't have the time or ability or
13 the manpower to do it. And I think you're leaving the thing
14 wide open and I think we ought to, we should not concur
15 with this amendment.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Senator Buzbee.

18 SENATOR BUZBEE:

19 Well, I might point out that the language as the House drew it
20 is not near as open as it was before with the bill we passed
21 out of the Senate originally. I don't have the roll call,
22 Senator, but I believe the bill passed unanimously. I think
23 you probably voted for it.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Senator Graham.

26 SENATOR GRAHAM:

27 Not...well I might as well do it now. On a point I guess of
28 personal privilege I would like to say this...

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 State your point.

31 SENATOR GRAHAM:

32 ...to Senator Partee...

33 PRESIDING OFFICER: (SENATOR BRUCE)

1 Senator Partee, Senator Graham is stating a point.

2 SENATOR GRAHAM:

3 ...Senator Partee, with reference to your decision
4 on a bill that was discussed previously, I compliment you
5 upon making that decision. I notice as we look through our
6 list there are other bills, measures they'll be over there
7 asking for concurrence or nonconcurrence, that have about
8 the same application given them, striking everything after
9 the enacting clause. I think in all fairness a bill
10 appearing here with that sort of a measure in it where we have
11 a completely new bill, I think it would be in the best
12 interest of all of us if we sent those to conference committee
13 too. I compliment you for your decision on the last one.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Is there further debate? Senator Nimrod.

16 SENATOR NIMROD:

17 Yes, Mr. President, I have a question. Under what is
18 the present...for one nonlawyer to another nonlawyer, I guess
19 we are...what is the present provision of the law where the
20 Attorney General is the...is the legal representative for any
21 agency or department of the State?

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 Senator Buzbee.

24 SENATOR BUZBEE:

25 I don't believe there is any that's why we...we put
26 the bill in. It says that they can elect officers and appoint
27 employees to elect officers to appoint a secretary and
28 treasurer to have a sealed employ such actuary illegal
29 or medical services, or corporate trustee organized
30 under the laws of the State with a capital of not less
31 than one million dollars or investments counts on other
32 persons shall be required for the efficient administration
33 of the system and to determine to fix the rate of pay of

1 such persons or agencies. Now the reason...the genesis
2 of this is that the board felt that the Attorney General
3 was in fact the legal counsel for the State and that he ought
4 to represent them and so they went to the Attorney General
5 and said, "would you be willing to represent us", and he
6 said, "yes, if you'll give me statutory authority", and so
7 that was the reason for the bill, and we're putting in the
8 statutory authority. The Senate bill, the bill as we
9 passed it out of the Senate, was not as tight as the House
10 Amendment now makes it as far as the requirement of using
11 the Attorney General.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Senator Nimrod.

14 SENATOR NIMROD:

15 Does the Attorney General support this amendment and
16 bill?

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Senator Buzbee.

19 SENATOR BUZBEE:

20 I spoke with the Attorney General as late as yesterday
21 evening. However, I did not speak with him about this particular
22 issue. The...again the original bill that passed out of the
23 Senate said that, that the Attorney General is authorized.
24 However, if he is unable or unwilling the board may appoint
25 other counsel. The new bill as the House passed it says,
26 pardon me, that was as the House passed it. The old bill
27 said - that shall be prosecuted as the case may be by the
28 Attorney General or by other council as the board may decide.
29 So the way we passed it we said the board can decide. But
30 the way the House has passed it it says that the Attorney
31 General is to provide it unless he is unable or unwilling
32 to do so. So I'm sorry I don't know, but I would guess that
33 he would still be supported.

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Senator Nimrod.

3 SENATOR NIMROD:

4 I would think...I think that the only person that
5 can represent anyone in court under present laws as I
6 understand them, is the Attorney General as far as the
7 State is concerned or any of its agencies. Now if we are
8 actually giving authority to change that law, then I
9 think this is a major substantive change. However in the
10 absence of not having the opportunity to discuss this,
11 would you agree to take this out of the record so we
12 could just give a...and check on this and then you can
13 proceed, so at least we know that we're not making a major
14 precedent or a change in this particular area.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Senator Buzbee.

17 SENATOR BUZBEE:

18 Well I would point out to you that the Attorney General
19 does not represent the State of Illinois in every situation,
20 because if you've got a case where the Personnel Department
21 is going against the Civil Service Commission, he certainly
22 can't represent both of those branches of government so
23 other counsel does have to be brought in, in that case. However,
24 I will be willing to pull this bill with the understanding
25 that we'll get back to it today before we get off this order
26 of business. If not, I'm not willing to pull the bill.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Is there leave? Leave is granted. Senate Bill 454,
29 Senator Wooten.

30 SENATOR WOOTEN:

31 Thank you, Mr. President and colleagues, the House Amendment
32 to Senate Bill 454 reduces the number of those, reduces the
33 number of the board from twelve to eleven and in doing so

1 reduces the number of physicians from four to three, and
2 I would move to concur in House Amendment No. 1.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Is there further debate? Senator Schaffer.

5 SENATOR SCHAFFER:

6 Well, this year we've been doing something which I
7 happen to agree with in many cases. We've been putting
8 general public members on these various boards and regulatory
9 bodies. This bill as introduced added four public members,
10 which is fine. I think that's good. The House Amendment
11 No. 1 reduces the size of the licensing board by one, but
12 they choose to delete one of the practicing physicians on the
13 board. Now I haven't got any objections with the legislation
14 as it was introduced in the intention of the bill was
15 to put some public members on the board, but I don't want
16 to see it done at the expense of reducing the expertise
17 on the board. Frankly, Senator, I would be more inclined
18 to...I assume the reason they struck from twelve to eleven
19 was to have an odd number. I would be more inclined to put
20 another public member or two on if that's what it takes to get
21 an odd number, than to reduce the number of practicing physicians,
22 because I might add there is only three out of eleven in
23 this analysis and the old way was four out of twelve. This
24 is a ambulatory surgical treatment center licensing board and
25 I think we do have to have medical professionals on the
26 board and I think by reducing it by one we jeopardize the
27 level of the expertise on the board, which I think is as
28 important as having general members from the public. I would
29 respectfully request that we nonconcur and put it in the
30 conference committee. If you want to go to five public
31 numbers, I think that's fine.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Is there further debate? Senator Wooten may close.

1 SENATOR WOOTEN:

2 Well I may point out that the rest of the board is
3 made up of an oral surgeon, a podiatrist, a registered nurse
4 an administrator of such an institution, three physicians.
5 I include all of those people in the medical profession and
6 since most of these will really be a benefit to oral surgeons,
7 podiatrists, I don't really see the need that the physicians
8 should be more than thirty percent of the board and
9 I would still move to concur in House Amendment No. 1.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 The question is shall the Senate concur in House Amendment
12 No. 1 to Senate Bill 454. All those in favor vote Aye.
13 Those opposed vote Nay. The voting is open. Have all
14 voted who wish? Take the record. On that question the
15 Ayes are 14, the Nays are 20, 4 Voting Present. The Senate
16 does not concur in House Amendment No. 1 to Senate Bill 454
17 and the House will be so informed. 456, Senator Buzbee.

18 SENATOR BUZBEE:

19 Mr. President, I have a procedural inquiry here. There
20 are three amendments of the House put on 456. I want to
21 move to concur in two of them but ask for a conference
22 committee on the third. So can we go ahead and move
23 on each amendment?

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Well, Senator Buzbee, if you wish to concur we can
26 concur on those amendments that you wish to concur on
27 by roll call. You can make an oral motion that we nonconcur
28 on that amendment that you do not wish to and the House
29 will be so informed as to our action. If they...if they wish
30 to recede from that amendment in which we do not concur,
31 then the bill will not come back to the Senate. If they
32 refuse to recede then they will ask for a committee of
33 conference at which time we will be informed of their

1 action.

2 SENATOR BUZBEE:

3 Well, I...my desire is to get the last amendment, the
4 one that I'm referring to that I have problems, with to get it
5 to a conference committee for this reason. I don't disagree
6 with the gist of the amendment. It's just simply misdrafted, the
7 wording is all screwed up and...

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 Then we should nonconcur on that amendment and concur
10 on those you agree with, if the Senate so agrees with you...

11 SENATOR BUZBEE:

12 Very well.

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 ...and the committee of conference will be only on that
15 one amendment.

16 SENATOR BUZBEE:

17 Very well. I would like to call to the attention of
18 Senator Latherow that this is House Bill 456, the Duck Stamp
19 Bill. You are recall the three amendments that were attempted
20 to be put on in the Senate. They got those amendments on
21 in the House, the Ducks Unlimited people come back to me
22 and tell me they have no problems with the amendments, they're
23 willing to accept them. So I would move to concur in House
24 Amendments No. 1 and 3 and move to nonconcur in House
25 Amendment No. 4.

26 PRESIDING OFFICER: (SENATOR BRUCE)

27 Alright. Is there further debate? Senator Buzbee
28 has moved that we concur in House Amendments No. 1 and 3.
29 And the question is shall the Senate concur in House Amendments
30 No. 1 and 3 to Senate Bill 456. Those in favor vote Aye. Those
31 opposed vote Nay. The voting is open. Have all voted who
32 wish? Take the record. On that question the Ayes are 49,
33 the Nays are 2, 1 Voting Present. The Senate concurs in

1 Amendments No. 1 and 3 to Senate Bill 456. Senator Buzbee
2 now moves to nonconcur in Amendment No. 4 to Senate Bill
3 456. All those in favor say Aye. All opposed Nay. The
4 Ayes have it. Ayes have it...Senate does not concur in
5 amendment No. 4 and the House will be so informed. Senate
6 Bill 459, Senator McCarthy. I'm sorry, Senate Bill 441,
7 Senator Carroll. Senator Carroll is now ready to proceed.
8 SENATOR CARROLL:

9 Thank you, Mr. President, I would move that we do concur
10 with House Amendment No. 1 on Senate Bill 441. This deals
11 with the Central Credit Unions'. The House eliminated the
12 provisions that would have allowed a surviving spouse to
13 retain her membership in the Credit Union. The Credit Union
14 League said has said that they would agree with the elimination
15 of the surviving spouse and I would therefore move that
16 we concur.

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Is there debate? The question is shall the Senate
19 concur in House Amendment No. 1 to Senate Bill 441? Those
20 in favor vote Aye. Those opposed vote Nay. The voting
21 is open. Have all voted who wish? Take the record. On
22 that question the Ayes are 52, the Nays are none, 1 Voting
23 Present. The Senate concurs in House Amendment No. 1 to
24 Senate Bill 441, and the bill having received the constitutional
25 majority is declared passed. Senate Bill 459, Senator
26 McCarthy. For what purpose does Senator Hynes rise?

27 SENATOR HYNES:

28 While there is a pause, I would like to acknowledge
29 the presence in the Gallery of Jim and Alice Keen and their
30 children, Jim, Walter, Alice and Bridget and I'd ask that
31 they stand and be acknowledged by the Senate.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Will they please stand and be recognized by the Senate.

1 For what purpose does Senator Mitchler rise?

2 SENATOR MITCHLER:

3 Mr. President, also on a point of personal privilege,
4 in the Gallery directly behind our side of the aisle is
5 Mr. and Mrs. Ed Arbergast that are visiting the Capitol
6 today and I would like to have them stand and be acknowledged
7 by the Senate.

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 Will they please stand and be recognized.

10 SENATOR MITCHLER:

11 Mr. President, also, if I may at this time announce
12 that the Department of Illinois Veterans of Foreign Wars
13 is holding their annual State Convention in Springfield,
14 starting today. They're headquartered at the Forum 30, they
15 will have their business Session today and tomorrow. They
16 extend an invitation on behalf of Department Commander, Robert J.
17 McMann of Carpentersville, to all members of the Senate to
18 visit at anytime during their business Session please make
19 yourself known at the, to the Sergeant-at-Arms and you
20 will get the proper recognition. Also tonight the VFW will
21 stage a parade in Springfield, you're all invited to march
22 if you'd like or stand by and whistle at the guys, gals...they're
23 going to put on a great show in Springfield tonight and they'll
24 culminate with their election tomorrow.

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 Thank you, Senator Mitchler. For what purpose does
27 Senator Carroll rise?

28 SENATOR CARROLL:

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

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 State your point.

32 SENATOR CARROLL:

1 We also have with us today someone who's watching
2 over her State Senator to make sure he votes right, we
3 have the wife of Senator Ben Palmer, Betty Palmer in the
4 back row here.

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 Please stand and be recognized. Senator Bill 459,
7 Senator McCarthy.

8 SENATOR MCCARTHY:

9 Yes, Mr. President, members of the Body, I will move
10 that the House, or that this Body concur in the House Amendment.
11 To refresh your recollection this is a bill that provides
12 that where a person on a job renders voluntarily first
13 aid to another person injured at a construction sight,
14 that that person rendering the aid shall be excluded from
15 any liability unless he acted willfully and wantonly. That
16 brought up a question in the House where it came this way.
17 What happens if a man is injured on a job and there are in
18 fact licensed physicians and nurses and dentists or any other
19 licensed health services personnel who would render first aid
20 assistance. They thought, and I concur with them, that the
21 doctors, the nurses, the dentists or any other licensed health service
22 personnel should be held to an ordinary degree of care as
23 opposed to only the degree of care willful and wanton conduct.
24 Accordingly to...therefore, I would move that we concur
25 in this amendment.

26 PRESIDING OFFICER: (SENATOR BRUCE)

27 Is there debate? Senator Glass.

28
29 Gentlemen, could we have some order please? Senator Glass.

30 SENATOR GLASS:

31 Thank you, Mr. President, I would like to ask the sponsor
32 a question or two and maybe clarify this amendment. As
33 I understnad it, Senator McCarthy, the amendment would hold

1 doctors and other medical personnel to a higher standard
2 of care, but isn't this a situation where they are the
3 good samaritans in volunteering. Do you really want to go ahead
4 and impose this higher standard of care on them in this bill
5 or at all? I...I just question whether you don't cloud the
6 issue by getting into that question in this bill and...
7 it bothers me that...that...we want to impose this
8 higher standard of care. I would just ask you to consider
9 perhaps holding off for a conference committee on this.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Senator McCarthy.

12 SENATOR MCCARTHY:

13 Well, Senator Glass, let me just respond and see what you
14 think...

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Excuse me, Senator McCarthy again. Could we have
17 some order please? In front of the podium if we would
18 break up the conference here, Senator Chew if you could
19 break up your caucus and gentlemen would take their caucuses in
20 the back. The doormen will take their conference off.
21 Senator Mitchler, you could remove your conference form
22 the Floor please. The staff behind Senator Graham could
23 please break up their conference and maybe he could hear.
24 Senator McCarthy.

25 SENATOR MCCARTHY:

26 ...Yes, Senator Glass, I don't, I don't resist a
27 conference committee but I really don't believe it's necessary
28 because of this. Whatever degree of care that is imposed
29 upon physicians, dentist, et cetera, is really not changed
30 by this enactment. What this enactment does is excuse
31 laymen from certain acts, and then they go on to say because
32 of this Act nothing herein applies to doctors, dentists,
33 et cetera. They are still held to their normal

1 degree of cares provided elsewhere in the law. So, I...I
2 really don't think the conference committee is necessary.
3 But if you want one it's alright.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Senator Graham.

6 SENATOR GRAHAM:

7 Perhaps if Senator McCarthy would just for a few moments
8 take this out of the record and discuss this with Senator
9 Glass, and I believe we can alleviate the possibility of a conference.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Take it out of the record. Senator Bell, 470, Senate Bill.

12 SENATOR BELL:

13 Yes, thank you Mr. President, members of the Senate, the
14 House Amendment struck everything after the enacting clause
15 and what we have sent back to us is essentially the same
16 bill that the House and Senate has passed that is now before
17 the Governor, which is Representative Jaffe's bill concerning
18 rape treatment, Senate Legislation. It was the mood of the
19 Senate that there be an alternate proposal I think before
20 the Governor and that alternate proposal said that the
21 State would not have to provide the funding, and so I would
22 move that we nonconcur to House Amendment No. 1 in reference
23 to Senate Bill 470.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Senator Bell moves to nonconcur. All those in favor
26 say Aye. All those opposed Nay. The Ayes have it. Senate
27 nonconcur and the House will be so informed. Senate Bill
28 490, Senator Buzbee.

29 SENATOR BUZBEE:

30 Yes, Mr. President, Senate Bill 490 has one House
31 Amendment which tightens up the language so that...in the
32 bill that we originally passed so that those university employees who
33 want to retire still have to meet the minimum requirements

1. as, as set forth in other legislation and is the intent
2. of the Legislature and I would move the adoption...concurrence
3. rather with House Amendment No. 1.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there further debate? The question is shall the
6. Senate concur in House Amendment No. 1 to Senate Bill 490.
7. Those in favor vote Aye. Those opposed vote Nay. The
8. voting is open. Have all voted who wish? Take the
9. record. On that question the Ayes are 53, the Nays are
10. none, none Voting Present. The Senate concurs in House
11. Amendment No. 1 to Senate Bill 490, and the bill having
12. received the required constitutional majority is declared
13. passed. Senate Bill 501, Senator Donnewald. Senator
14. Donnewald.

15. SENATOR DONNEWALD:

16. Yes, Mr. President, I would...I'm going to make a motion
17. to concur with House Amendment No. 1 on Senate Bill 501.
18. The bill originally took care of an employment problem of
19. the...of the regional superintendent of schools when they
20. join counties together. This amendment brings together...
21. members of the...governing boards of joint special education
22. agreements. Essentially it's the same thing and I would
23. move for the concurrence of House Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there debate? Senator Berning.

26. SENATOR BERNING:

27. Thank you, Mr. President, Senator as I interpret this
28. the amendment mandates the including of these participants,
29. removes the permissive condition and by mandating these, the
30. inclusion of these persons, we are again establishing a precedent
31. in my opinion that is not ideal. I would think that this is
32. an amendment we ought to not concur in, in order to go into
33. a conference committee and attempt to resolve this situation.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Donnewald.

3. SENATOR DONNEWALD:

4. Mr. President and Senator, the amendment is not as
5. broad as it might look at first. Most of the people being
6. brought under coverage of this pension fund had been covered
7. under it in the past. Now most, most of these special
8. education agreement board members were covered under the
9. IMRF when they worked with regular school districts. Now
10. when they went to work for these joint agreements they were
11. precluded from coverage, thus we're not allowing a great deal
12. of prior service credit to be granted to...free to anybody
13. So they are merely being brought back under the pensions
14. fund coverage.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berning.

17. SENATOR BERNING:

18. That is true to an extent, but the amendment prescribes
19. that all such entities are automatically participants irrespective
20. of need or desire and I submit that the better alternative
21. would be to include them in the list of entities which may
22. petition to come into IMRF and subject to the financial
23. review as a prerequisite for entrance. I just fail to
24. see the validity of mandating and locking in individuals
25. or entities without their being able to decide for themselves.
26. This is again I say, establishing an unfortunate practice.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Donnewald may close.

29. SENATOR DONNEWALD:

30. Roll call.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is shall the Senate concur in House
33. Amendment No. 1 to Senate Bill 501. Those in favor vote

1. Aye. Those opposed vote Nay. The voting is open.
2. Have all voted who wish? Take the record. On that question
3. the Ayes are 34, the Nays are 14, none Voting Present.
4. The Senate concurs in House Amendment No. 1 to Senate
5. Bill 501, the bill having received the constitutional majority
6. is declared passed. Senate Bill 511...Senator McCarthy,
7. for what purpose do you rise?

8. SENATOR MCCARTHY:

9. Yes, I've had my conference with Senator Glass and
10. Senator Graham and there's an indication that there's
11. no need for a conference committee so if we could revert
12. to 459, 459, excuse me.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. You wish to call 459 now?

15. SENATOR MCCARTHY:

16. Right.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senate Bill 459, Senator McCarthy.

19. SENATOR MCCARTHY:

20. Yes, Mr. President, members of the Body, 459 was the
21. bill where I sought to move to concur and do at this time
22. where Senator Glass raised a question. Well he and I have
23. resolved it where it's our opinion there's no necessity
24. for a conference committee in this matter. So that the
25. entire membership may know the impact of the amendment. It is
26. in this case that where an employee is hurt on the
27. job and he is treated by a fellow employee or an employer
28. without charge, that that person is absolved from any
29. negligence unless they are willful or wanton in their
30. conduct. The amendment excludes from that Section any
31. licensed physician. However, if the position by another
32. Section not sought to be amended is acting as a good
33. samaritan, of course he has a different degree of care.

1 So we feel that this bill as amended properly attains
2 the objects of the legislation. I move for its concurrence.
3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Is there further debate? The question is shall the
5 Senate concur in House Amendment No. 1...to Senate Bill
6 459. Those in favor vote Aye. Those opposed vote Nay.
7 The voting is open. Senate Bill 459, the motion is
8 to concur. Have all voted who wish? Take the record.
9 On that question the Ayes are 50, the Nays are 1, none
10 Voting Present. The Senate concurs in House Amendment No.
11 1 to Senate Bill 459. The bill having received the required
12 constitutional majority is declared passed. We have some
13 honored guests with us that I believe Senator Mitchler would like to
14 introduce. Senator Mitchler.

15 SENATOR MITCHLER:

16 Mr. President, members of the Senate, on the President's
17 podium are the newly elected officers of the 1975 Premier
18 Boys State sponsored by the American Legion. These are
19 Junior High School Students that have assembled during
20 the past week the 14th and they'll be there through tomorrow
21 at the Eastern Illinois University in Charleston. This
22 is the second year that they have been at Eastern Illinois
23 University having previously held their Premier Boys State
24 at the fairgrounds here in Springfield. Premier Boys
25 State holds the title of Premier Boys State because Illinois
26 was the first State to conduct a training program for
27 Junior High School Students in government at all levels
28 and this is a very serious, and strenuous educational week
29 that these students go through. They are elected to various
30 offices all the way from Governor of the State down to
31 coroner in the various counties and city governments.
32 With us today we have the treasurer, that's recently
33 elected, Barry Bellott from Streator, Illinois, would you

1. please step forward? The Attorney General, Daniel Suzuki
2. of Evanston, Illinois. Comptroller, Gary Ferrari of
3. Oglesby, Illinois, that's Senator Sommer's district.
4. Secretary of State, Richard Brown of Madison, Illinois,
5. Senator Vadalabene. Lieutenant Governor, Javier Gonzalez,
6. of Champaign, Senator Weaver's territory. And we'd also
7. like to have a few words from the 1975 Governor of
8. Premier Boys State, Governor Bradley Hall of Streator, Illinois,
9. Senator Harris' district.

10. (speach given by Brad Hall)

11. Now, Mr. President, on the Secretary's Desk is the Senate
12. Resolution...if he would just read the opening portion
13. of it and then I would ask for suspension of the rules
14. immediate consideration and adoption of the Senate
15. Resolution congratulating the officers of 1975 Premier
16. Boys State.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Mitchler moves of the suspension of the rules.
19. All in favor say Aye. All opposed Nay. The Ayes have it.
20. The rules are suspended. Now on the consideration of the
21. resolution. Senate Resolution 112, Senator Mitchler moves
22. the adoption of the resolution. All in favor say Aye. All
23. opposed Nay. The resolution is adopted. Congratulations,
24. gentlemen. Senator Buzbee.

25. SENATOR BUZBEE:

26. Mr. President, I would like to say to the newly elected
27. officers of...Premier Boys State pardon me, that last night
28. I was in Jacksonville at MacMurray College, and installed
29. the members of the Legislature of the Illini Girls State.
30. Commander Mahoney who is running Premier Boys State was
31. there and Commander Mahoney got one very loud message from
32. the girls, at Girls State, they wanted to know why you folks
33. weren't there last night to be with them.

1 PRESIDING OFFICER: (SENATOR BRUCE).

2 Gentlemen also asked me to inform you that they..
3 are High School Students not Junior High Students, Senator
4 Mitchler. Senator Latherow.

5 SENATOR LATHEROW:

6 Thank you, Mr. President, I just wondered, there's something
7 about Charleston, that...that called...called something to
8 my attention and I just wanted to know what's over there
9 that these people would happen to have their meetings there?

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 I think Senator Merritt might be able to answer that
12 question for you. Senator Merritt. What is in Charleston?

13 SENATOR MERRITT:

14 It just shows the real true wisdom of Premier Boys
15 State, the officers involved in choosing the campus at
16 Eastern Illinois University.

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Now, Senator Latherow, you know. Senator Howard Mohr.

19 SENATOR MOHR:

20 Yes, Mr. President, as a...going way back, a former Boys
21 Stater, I would just want to caution these young men to not
22 to get really too serious about this, cause look what happens
23 to some of us. Way back. But I would in all seriousness
24 like to suggest to the Body that any way we can help get
25 Boys State back at the State Fairgrounds where it belongs,
26 where it's close to the State Capitol, and more importantly
27 I would think...here where many of us could go and visit
28 this week long activity sponsored by the American Legion.
29 I was telling my seatmate, Senator Philip that the campaign
30 speeches and the programs that they have over there are well worth
31 our time and our while to attend. So I would encourage the Governor
32 and those responsible for getting the State Fair shaped up and
33 providing this facility for Boys State once again that they do just

1. that. Our congratulations.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Donnewald.

4. SENATOR DONNEWALD:

5. Well, while we're on a little bull here in operations I'd
6. like to move that House Bill 3072 which is in Executive
7. Committee, be rereferred to Personnel and Pensions.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Donnewald moves that the...that House Bill
10. 3072 which presently resides...that the Committee on Executive
11. be discharged from further consideration, House Bill 3072.
12. All in favor say Aye. All opposed Nay. The Ayes have it.
13. The bill is discharged. Senator Donnewald now moves that
14. the bill be referred to the Committee on Pensions and
15. Personnel. All in favor say Aye. All opposed Nay. The
16. Ayes have it, the bill is so referred. Senate Bill 511,
17. Senator Rock.

18. SENATOR ROCK:

19. Thank you, Mr. Chairman, Senate Bill 511, is the
20. appropriation for the officers on both the Executive and
21. the General Assembly in the amount of twelve million
22. dollars. There are three amendments offered in the House.
23. Amendment No. 1 raises the line item for the salary of the
24. Director of the Department of Financial Institutions to
25. reflect the substantive bill which is currently upon our
26. Calendar, and it also raised the salary of the Director
27. of the Civil Defense Agency which again was pursuant to
28. another substantive bill. Amendment No. 2, again reflecting
29. a substantive measure raises the salary of the Assistant
30. Director of Financial Institutions and Amendment No. 3
31. deletes the word, "assistant", and substitutes therefore the
32. word, "deputy", in front of the assistant now deputy Auditor
33. General, merely a name change. I would move to concur in

1 House Amendments 1, 2 and 3, to Senate Bill 511.

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Is there debate? Senator Netsch.

4 SENATOR NETSCH:

5 A question of the sponsor. Senator Rock, would you
6 just quickly review for us the impact of concurring in the
7 amendments which provide for the increased salary of
8 various State Officials if, in fact, the substantive bills
9 are not approved by the Senate.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Senator Rock.

12 SENATOR ROCK:

13 Well the money would lapse. All this does is line
14 item that amount as reflected in the substantive bill,
15 but if in fact we do not change the statute and in fact raise
16 their salary, that amount of money would simply lapse.

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Senator Netsch.

19 SENATOR NETSCH:

20 And that is still true despite the Supreme Court
21 opinion several years ago dealing with the salaries of members
22 of the General Assembly.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Senator Rock.

25 SENATOR ROCK:

26 That is correct.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Senator Netsch.

29 SENATOR NETSCH:

30 Thank you, Mr. Chairman, Mr. President.

31 PRESIDING OFFICER: (SENATOR BRUCE)

32 Is there further debate? The question is shall the
33 Senate concur in House Amendments 1, 2 and 3 to Senate Bill

1. 511. Those in favor vote Aye. Those opposed vote Nay.
2. The voting is open. Would the Sergeant-at-arms please
3. come to the podium. Have all voted who wish? Take the
4. record. On that question the Ayes are 53, the Nays are
5. none, none Voting Present. The Senate concurs in Amendments
6. 1, 2, and 3 to Senate Bill 511 and the bill having received
7. the constitutional majority is declared passed. Senate
8. Bill 516, Senator Rock.

9. SENATOR ROCK:

10. Thank you, Mr. President, Ladies and Gentlemen of the
11. Senate, Senate Bill 516, was formerly sponsored by Senator
12. Saperstein. I picked it up when she went on to higher office.
13. It appropriates...the House Amendment merely added twelve
14. thousand dollars to the retirement line to bring that
15. amount of money in accordance with the contribution rate
16. for the university retirement system. That same amendment
17. also made a reduction of sixteen hundred dollars in personal
18. services and one thousand dollars in contractual services.
19. I would move Mr. President, members of the Senate, that the
20. Senate concur with House Amendment No. 1 to Senate Bill 516.

21. PRESIDING OFFICER: (SENATOR BRUCE).

22. Is there further debate? The question is shall the
23. Senate concur in House Amendment No. 1 to Senate Bill 516.
24. Those in favor vote Aye. Those opposed vote Nay. The
25. voting is open. Have all voted who wish? Take the record.
26. On that question the Ayes are 52, the Nays are none, none
27. Voting Present. The Senate concurs in House Amendment No.
28. 1 to Senate Bill 516 and the bill having received the required
29. constitutional majority is declared passed. Senate Bill
30. 522, Senator Carroll.

31. SENATOR CARROLL:

32. Thank you, Mr. President, I move that the Senate do concur
33. with the House Amendment to Senate Bill 522. 522 deals with

1 the credit unions again and allows the credit unions...
2 no I am concurring. They've worked out their differences.
3 It will allow them to also sell American Express Money
4 Orders...travelers checks and money orders and I would
5 move that the Senate do concur with the House Amendment.
6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Is there further debate? Senator Merritt.

8 SENATOR MERRITT:

9 Well, Mr. President, members of the Senate, I'm not
10 necessarily going to oppose this but rather on the other
11 hand, try to just briefly explain to the colleagues just
12 what you are doing in voting for this. To me the amendment
13 represents an entirely new concept and credit, and activities
14 of a credit union. As Senator Carroll said, part of it
15 enables them now to issue money orders, travelers checks
16 and here's one, Senator Carroll, you might want to allude
17 to and other instruments to members. Other instruments
18 disturbs me a little bit. That's just about as broad
19 in the banking field as you could get.

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Senator Carroll.

22 SENATOR CARROLL:

23 Thank you, Mr. President, Senator Merritt, I think you
24 know what my philosophy has been on this. I don't like
25 one industry trying to raid the other, and when this
26 amendment came over my objections were originally about
27 the same as what you're focusing now. I looked at it as if
28 the money orders, travelers checks and other instruments
29 which would be like an S&L now have. We're going into
30 one of the other fields of, "financial", institutions.
31 ...They would either be a bank or savings and loan in
32 what they were doing or currency exchange. I did check
33 with both the IBA, the AMB, the Savings and Loan League and the

1 Currency Exchange Associations, and all four of those
2 groups through their registered lobbyists have indicated
3 to me that they had no objection to the credit union
4 going into this business. I felt that if they had no
5 objection I had no objection, although I see them going
6 into other types of financial service with this.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Senator Merritt.

9 SENATOR MERRITT:

10 I would agree with you and that is true what you
11 said, Senator Carroll. Those groups do not object to it
12 but to me it's a...certainly establishes a far and broad
13 concept in what you and I have thought of in the past
14 in that field. In addition to that, I think it is also
15 well that the membership know...that they can now under
16 the terms of this amendment act as a trustee or custodian
17 under individual retirement accounts under what we have
18 known as the Kiel Plan. I'm not...I can understand why
19 the objections are eliminated by the bankers I think,
20 Senator Carroll, because in most of those instances those
21 are deposited with the banks. So I just wanted to make those
22 observations. I'm not going to oppose it.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Is there further debate? The question is shall the
25 Senate concur with House Amendment No. 2 to Senate Bill
26 522. Those in favor vote Aye. Those opposed vote Nay.
27 The voting is open. Have all voted who wish? Take the
28 record. On that question the Ayes are 41, the Nays are
29 8, 3 Voting Present. The Senate concurs in House Amendment
30 No. 2 to Senate Bill 522. The bill having received the
31 constitutional majority is declared passed. Senate Bill
32 525, Senator Rock.

33 SENATOR ROCK:

1 -- Thank you, Mr. President...Ladies and Gentlemen of
2 the Senate, Senate Bill 525 is that Act which restructures
3 the Physical Abuse Child Abuse Reporting Act. The House
4 added Amendment No. 2 which merely adds an immediate effective
5 date. The reason for it is the earlier this is effective the
6 more available and readily available is federal funds for this
7 purpose and I know of no objections. I move that the Senate
8 concur with House Amendment No. 2 to Senate Bill 525.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Is there debate? The question is shall the Senate
11 concur with House Amendment No. 2 to Senate Bill 525.
12 Those in favor vote Aye. Those opposed vote Nay. The
13 voting is open. Have all voted who wish? Take the record.
14 On that question the Ayes are 51, the Nays are none, none
15 Voting Present. Senate concurs in House Amendment No. 2
16 to Senate Bill 525 and the bill having received the
17 constitutional majority is declared passed. Senate Bill
18 566, Senator Palmer.

19 SENATOR PALMER:

20 Mr. President, and members of the Senate, I move to concur
21 with the House Amendment which just provides for the
22 insertion of deleted language. It appears that the copies
23 that went over to the House had language deleted. What his
24 amendment does...does not change the legislation. It merely
25 puts the bill in proper form for Enrolling and Engrossing.
26 I move to concur.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Is there debate? The question is shall the Senate
29 concur in House Amendment No. 1 to Senate Bill 566? Those
30 in favor vote Aye. Those opposed vote Nay. The voting is
31 open. Have all voted who wish? Take the record. On that
32 question the Ayes are 57, the Nays are none, none Voting
33 Present. Senate concurs in House Amendment No. 1 to Senate

1 Bill 566, and the bill having received the constitutional
2 majority is declared passed. Senate Bill 605, Senator Egan.

3 SENATOR EGAN:

4 Thank you, Mr. President, members of the Senate, House
5 Amendment No. 1 to Senate Bill 605, adds further that the
6 public aid payments are not considered contracts within
7 the meaning of the Act. The House fully concurred in the
8 amendment. It had their full support, it has mine and I
9 ask for yours.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Is there further debate? The question is shall the
12 Senate concur with House Amendment No. 1 to Senate Bill
13 605. Those in favor vote Aye. Those opposed vote Nay.
14 The voting is open. Have all voted who wish? Take the
15 record. On that question the Ayes are 52, the Nays are
16 none, none Voting Present. The Senate concurs in House
17 Amendment No. 1 to Senate Bill 605, and the bill having
18 received the constitutional majority is declared passed.
19 Senate Bill 612, Senator Rock.

20 SENATOR ROCK:

21 Thank you, Mr. President and Ladies and Gentlemen of
22 the Senate, Senate Bill 612 is an amendment to the Pension
23 Code with respect to the Judicial Retirement Article.
24 Amendment No. 1 added by the House Committee also added
25 into those a class of persons similar to referees, masters
26 and chancery a group called the Commissioner Trial
27 Assistance to the Chief Judge for the Municipal Court
28 in Chicago. Amendment No. 2 which was added by the House
29 would establish the salary base for the computation
30 of annuity for the judges from the four year average
31 to the salary on the last day of employment. This is
32 language similar if not identical to that used for
33 members of the General Assembly. I think it's justified

1 to the extent that both are elective positions as to
2 opposed to appointive positions. I would move, Mr...
3 President and Ladies and Gentlemen of the Senate, that
4 the Senate concur with House Amendments 1 and 2 to Senate
5 Bill 612.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Is there debate? Senator Berning.

8 SENATOR BERNING:

9 Thank you, Mr. President, I would just like to emphasize
10 what it is we are considering here with these two amendments.
11 Senator Rock has delineated what Amendment No. 1 and 2 do,
12 but let me point out to you that while this Amendment No.
13 1 permits these credits in the Judicial System for prior
14 services as a commissioner or trial assistant, it's just
15 an additional classification. It gets to the point where we
16 may just as well say any kind of legal service. I can
17 very readily see where legal secretaries are the next one.
18 There is apparently no effort made to confine this to...really
19 to the Judicial System. Amendment No. 2 yes, does for the
20 Judicial System what the Legislature in it's judgement has
21 done for the Legislature. Now there is, of course, a vast
22 difference between the two occupations or avocations, which-
23 ever designation you want to use. The Legislature is under
24 a different set of circumstances than than the Judiciary. And
25 even admitting there may be some similarity, what is unfortu-
26 nate about Amendment No. 2 is that we are again setting a pre-
27 cedent at least outside of the legislative system...excuse me...
28 and as sure as you and I are sitting here, next year there will
29 be the demand for other systems to grant the same kind of
30 advantage wherein the final year salary is the prevailing
31 figure and not the average of the four highest years. And
32 in many instances this can make a sizable difference in what
33 the Pension benefit is going to be.

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Is there further debate? Senator Rock may close.

3 SENATOR ROCK:

4 Thank you, Mr. President, I just wish to disabuse Senator
5 Berning and those who might have been convinced by his
6 argument. I think...there will not be a demand for this
7 kind of change. This was, in fact, the former law back in
8 1965, this was the law, it was changed in either '65 or '67.
9 It was a mistake at that time and we're trying to rectify
10 it. The average salary base for the computation of annuities
11 for all other retirement systems was designed principally to
12 avoid manipulation of salaries or unwarranted promotions
13 within a short period prior to an employee's retirement, that's
14 the point. And I don't think that this kind of amendment
15 can be justified with respect to any other system. The same
16 factors and conditions that exist in the case of appointive
17 employees as I pointed out before, simply do not exist in our
18 case and in that of the judges in that we are elected. So that
19 there is no, there cannot be any manipulation or promotion
20 for this purpose. I again renew my motion, Mr. President,
21 that the Senate do concur with House Amendments 1 and 2
22 to Senate Bill 612.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Senator Berning.

25 SENATOR BERNING:

26 Just...just the additional comment that each one of
27 these changes that we have been making has been the result
28 of some prior change. And that's emphasized by Amendment
29 No. 1, where we are brought...

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Well, Senator Berning, I extended you the privilege of
32 speaking after Senator Rock had closed. I thought you had a
33 point of order. You are talking to the amendment.

1. SENATOR BERNING:

2. ...well mine was a point of order for clarification.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. There would be no such point, Senator Berning. Senator
5. Rock has closed. Question is shall the Senate concur in
6. House Amendment 1 and 2 to Senate Bill 612. Those in favor
7. vote Aye. Those opposed vote Nay. The voting is open.
8. Have all voted who wish? Take the record. On that question
9. the Ayes are 41, the Nays are 11, 1 Voting Present. Senate
10. concurs in Amendments 1 and 2 to Senate Bill 612 and the
11. bill having received the constitutional majority is declared
12. passed. Senate Bill 617, Senator Savickas. Senator Savickas,
13. do you wish to call Senate Bill 617? Senator Savickas, Senate
14. Bill 617, children under sixteen.

15. SENATOR DEMUZIO:

16. Move for concurrence of the amendment, Mr. President.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Savickas is recognized.

19. SENATOR SAVICKAS:

20. Yes, I would move for concurrence of House Amendment
21. No. 1.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Savickas moves that we concur. Is there further
24. debate? The question is shall the Senate concur in House
25. Amendment No. 1 to Senate Bill 617. Those in favor vote
26. Aye. Those opposed Nay. The voting is open. Have all
27. voted who wish? Take the record. On that question the Ayes
28. are 51, the Nays are none, none Voting Present. The Senate
29. concurs with the House Amendment No. 1 to Senate Bill 617
30. and the bill having received the constitutional majority
31. is declared passed. Senate Bill 638, Senator Donnewald.

32. SENATOR DONNEWALD:

33. Yes a Mr. President, as to House Bill 638 I would, I

1. would ask to concur...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Excuse me, Senator Donnewald, we're Senator Savickas
4. Senator Palmer, if we could have some order please? Senator
5. Schaffer, the staff could clear off to the right. Senator
6. Partee, so Senator Donnewald can hear. Would you break
7. up the caucus in the back. Senator Donnewald.

8. SENATOR DONNEWALD:

9. I move to concur in Amendment No. 1 and I wish to
10. nonconcur in Amendment 2 and ask for a conference committee.
11. I guess we have to vote on Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Donnewald, we have only one amendment which is
14. Amendment No. 2 I'm told.

15. SENATOR DONNEWALD:

16. Alright, I refuse to concur and I want a conference
17. committee.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The House added Amendment No. 2, House Amendment No.
20. 2 and you wish to...

21. SENATOR DONNEWALD:

22. Well, I want to...I want to refuse to concur and I
23. would ask for a conference committee.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Donnewald moves that we nonconcur in House
26. Amendment No. 2. All in favor say Aye. All opposed Nay.
27. The Ayes have it. Senate nonconcur and the House will
28. be so informed. Senate...Senate Bill 639, Senator Donnewald.

29. SENATOR DONNEWALD:

30. 639 it's the...it reduces the penalties and I would
31. move to concur with House Amendment No. 1 to Senate Bill
32. 639.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further debate? The question is shall the
2. Senate concur in House Amendment No. 1 to Senate Bill 639.
3. Those in favor vote Aye. Those opposed vote Nay. The
4. voting is open. Have all voted who wish? Take the
5. record. On that question the Ayes are 55, the Nays are
6. none, none Voting Present. The Senate concurs with House
7. Amendment No. 1 to Senate Bill 639, the bill having received
8. the constitutional majority is declared passed. Senate
9. Bill 640, Senator Donnewald.

10. SENATOR DONNEWALD:

11. As...as to Senate Bill 640 and as to House Amendment
12. No. 2, I would refuse to concur with House Amendment No. 2
13. and ask for a conference committee.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Donnewald moves that the Senate nonconcur
16. to House Bill...to House Amendment No. 2 to Senate Bill
17. 640. All in favor say Aye. Opposed Nay. The Ayes have
18. it. The Senate nonconcur and the House will be so informed.
19. Senate Bill 642, Senator Netsch.

20. SENATOR NETSCH:

21. Mr. President, the amendment was alright in substance but
22. not in form. They left out some critical areas of the
23. statute in drawing it up so I would move to nonconcur.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Netsch moves to nonconcur in House Amendment
26. No. 1 to Senate Bill 642. All in favor say Aye. All opposed
27. Nay. The Ayes have it. Senate nonconcur and the House
28. will be so informed. Senate Bill 645, Senator Course.

29. SENATOR COURSE:

30. Yes.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. For what purpose does Senator Netsch rise?

33. SENATOR COURSE:

1. Mr. President, I refuse to...

2. SENATOR NETSCH:

3. I didn't follow that, Mr. President, you're mumbling...

4. I couldn't hear a word you said.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. I'm sorry, Senator Netsch, I said that you moved to
7. nonconcur with House Amendment No. 1 to Senate Bill 642.
8. All in favor say Aye. All opposed say Nay. The Ayes had
9. it. We nonconcured and the House would be so informed of
10. our actions. Senator Course.

11. SENATOR COURSE:

12. ...Has Senator Netsch finished?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Course is recognized.

15. SENATOR COURSE:

16. Mr. President, I refuse to concur in Senate...Amendment
17. No. 1 to House Bill Amendment No. 1 to Senate Bill 645 and
18. request that a conference committee be...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Course moves to nonconcur in House Amendment No.
21. 1 to Senate Bill 645. All in favor say Aye. All opposed
22. Nay. The Ayes have it. The Senate nonconcurs and the
23. House will be so informed. Senate Bill 682, Senator
24. Egan. Game Code, Senator Egan, the Northern and Southern Game Code.

25. SENATOR EGAN:

26. Yes, Mr. President, members of the Senate, there were
27. three amendments which were placed on in the House which
28. restored three Sections that we took out. It did however
29. refine them a little bit. The first amendment replaces
30. skunks back into the Game Code so that they are not
31. protected as they were with the absence of the amendment.
32. The amendment, it puts back into the prohibition against
33. breeding skunks which we removed. It was felt that there

1 were some pet skunks that...were, were kindly looked upon
2 by the citizenry but because of the problems they have
3 created when they steal away from the private homes that
4 it's felt that they ought to be taken out of the protection
5 category. So this amendment puts them back into the prohibition
6 of breeding. And Amendment No. 2. Do we take them one
7 at a time?

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 We can take them all at one time...

10 SENATOR EGAN:

11 Alright...

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 ...If...do you plan to concur in all the amendments?

14 SENATOR EGAN:

15 I will ask for concurrence in all three. The second
16 one, while the taking of certain night animals with the aid
17 of a light is allowed the hunter may not be in a motorized
18 watercraft. The law...

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 Excuse me, Senator Egan, excuse me one moment. Could
21 we have some order please? We have three amendments on this
22 bill, could we have some order. Senator Nimrod, Senator Hall,
23 Senator Graham, cannot hear. Would you please clear the
24 aisle so that we can hear the explanation and in five minutes
25 we will be asking. Senator Palmer, now, Senator Egan, perhaps
26 you can be heard.

27 SENATOR EGAN:

28 {...Alright, what this amendment does is it prevents
29 the use of taking night animals from a watercraft. The law
30 currently prohibits the use of motorized vehicles and this
31 adds also watercraft. That is the consensus of all involved
32 as good. Amendment No. 3 places back into the Act a language
33 which we deleted providing for the specific intensity of the

1 orange colored hunting jackets that are worn by the...worn
2 by deer hunters, and I would refer your attention to the...
3 our President's sport coat of yesterday but that's about the
4 same color and intensity that is requires now by hunters
5 during the deer season, and I would ask for concurrence in
6 all three amendments.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Senator Egan moves that the Senate concur in House
9 Amendments No. 1, 2, and 3 to Senate Bill 682. Is there
10 discussion? Senator Harris.

11 SENATOR HARRIS:

12 Well I don't have any problem with one and two. I'm
13 not particularly excited about one, but I just tell you this -
14 number three, I think is ridiculous. It's my understanding that
15 somewhat similar provision was stricken from this bill in the
16 Senate before and I just...I don't know how far we can go
17 in regulating the lives of people. Big brother more and
18 more has come to mean that bureaucracy on the Potomac,
19 but I'll tell you this Session of the Legislature has really
20 been a great effort in replacing that designation with our
21 friends in Washington to meet that qualification to limit
22 it here to Springfield. Now what this does is require
23 anybody who wants to hunt deer to wear this kind of very
24 precise, very definitively defined clothing. Now an
25 individual who at the last moment makes a determination
26 to join if, of course, he's got a valid permit won't be able
27 to do so. It just...

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Senator Harris, if you'll wait one moment we may be able
30 to resolve this. Senator Egan.

31 SENATOR EGAN:

32 Senator Harris, I agree with you entirely with this
33 amendment, I'm sorry. I was going to ask for nonconcurrence.

1. We were going to try to make it acceptable. Senator
2. Latherow and I have discussed it at length. We feel that
3. it's necessary to require that this type of garment be worn,
4. but the way the language is in the amendment now it's un-
5. acceptable. So I would ask that we not concur in No. 3 and
6. in the conference committee I think we can work it out, if
7. not...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Egan now moves...withdraws his motion that we
10. concur in Amendment No. 3 and the motion...is amended to
11. read only that we concur in House Amendments No. 1 and 2.
12. Is there discussion? Senator Hynes.

13. SENATOR HYNES:

14. I have three questions, Mr. President. First of all
15. and I'm sure the sponsor will be able to answer the first
16. question without any problem considering his personality
17. and his ethnic background. I'd like to know why the
18. wild turkey hunting section was deleted from this bill.

19. SENATOR EGAN:

20. Well it was felt that there aren't enough wild turkeys
21. to go around for just our own citizens and we didn't want
22. the out-of-state citizens coming in and taking from our
23. State our wild turkeys, so what it does it excludes that
24. possibility.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Hynes. Senator Hynes.

27. SENATOR HYNES:

28. Does the ancient order of Hibernians support this
29. change?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Egan.

32. SENATOR EGAN:

33. I haven't been in communication with them due to the

1. fact that I've been on the Floor so much, but I assure you
2. that they would had they been polled properly.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Hynes.

5. SENATOR HYNES:

6. Really I'd like to know why it...it is that we're going
7. to prevent people from engaging in the breeding and raising
8. of skunks after July 1st, 1975?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Egan.

11. SENATOR EGAN:

12. I'm sorry I...we don't have any skunks in my neighbor-
13. hood, Senator, so, I'm...I just really, I'm not...but I
14. know that there are some areas in the State where you will
15. find skunks and we don't want to encourage the breeding of
16. skunks in those areas.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Hynes.

19. SENATOR HYNES:

20. Well Senator Vadalabene just informs me that he's
21. able to identify the skunks from the roll call on his last
22. bill which he wasn't successful on. That's all I have, Mr. President.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Sommer.

25. SENATOR SOMMER:

26. Would the sponsor yield to a question please?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Indicates he'll yield.

29. SENATOR SOMMER:

30. Senator, could you tell me what House Amendment No. 2
31. does, I didn't follow it when you went through it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Egan.

1. SENATOR EGAN:

2. Yes. The law currently says that you cannot take
3. certain night animals from a motorized vehicle. This adds
4. to that - motorized watercraft.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Sommer.

7. SENATOR SOMMER:

8. Senator Egan do you know what frog gigging is?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Egan.

11. SENATOR EGAN:

12. I didn't hear the...can you spell it please?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Sommer.

15. SENATOR SOMMER:

16. I'm not sure, frog gigging, Senator Donnewald knows
17. what it is, he's sitting back there.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Sommer.

20. SENATOR SOMMER:

21. Would this prevent frog gigging?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Egan.

24. SENATOR EGAN:

25. This would prevent frog gigging from a motorized water
26. craft. Now if you want to row, I guess you can do it.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Sommer.

29. SENATOR SOMMER:

30. Secondly would this prevent night time deer hunting
31. in Springfield?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Egan.

1. SENATOR EGAN:
2. Unless you're rowing in a rowboat, I think it would.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Morris I think was on the call. Alright. Senator
5. Bloom.
6. SENATOR BLOOM:
7. Thank you, Mr. President, would the sponsor yield?
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Indicates he will yield.
10. SENATOR BLOOM:
11. What does that Amendment No. 1 do? Does that permit
12. jacklighting?
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Egan.
15. SENATOR EGAN:
16. No, Amendment No. 1 would prevent skunk breeding.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Bloom.
19. SENATOR BLOOM:
20. Does this allow jacklighting as amendment...either amendments?
21. Do you know what jacklighting is?
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Egan.
24. SENATOR EGAN:
25. It prohibits it.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Is there further debate? The question is shall the
28. Senate concur in House Amendments 1 and 2 to Senate Bill
29. 682. Those in favor vote Aye. Those opposed vote Nay.
30. The voting is open. Have all voted who wish? Take the record.
31. On that question the Ayes are 55, the Nays are none, none
32. Voting Present. The Senate concurs in House Amendments 1 and
33. 2 to Senate Bill 682. Senator Egan now moves to nonconcur in

1 House Amendment No. 3 to Senate Bill 682. All in favor
2 say Aye. All opposed Nay. The Ayes have it. The Senate
3 nonconcur and the House will be informed of our action.
4 Senate Bill 707, Senator Schaffer.

5 SENATOR SCHAFFER:

6 Senator Harris just said this is a dandy. It truly
7 is. It is with some fear and trepidation that I let you
8 know what House Amendment No. 1 to Senate Bill 707 is.
9 Senate Bill 707 is a simple bill. It requires that the
10 Illinois Scholarship Commission be confirmed by the State
11 Senate. Of course, my intention and the intention of the
12 people who co-sponsored the bill with me which there were
13 several, that this commission which was appointed for
14 a six year term and answers seemingly only to God, should
15 from time to time over a time of once every six years
16 appear before the State Senate so that we might question
17 them on the operation of this nearly one hundred million
18 dollar year operation. The House has suffered similar frus-
19 trations. The amendment simply does one thing, it requires the
20 members of this commission to be confirmed by the Senate and the
21 House. I would remind you that I think all of us has suffered
22 some frustration with the Illinois Scholarship Commission.
23 I, personally have, suffered quite a bit. It appears that the
24 members of the House have suffered equally and that suffering
25 has brought about this amendment. I'm reluctant to advise
26 the Senate on what to do on this bill on whether we should
27 concur or nonconcur. It is a precedent, although there are...
28 the Auditor General, for instance, is appointed by the confir-
29 mation of both Houses. I'd be quite interested in the guidance
30 from the members of the Body and I see Senator Netsch is in
31 a handstand over there and I'm sure she has a couple of
32 pertinent words on this subject. I think for the sake
33 of having a motion to vote on, I'll move to concur but

1 I may not be the first vote on the board.

2 PRESIDING OFFICER: (SENATOR BRUCE)

- 3 Is there further discussion? Senator Netsch.

4 SENATOR NETSCH:

5 Senator Schaffer, I would advise you to advise the
6 House that if they simply grant Senate approval of members
7 of the State Scholarship Commission they will be able to
8 solve all their frustrations and hostilities. The Senate
9 does an admirable job in that respect. In my judgement, there
10 is no question that House confirmation is unconstitutional.
11 It cannot be done. All they are doing is jeopardizing the
12 entire bill and there is no question that you ought not to
13 accept that amendment.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Senator Clarke.

16 SENATOR CLARKE:

17 Mr. President, I've had the good fortune this year of not
18 being on the Executive Appointments Committee. I was on it
19 for the last two years and I think we confirmed too many people
20 already. This was a bad bill to start with and I urge that
21 we join in confirming...adopting this amendment.

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 Is there further debate? Senator Schaffer.

24 SENATOR SCHAFFER:

25 Well based on the guidance I'm getting from the member-
26 ship here, I will say that I think what they really would
27 like, if I gauge the membership correctly, perhaps a compromise
28 measure would be that the members of this commission be ad-
29 vised and consented to only by the Senate, but that we install
30 several punching bags on the wall in the back of the House,
31 because I believe that was the intent of the amendment. I
32 think based on the guidance I'm getting here that I will
33 withdraw my original motion and move that we do not concur

1. with this amendment because...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Schaffer moves we nonconcur...

4. SENATOR SCHAFFER:

5. ...it does have some constitutional ramifications.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Schaffer moves we nonconcur in House Amendment
8. No. 1 to Senate Bill 707. All in favor say Aye. All opposed
9. Nay. The Ayes have it. We nonconcur and the House
10. will be so informed of our action. Senate Bill 713, Senator
11. Joyce.

12. SENATOR JOYCE:

13. Mr. President, this amendment is the longer but fewer
14. catfish amendment. This bill it was...in the original form
15. now, it...this amendment increases the size from nine to
16. fifteen inches of the size catfish you can keep. Senator
17. Latherow offered an amendment to shorten the size of them
18. and they put it back on in the House and I talked to Senator
19. Latherow and he's agreeable with it and so I would move
20. to concur.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Latherow.

23. SENATOR LATHEROW:

24. Well, Mr. President, I told Senator Joyce I guess you
25. would call this the bigger and less catfish amendment. So
26. let it go at that.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further debate? The question is shall the
29. Senate concur in House Amendment No. 1 to Senate Bill 713.
30. Those in favor vote Aye. Those opposed vote Nay. The
31. voting is open. For what purpose does Senator Buzbee rise?

32. SENATOR BUZBEE:

33. On a point of personal privilege, Mr. President. I

1. never caught a catfish fifteen inches long in my life, and
2. I'm voting no on this because I would be excluded from ever
3. being able to take any fish home.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is...have all voted who wish? Take the
6. record. On that question the Ayes are 47, the Nays are 8,
7. none Voting Present. The House, the Senate concurs in
8. House Amendment No. 1 to Senate Bill 713.. Senate Bill
9. 728. For what purpose does Senator Glass rise?

10. SENATOR GLASS:

11. On a matter of personal privilege, Mr. President. I just
12. wanted to note that my Aye vote was on behalf of the catfish.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senate Bill 728, Senator Shapiro.

15. SENATOR SHAPIRO:

16. Mr. President, Ladies and Gentlemen of the Senate, Senate
17. Bill 728 addresses itself to those events that create a vacancy on
18. the State Board of Education. And in that bill as originally
19. introduced it listed those events as they apply to regular
20. boards of education. And one of those events was when a member
21. becomes insane, he can be removed. The House changed that
22. and the language now states, that when a member is adjudicated
23. and incompetent under the Probate Act or person in need of
24. mental treatment under the Mental Health Code, of 1967. So
25. I now move that the Senate concur in House Amendment No. 1
26. to Senate Bill 728.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? The question is shall
29. the Senate concur in House Amendment No. 1 to Senate Bill
30. 728. Those in favor vote Aye. Those opposed vote Nay.
31. The voting is open. Have all voted who wish? Take the
32. record. On that question the Ayes are 53, the Nays are 1,
33. none Voting Present. The Senate concurs in House Amendment No. 1

1 to Senate Bill 728; and the bill having received the
2 constitutional majority is declared passed. Senate Bill
3 742, Senator Egan.

4 SENATOR EGAN:

5 Thank you, Mr. President, members of the Senate, I'm going
6 to move to concur in House Amendment No. 1 to Senate Bill 742.
7 What it does it conforms to the provisions of the bill which
8 originally intended to benefit only the Chicago Board of Education
9 and it conforms those provisions for all of the downstate school
10 districts. It's a togetherness bill. I would move for
11 its concurrence.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Is there further debate? Senator Harris.

14 SENATOR HARRIS:

15 Well, but I think the membership ought to be aware that the
16 provisions of the bill are that it increases the figure for
17 contracts which no longer require competitive bidding from
18 twenty-five hundred dollars to five thousand. Now I just...
19 I personally don't have any problem with that but I think
20 the membership ought to know that that change now would also
21 apply downstate.

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 Is there further debate? The question is shall the
24 Senate concur in House Amendment No. 1 to Senate Bill 742.
25 Those in favor vote Aye. Those opposed vote Nay. The voting
26 is open. Have all voted who wish? Take the record. On that
27 question the Ayes are 36, the Nays are 15, 2 Voting Present.
28 The Senate concurs in House Amendment No. 1 to Senate Bill
29 742, and the bill having received the constitutional majority
30 is declared passed. Senate Bill 444, Senator Buzbee.

31 SENATOR BUZBEE:

32 Mr. President, after consultation with the Attorney
33 General, with Senator Nimrod and with Leadership, we decided

1 there's a time to fight and there's a time not to fight and
2 this is one of those times not to fight. I move to nonconcur
3 and call for a conference committee.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Senator Buzbee moves to nonconcur on House Amendment
6 No. 1 to Senate Bill 444. All in favor say Aye. All
7 opposed Nay. The Ayes have it. The Senate nonconcur
8 and the House will be so informed. For what purpose
9 does Senator Partee rise? Senate Bill 800, Senator Graham.

10 SENATOR GRAHAM:

11 Mr. President, members of the Senate, this is a nothing
12 bill that has given me more trouble than any big bill I've
13 ever had. It started out as a bill merely to provide an
14 amendment to the Area of Council Governments Act, so that
15 a member of Area of Council of Governments could appoint
16 an alternate, but the alternate must be an elected official.
17 Well, it went beyond that with the original bill. We had two
18 amendments off and on. One we forgot to Table, it got out of
19 here and went to the House. We had a duplication of amendments
20 in an error in Enrolling and Engrossing and their amendment
21 straightens that out. So the bill now allows that a member
22 of a Area of Council Government Organization could appoint
23 an alternate to represent him at the meeting but this alternate
24 would be an elected official and I'll tell you I never want
25 a nothing bill like this again. I move we do concur.

26 PRESIDING OFFICER: (SENATOR BRUCE)

27 Is there further debate? The question is shall the
28 House...shall the Senate concur in House Amendment No. 1
29 to Senate Bill 800. Those in favor vote Aye. Those opposed
30 vote Nay. The voting is open. Have all voted who wish?
31 Take the record. On that question the Ayes are 56, the
32 Nays are none, none Voting Present. The Senate concurs
33 in House Amendment No. 1 to Senate Bill 800. The bill

1 having received the constitutional majority is declared passed.
2 Senate Bill 836, Senator McCarthy.

3 SENATOR MCCARTHY:

4 Yes, Mr. President, members of the Body, Amendment No. 1
5 in the House corrects a technical error by adding the word,
6 or phrase - City of Danville as the case may be. I would move
7 that the amendment be adopted. If it isn't adopted it puts
8 the strange position of the City Council of the City of Decatur
9 naming the members in Danville. So Senator Merritt and I are
10 in agreement on this we would urge a favorable vote. On a
11 motion to concur.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Senator McCarthy moves that we concur with House Amendment
14 No. 1, is there debate? Senator Harris.

15 SENATOR HARRIS:

16 Does this bill...the, sponsor, will he yield to a question?

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 He indicates that he will yield.

19 SENATOR HARRIS:

20 Does this bill have merit?

21 PRESIDING OFFICER: (SENATOR BRUCE)

22 Senator McCarthy.

23 SENATOR MCCARTHY:

24 Yes, Senator Harris, I'm glad that you asked that question
25 because there was an amendment that put merit into the sponsor-
26 ship and that...that does make it sterling.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 /Is there further debate? The question is shall the
29 Senate concur in House Amendment No. 1 to Senate Bill 836.
30 Those in favor vote Aye. Those opposed vote Nay. The voting
31 is open. Have all voted who wish? Take the record. On that
32 question the Ayes are 49, the Nays are 3, 2 Voting Present.
33 The Senate concurs with House Amendment No. 1 to Senate Bill

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1 836, and the bill having received the constitutional majority.
2 is declared passed. For what purpose does Senator Graham
3 rise?

4 SENATOR GRAHAM:

5 My colleagues are giving me a little bit of trouble
6 because my nothing bill that we passed on some time ago...I didn't
7 make the roll call. I think the records should show that I
8 voted for my own bill.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Senator Graham, I kept the roll open for some time hoping
11 that you would recognize.

12 SENATOR GRAHAM:

13 Well I was debating.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Oh. Senate Bill 837, Senator Lane. Is Senator Lane on
16 the Floor? Senate Bill 841, Senator Bell. Senator Bell.

17 SENATOR BELL:

18 Yes, thank you, Mr. President, Senate Bill 841 is the
19 bill that we passed out of here dealing with some rewriting
20 of the Department of Insurance Code, effected cancellations
21 time of cancellations, reasons for cancellations and what
22 has happened over in the House is the bill has in large part
23 been rewritten with the same language that came out of the
24 Senate. In other words, there were some technical corrections
25 that had to be made. They were provided. They also made a
26 change and I'm trying to find it here, here it is, in reference
27 to the time for cancellations concerning commercial policies
28 and prop that time from thirty days down to fifteen days.
29 The Department supports this change. I would recommend con-
30 currence with the House Amendment to Senate Bill 841. It's
31 essentially the same bill.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Is there debate? The question is shall the Senate

1 concur with House Amendment No. 1 to Senaté Bill 841.
2 Those in favor vote Aye. Those opposed vote Nay. The
3 voting is open. Have all voted who wish? Take the record.
4 On that question the Ayes are 47, the Nays are 1, 1 Voting
5 Present. Senate concurs with House Amendment No. 1 to
6 Senate Bill 841, and the bill having received the constitutional
7 majority is declared passed. House Bill 881, Senator Fawell.

8 SENATOR FAWELL:

9 Yes, there are three amendments, Mr. President. The
10 first amendment which I make a motion to concur in, basically
11 insofar as the per diem is concerned, puts a limitation of
12 thirty-six dollars per day and I would move the...the con-
13 currence of the Senate, in Amendment No. 1.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Do you plan to nonconcur on 2 and 3, Senator Fawell?

16 SENATOR FAWELL:

17 No, no actually there would be concurrence on all three..

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Can we explain all three at the same time?

20 SENATOR FAWELL:

21 Yes, alright, the Amendment No. 2 is strictly a technical
22 amendment and has no substantive change. The third amendment
23 adds an additional power to forest preserve districts to recycle
24 secondary treated sewerage affluence and waste water through
25 the production and sale of agriculture, silvicultural and
26 aquicultural products. I move the concurrence on all three
27 of the amendments.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Senator Fawell moves the concurrence in Amendments No.
30 1, 2, and 3 is there debate? Senator Harris.

31 SENATOR HARRIS:

32 Will the sponsor yield?

33 PRESIDING OFFICER: (SENATOR BRUCE)

1 He indicates that he will yield.

2 SENATOR HARRIS:

3 Well it certainly seems to me like this is a major
4 added power that's far afield from what forest preserve,
5 or districts or forest preserves had been authorized to
6 exist for. Sanitary districts I can understand being
7 empowered to treat on a secondary basis sewage affluence
8 and you talk about the sale, the production and sale of
9 agricultural, silvicultural, or aquicultural products.
10 What's that got to do with the forest preserve districts?

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 Senator Fawell.

13 SENATOR FAWELL:

14 Well one has to have a little bit of knowledge of DuPage
15 County, Forest Preserve District which has constructed what is
16 known as Mr. Trashmore in DuPage County, which is literally a
17 mountain that was built on trash, Senator, and they have the
18 theory here that by recycling secondary treated sewerage
19 affluence not, not performing that type of treatment but being
20 able to recieve that type of waste product, they can actually
21 utilize the same and this is all that they're asking for, that
22 type of power. That can have some products left over and just as
23 they did when they constructed Mr. Trashmore, they actually paid
24 for that construction by utilizing the trash and garbage really
25 that was received for that purpose.

26 PRESIDING OFFICER: (SENATOR BRUCE)

27 Senator Harris.

28 SENATOR FAWELL:

29 It's part of an environmental project I'm not...the
30 specific project here, I don't have the in-depth knowledge
31 which I do have in regard to the mountain that I just referred
32 to. If...I could hold this back and let you speak to
33 the people at the DuPage County Forest Preserve district, for

1 instance, I'm sure you would be impressed by what they're
2 attempting to do here.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Senator Harris.

5 SENATOR HARRIS:

6 Why don't you provide for it, for this power to apply
7 to counties of over five hundred thousand but less than a
8 million and not empower all of the forest preserve districts
9 of Illinois. It just seems to me that there is an expression
10 here of going beyond what I think forest preserve districts
11 exist for. I...you know, I just don't know where we stop.
12 We do have these special districts, the likes of which no
13 other state has, but I really don't see a connection between
14 what I perceived forest preserve districts to exist for and
15 these purposes.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Senator Fawell.

18 SENATOR FAWELL:

19 Well, I'll be glad to do, I think if we could have all
20 forest preserve districts being as imaginative in utilizing
21 environmentally the potential that they have that they are
22 doing here, but I'll limit it, Senator Harris, if that's
23 your desire. I make a motion, Mr. President, that we concur
24 in Amendments No. 1 and 2 and we'll nonconcur and create
25 a conference committee and waste a lot of time, I think,
26 to come back with something at a limit.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 The question is shall the Senate concur in Amendments
29 No. 1 and 2 to Senate Bill 881. Those in favor vote Aye.
30 Those opposed vote Nay. The voting is open. Have all voted
31 who wish? Take the record. On that question the Ayes are
32 49, the Nays are none, 1 Voting Present. The Senate concurs
33 in Amendments 1 and 2 to Senate Bill 881. Senator Fawell,

1. now moves that the Senate nonconcur in House Amendment No. 3
2. to Senate Bill 881. All those in favor say Aye. Opposed
3. Nay. The Ayes have it. The Senate nonconcur and the House
4. will be so informed. Senate Bill 911, Senator Philip.

5. SENATOR PHILIP:

6. Thank you, Mr. President, Ladies and Gentlemen of the
7. Senate. Senate Bill 911, amends the Illinois Highway Code,
8. Animal Control Act. Requires the Department of Transportation
9. to report all identifying tags found on dead animals. Amendment
10. No. 1 simply takes out veterinarians who do not work for
11. the county, I have no objections to that. Amendment No. 2
12. takes out any other...evidence of identification. So I
13. would move that the Senate concur with Amendment No. 1 and
14. No. 2 to Senate Bill 911.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Philip moves the Senate concur with House
17. Amendments No. 1 and 2 to Senate Bill 911. Is there
18. discussion? Senator Bloom.

19. SENATOR BLOOM:

20. Senator, will you yield for a question?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. He indicates he will yield.

23. SENATOR BLOOM:

24. This a...this is the Flat Dog Act, is it not?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Philip.

27. SENATOR PHILIP:

28. The Flat Dog Act.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Bloom.

31. SENATOR BLOOM:

32. It still contains the provisions that after a dog
33. has been run over by about twenty semis you still reached

1 out into the gore and viscera and pull off the tag and
2 then call Mrs. Smith and say, "you're worrying about your
3 dog being lost, well you can stop worrying. He's dead and
4 we'll send you the tag."

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 Senator Philip.

7 SENATOR BLOOM:

8 ...is that the same Act, does it have the same provisions?

9 SENATOR PHILIP:

10 I think that is a very accurate description. You know
11 there are...the recommendation for this bill came from the
12 DuPage County Humane Society and evidently there are a lot of
13 cats and dogs that are run over on our highways and the owners
14 are never notified what happened to their poor animal. And
15 simply what we're trying to do, if the State Highway Department
16 does find one of those dead animals that they take the tag off
17 and call or notify the issuing licensing agent and that's simply
18 what we're trying to do, and it's a very humane bill. In fact,
19 if you vote for this, Senator, we might be able to make you the...
20 the humane man of Peoria for 1975.

21 PRESIDING OFFICER: (SENATOR BRUCE)

22 Senator Latherow.

23 SENATOR LATHEROW:

24 I'd just like to see them resist this amendment and then
25 with a conference committee put on one so that this Act just affects
26 only DuPage County.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Is there further debate? Senator Sommer.

29 SENATOR SOMMER:

30 I wonder, will the sponsor yield for a question?

31 PRESIDING OFFICER: (SENATOR BRUCE)

32 Indicates he will yield.

33 SENATOR SOMMER:

1 This is in a serious vein, I know this is the Flat
2 Dog Act, and it is ridiculous but the second amendment
3 that the House put on may, in fact, be an error, because
4 many people in rural areas particularly, tattoo their
5 dogs. No, my dogs, my setter dogs are tattooed. All hunting
6 dogs are tattooed rather and they don't wear these chains
7 you see, cause they get caught in the weeds, and maybe we
8 can nonconcur in that amendment and put this in a conference
9 committee and preserve this tattooing process so that somebody
10 knows, you know when your dog died. I want them to call
11 me up and say, Senator Sommer, your dog died. You know.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Senator Morris.

14 SENATOR MORRIS:

15 Well I would concur with Senator Sommer's remarks, we
16 had a Brand Act Bill here a little while ago and I did a
17 great deal of research on flat dogs in the last several
18 months since this bill was in the Transportation Committee.
19 It sailed out of Transportation Committee and we were
20 deprived of an opportunity to debate this major piece of
21 legislation in this Session when it went on the agreed
22 bill list. We got eleven people to vote against it,
23 but we came up one short because we knew that Senator
24 Philip was one of the great debaters in the General Assembly
25 and we hated to have him miss his opportunity to debate
26 such an important piece of legislation. I...I would too, would
27 like to see the efforts to concur resisted today so that this
28 may go to conference committee and handle flat dogs, flat
29 cats, anything. A fellow in my district, I hear, has a pet
30 elephant and if it would get run over I would want to make
31 sure that he was notified. And also I think that we ought to
32 consider rather than just sending the tag because the Highway
33 Department people tell me that they don't necessarily

1 pick up the dogs and cats that are killed, they usually
2 shovel them. A possibility of an appropriation to put
3 them in a large plastic bag and mail the entire animal
4 back to the owner in order to save...the person the grief.
5 I think in that situation I could support the Flat Dog Act,
6 but at this I think we ought to flatten it.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Senator Harber Hall.

9 SENATOR HARBER HALL:

10 Well I wasn't real familiar with the bill until I
11 heard this interesting debate on it, but I think we ought
12 to be very careful what we do with this bill affecting
13 dogs. Just the other day a friend of mine in the other House
14 said that he got a dog for his wife and told me that it was
15 a very good trade.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Senator Ozinga.

18 SENATOR OZINGA:

19 I was just listening to Senator Latherow's comments on
20 this bill from downstate and I think we may jest about the
21 bill but there's a lot more seriousness to this bill than
22 what meets the eye. There's a lot more costly provisions
23 than what meets the eye and I think that if we would just
24 take this a little bit serious and have this go to a con-
25 ference committee, and have it analyzed and possibly put on
26 another amendment by way of a conference committee and limit
27 it to a certain area where you might have a problem with
28 the Humane Society, I think we might be better off.

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 Is there further debate? The question is shall the
31 Senate concur in House Amendments No. 1 and 2 to Senate
32 Bill 911. Those in favor vote Aye. Those opposed vote Nay.
33 The voting is open. Have all voted who wish? Take the

1 record. On that question the Ayes are 27, the Nays are
2 22, 1 Voting Present. The Senate does not concur in House
3 Amendments No. 1 and 2 and...the House will be so informed.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Senate Bill 944, Senator Don Moore.

6 SENATOR DON MOORE:

7 Thank you, Mr. President, members of the Senate, I would
8 move that we nonconcur in House Amendment 1 to Senate Bill
9 944.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Senator Moore moves that we nonconcur in House Amendment
12 1 in Senate Bill 944. All those in favor signify by saying
13 Aye. All those opposed. The Ayes have it. Motion carries
14 and the House will be so informed. 945, Senator Don Moore.

15 SENATOR DON MOORE:

16 Thank you, Mr. President, members of the Senate, I would
17 move that the Senate nonconcur in House Amendment No. 1 to
18 Senate Bill 945.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Senator Demuzio.

21 SENATOR DEMUZIO:

22 Are we getting away from the practice of explaining the
23 amendments so that the membership can be informed as to what
24 we are voting on? I would like for Senator Moore to please
25 explain the amendment.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 No, I don't think the practice was ever intended to be
28 done away with. That's one of the reasons, however, for the
29 printout. Senator Don Moore.

30 SENATOR DON MOORE:

31 Yes, Representative Demuzio, on Senate Bill 944, the one
32 we just nonconcurrented on, there was an amendment drafted by
33 the Department of Public Health that amended the original bill

1 and not the bill that was amended in the Senate. So, therefore,
2 the amendment is improper and it's for that reason that I'm non-
3 concurring in it so that we can get the amendment that the
4 Department of Public Health wanted on the bill in its proper
5 form. On Senate Bill 945, the original bill mandates the
6 Director of Public Aid to attend all regular meetings of the
7 commission. The House inserted the word, "or special meetings
8 of the Legislative Advisory Committee". We intend to take out
9 the words - or special. I now move that we nonconcur in the
10 House Amendment No. 1 to Senate Bill 945, Mr. President.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Senator Moore moves to nonconcur in House Amendment 1
13 to Senate Bill 945. Those in favor signify by saying Aye.
14 Those opposed Nay. The Ayes have it. The motion carries
15 and the Secretary shall inform, so inform the House. 946,
16 Senator Don Moore.

17 SENATOR DON MOORE:

18 Thank you, Mr. President, I would move that we do concur in
19 Amendment No. 1 to House Bill...or Senate Bill 946. What the
20 amendement is, which was put on in the House, it states that each
21 licensee of a facility, licensed under the Nursing Home, Sheltered
22 Care Home, and Home for the Aged Act, who apply for or receive
23 public funds administered by the Department of Public Aid,
24 shall file with the Department an annual financial statement
25 providing uniform cost information. The statement shall be
26 verified and it shall be made by the administrator and each per-
27 son who possesses at least twenty-five percent of the equitable
28 interest or ownership of the nursing home, shelter care home or
29 home for the aged. Provides that no Public Fund shall be
30 expended for the maintenance of any resident who has failed
31 to file the verified statement. It gives the Director of the
32 Department of Public Aid the authority to promulgate rules
33 and regulations for the filing of the verified statements

1 required by the Section and shall provide forms to report
2 uniform cost information, interval dates of filing and such
3 other provisions as may be necessary. I would move that
4 we do concur in Amendment No. 1 to Senate Bill 946.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Netsch.

7 SENATOR NETSCH:

8 Mr. President, I would hope that we would not concur
9 in House Amendment No. 1 to House Bill...no, I'm sorry, Senate
10 Bill 946. This is, I believe I've been able to look at it
11 very quickly, word for word an amendment that Senator Moore had
12 attempted to get the Committee on Public Health, Welfare and
13 Corrections to adopt this amendment to House Bill 425, which
14 does require the disclosure of financial information by nursing
15 homes to the Department of Public Health. We held the bill
16 several weeks in that committee. We heard from everyone and
17 it was at least the opinion of the committee which voted 425
18 out by a fairly substantial vote and that bill incidentally
19 is now on 3rd reading. That in accordance with the wishes of
20 the Departments involved, the information should go to the
21 Department of Public Health which is the licensing authority
22 for nursing homes and which in...will be able to use that
23 information on a broader base than Public Aid alone. If the
24 information goes to Public Aid it is relevant only with respect
25 to payments made directly by Public Aid. We have two things
26 that are about to take place in the State. One is that
27 Federal Regulations require that by June...I think it's
28 June 1, June 30th, 1976, the...all payments by that have any
29 Federal money involved at all whether they be welfare or
30 whatever, must be "cost related", and that means that this
31 kind of information is going to have to be available. It
32 has been agreed administratively that it is to come
33

1 into the Department of Public Health which has access to all
2 of the nursing homes in the State because all of them must be
3 licensed by that department. In addition, we hope that within
4 a year we will have some form of rate review legislation passed
5 similar perhaps to that which you...offered yourself, Senator
6 Rock, and in that connection also that information will be
7 needed. Public Aid is not the appropriate place for this in-
8 formation to be. I would just quickly mention one other thing
9 and that is that, as I see it, in Senator Moore's amendment,
10 financial interest only if they are in excess of twenty-five
11 percent will have to be disclosed. That is entirely inadequate.
12 It should be at a much lower rate than that, so that I would
13 hope that we would not concur in House Amendment No. 1.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Any further discussion? Senator Partee.

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17 (Continued on next page.)
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1 SENATOR PARTEE:

2 Well, even if you do have a bill like this, Senator Rock, and let
3 me say to all of you, that this is really going a little too far be-
4 cause it seems to me that the whole thing is officious intermeddling
5 on the part of the Government in how a person runs a legitimate
6 business. Now, it seems to me a person ought to be able to run a
7 nursing home or sheltered care home on the basis of running it in con-
8 formity with the rules and regulations of the State. To ask for the
9 financial information as to everything it does, and what do you pay
10 for this and where do you buy it, the next thing you'll know, they'll
11 want to know where you bought it. It just seems to me that it's just
12 too socialistic for me. Now, the next thing, you know, when you run a
13 business, you've made an investment, a private investment of private
14 dollars, hopefully to run a business in a way in conformity of law to
15 ...receive a return on your money. Now, the Government comes in and
16 wants to know how much did you make. You pay your income tax, that is
17 as much as the Government is entitled to know, it seems to me, and I'm
18 just really concerned about the whole concept. I'm concerned about the
19 concept of rate review, and I think this facilitates the rate review
20 situation because then they'll say once they get this - oh, now, we
21 ought to have the rate review because we have the information and on
22 this basis we can decide to give a hospital in my...give a nursing home
23 in my area thirty-five dollars a patient, give one in Wilmette eighty-
24 five dollars a patient, and make all kinds of differences between areas
25 ...depending on the type of structure it is, whether this is new,
26 whether this is built with brick, whether this is built with stone,
27 whether or not the doctors here have degrees beyond medical practice,
28 whether they have been to any conferences lately, and...then there'll
29 be all kinds of striations and divisions as to how much these various
30 people are going to be paid, and you are going to find a lot of people
31 building nursing homes and building other things to care for the aged
32 who are going to be out of business because the Government is going to
33 run them out.

34 PRESIDING OFFICER: (SENATOR ROCK)

1 Any further discussion? Senator Don Moore may close the debate.

2 SENATOR DON MOORE:

3 Thank you, Mr. President. I think, Senator Partee, in partial
4 response to your observations, come July 1 of next year we have to go
5 to a cost related basis for the payment of these institutions. By get-
6 ting this information in now, it's going to help facilitate that when
7 it does go into effect by Federal regulations again from HEW in Wash-
8 ington on July 1 of next year. The nursing home industry is not opposed
9 to this amendment. They think it...it is going to come, it is a ques-
10 tion, probably of who should administer it, whether it should be Public
11 Aid or Public Health. It is my opinion that the Department of Public
12 Health should administer this Act because they are the ones who ulti-
13 mately have to foot the bill, and we are running eight hundred million
14 dollars for medical, which a good chunk of it goes for our nursing
15 homes, for our hospitals in this State. I think that they should have
16 control of it, in addition to the fact that they have the computer
17 capabilities that the Department of Public Health does not have, plus
18 the competent personnel in order to administer it. If Public Health
19 gets this information, all they are going to do is turn it over to
20 Public Aid anyway, which is a duplication. I think that this is a good
21 amendment, and I do want to reiterate that the nursing home industry is
22 in favor of this Amendment, Amendment No. 1, to Senate Bill 946, and I
23 move at this time that the Senate do concur in Amendment No. 1 to
24 Senate Bill 946.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 The question is, shall...shall the Senate concur in Amendment No.
27 1 to Senate Bill 946. Those in favor will vote Aye. Those opposed will
28 vote Nay. The voting is open. Senator Smith, for what purpose do you
29 arise?

30 SENATOR SMITH:

31 To Moore, whether or not. Whether or not you'll hold your motion
32 long...long enough to inform me just what it's all about. I came onto
33 the Floor when the good Senator here to my left was speaking. I admit
34 and confess that my duty was to have been here, but with the slowness

1. of the procedure here and the taxing way and manner in which we've
2. gone, I step into my office frequently, as others should whether you
3. do or not. Now, I heard you mention Public Welfare and I heard you
4. mention something about the...one of you, the Department of Health.
5. What is it all about? May I ask that question, Mr. Chairman.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Well, I think, Senator,...frankly and I am reluctant to say it, I
8. think at this point, you are out of order.It appears that...have
9. all...have all voted who wish? Take the record. On that question, the
10. Ayes are 29, the Nays are 10, 6 Voting Present. The Senate does not
11. concur in...in House Amendment No. 1 to Senate Bill 946, and the Secre-
12. tary will.....shall so inform the House. 969, Senator Wooten.

13. SENATOR WOOTEN:

14. Can we wait just a moment...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Surely. 1105, Senator Philip. On the Secretary's Desk, Senate
17. Bill 1105, Senator Philip.

18. SENATOR PHILIP:

19. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
20. Senate Bill 1105 amends the State Employee's Retirement Systems
21. Article. It allows the Comptroller and the Director of Finance to
22. appoint a proxy for the Board of Trustees for the State Employee's
23. Retirement System. Amendment No. 1 just provides that they appoint the
24. same person. I move that the Senate concur in Amendment No. 1 to Senate
25. Bill 1105.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Is there any discussion? The question is, shall the Senate concur
28. in House Amendment No. 1 to Senate Bill 1105. Those in favor will vote
29. Aye. Those opposed will vote Nay. The voting is open. Have all voted
30. who wish? Take the record. On that question, the Ayes are 52, the Nays
31. are none, none Voting Present. The Senate concurs in House Amendment No.
32. 1 to Senate Bill 1105 and this bill having received the required con-
33. stitutional majority is declared passed. Senator Berning, Senate Bill

SB 969
Committee
6-20-75

1. 1118. Senator Berning.

2. SENATOR BERNING:

3. Thank you, Mr. President. House Amendment No. 1 is essentially
4. satisfactory, but it is deficient in a technical part, and therefore, I
5. would move that the Senate do nonconcur so that we may work out this
6. minor difficulty.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Berning moves to nonconcur in House Amendment No. 1 to
9. Senate Bill 1118. All those in favor signify by saying Aye. All those
10. opposed. The Ayes have it. The motion carries, and the Secretary will
11. so inform the House. Senate Bill 969, Senator Wooten.

12. SENATOR WOOTEN:

✓ 13. Yes, Mr. President and colleagues. I would move that the Senate
14. concur in House Amendment No. 1 to Senate Bill 969. What the amendment
✓ 15. does, is to place the responsibility with the Director of the Depart-
16. ment so that someone has the final say on a diminution of sentence.
17. It clarifies something which is not clear in the law; we just have
18. been checking it out with the legal staff; it has the approval of the
19. Department, and I would move concurrence.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Is there any discussion? The question is, shall the Senate concur
22. in Amendment No. 1 to Senate Bill 969. Those in favor will vote Aye.
23. Those opposed will vote Nay. The voting is open. Have all voted who
24. wish? Take the record. On that question, the Ayes are 46, the Nays
25. are 3, 1 Voting Present. The Senate concurs in Amendment No. 1 to
26. Senate Bill 969, and this bill having received the required constitutional
27. majority is declared passed.

28. PRESIDENT:

29. Senate Bill 1120, Senator Donnewald.

30. SENATOR DONNEWALD:

31. Yes, Mr. President. ...House Amendment No. 1 drops the Speaker
32. of the House and substitutes the Rules Committee of the House as the
33. chief arbiter of payment techniques and procedures to be followed in

1. the House for expenditures of the legislative allowance allotted to
2. each member, and I would move its...I would ask that we concur in House
3. Amendment No. 1.

4. PRESIDENT:

5. Any further discussion? ...The question is, shall the Senate concur
6. in House Amendment No. 1 to Senate Bill 1120? Those in favor vote Aye.
7. Those opposed vote Nay. The voting is open. Have all voted who wish?
8. Take the record. On that question, the Ayes are 49, the Nays are none,
9. with 1 Voting Present. The Senate concurs in Amendment No. 1 to House
10. Bill 1120, and the bill having received the required constitutional
11. majority is declared passed. Senate Bill 1133, Senator Palmer.

12. SENATOR PALMER:

13. Mr. President and members of the Senate, I move to concur with the
14. House Amendment No. 1. House...Senate Bill 1133 provided and the purpose
15. of that bill was that playground tax...taxes collected were to be used
16. for playground purposes, and provided that the city board of education
17. shall not use those funds for other purposes like intramural purposes,
18. but what the bill did, was inadvertently remove the power. That was
19. not the intent. The only intent was that they should not use the funds,
20. but not to remove the power of the board of education to have these
21. activities. What this amendment does is, is now restore the language
22. that retains the power for them to carry on those activities just as
23. long as they don't use the playground funds. I move to concur.

24. PRESIDENT:

25. Any further discussion? Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President, I am not rising in opposition. I just want to point
28. out that our staff has informed us that the...the House Amendment is
29. technically wrong. It doesn't make all the necessary changes throughout
30. the entire bill, and the changes should be made in approximately six
31. other places in the bill, and it only does it in one spot, and if the
32. sponsor would take it out, we can...show him where the errors are at,
33. maybe he'd wish to nonconcur and then make the changes in Conference

1. Committee.

2. PRESIDENT:

3. Senator Palmer.

4. SENATOR PALMER:

5. ...Senator Shapiro, that exactly caught my attention, and I reviewed
6. that with the House sponsor, and he assured me, and we went over that
7. that the...it only necessitates the inclusion of this power language in
8. the first part, but in the latter part the...the deletion is correct.
9. However, if you want to confer...if you want me to hold this or what-
10. ever...I don't think a...a conference is necessary on that. Or we'll
11. hold it...

12. PRESIDENT:

13. (machine cutoff) if the Amendment is to be changed, I think
14. perhaps you should move to nonconcur so that if they don't recede, a
15. Conference Committee then could be appointed. Senator Palmer.

16. SENATOR PALMER:

17. Mr. President, I...I only say if...if...if the amendment...if it
18. is not necessary to be changed, we..we don't have to do that. I...I
19. don't think so. I...I discussed exactly what he's talking about with
20. the...Representative Berman who went over the same thing, and we did
21. come to the conclusion that it was not necessary to change it, that it is
22. proper. However, if...if you just pass it for awhile, I...may convince
23. the...the staff there that the...Representative Berman is correct. I'll
24. get back to you.

25. PRESIDENT:

26. Take it out of the record. Senate Bill 1139, Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President. I would move that we do concur with
29. House Amendment to Senate Bill 1139. This bill dealing with the budget-
30. ary operation of the...Northeastern Illinois Planning Commission. The
31. House Amendment provides that the money shall go in twelve monthly
32. payments. The bill may have seemed to have given one lump sum payment
33. to that Commission. I would move that we do concur.

1. PRESIDENT:

2. The question is...any further discussion? The question is, shall
3. the Senate concur in Amendment No. 1 to Senate Bill 1139? Those in
4. favor vote Aye. Those opposed vote Nay. The voting is open. Have all
5. voted who wish? Take the record. On that question, the Ayes are 50,
6. the Nays are 1, with none Voting Present. Senate...the Senate concurs
7. in Amendment No. 1 to Senate Bill 1139, and the bill having received a
8. required constitutional majority is declared passed. Senate Bill 1171,
9. Senator Bruce.

10. SENATOR BRUCE:

11. Yes, Mr. President, I move to Table Senate Bill 1171.

12. PRESIDENT:

13. Senator Bruce moves to Table Senate Bill 11117...1171. All in
14. favor say Aye. Opposed Nay. Senate Bill 1171 is Tabled. Senator
15. Vadalabene.

16. SENATOR VADALABENE:

17. Yes, Mr. President and members of the Senate. While I'm on my
18. feet first, I would like to have House Bill 2220 re-referred to the
19. Committee on Transportation. I've talked to Senator Charlie Chew, the
20. Chairman of the Transportation Committee, and he is in agreement with
21. this: It's on 3rd reading at the present time.

22. PRESIDENT:

23. Is there leave? Leave is granted.

24. SENATOR VADALABENE:

25. Now, Mr. President, I move that the Senate resolve itself into
26. Executive Session for the purpose of acting on the Governor's messages
27. of June 11, 1975.

28. PRESIDENT:

29. All in favor say Aye. Opposed Nay. Executive Session, Senator
30. Vadalabene.

31. SENATOR VADALABENE:

32. Mr. President, and members of the Senate, unless there is objection,
33. I ask to leave to consider all of the following nominations on one roll

1. call.

2. PRESIDENT:

3. Is there leave? Leave is granted.

4. SENATOR VADALABENE:

5. Mr. President and members of the Senate, to the State Mining Board
6. as members Ralph Carey of Herrin for a term ending January 17th, 1977.
7. James North of Marissa January 17, 1977, and Nelson Ruhle of Pinckney-
8. ville for a term ending January 17th, 1977. Mr. President, I move
9. that the Senate do advise and consent to the following nominations by
10. the Governor.

11. PRESIDENT:

12. Is there discussion? Senator Davidson.

13. SENATOR DAVIDSON:

14. Senator Vadalabene, I was not in the Committee, but are those three
15. people going on that Mining Board that you are recommending favorable
16. for, is there representation both from the United Mine Workers and the
17. Progressive Mine Workers' Union or is this now all representation by one
18. group?

19. SENATOR VADALABENE:

20. They're all represented by one group.

21. SENATOR DAVIDSON:

22. United Mine Workers?

23. SENATOR VADALABENE:

24. United Mine Workers.

25. SENATOR DAVIDSON:

26. The Progressive Mine Workers now have been denied their opportunity
27. to have a representation on this Committee?

28. SENATOR VADALABENE:

29. I can't say that they will be forever denied opportunity to be
30. represented on this Committee; however, I did remember one of the
31. witnesses say that the Progressive Miners of the Workers of America,
32. their grievances, and their problems will be adhered to just like any
33. member or...any member, yes, of the United Mine Workers of America.

1. SENATOR DAVIDSON:

2. Well...

3. PRESIDENT:

4. Any further...Senator Davidson.

5. SENATOR DAVIDSON:

6. Mr. President, he may agree to hear their Progressive Mine Workers'
7. complaints and grievances, but...there's been a standing rule, as I
8. understand it, and it may be an unwritten rule, that since there's been
9. two unions representing all the miners in this State as well as affil-
10. iation with mine owners that there would be a representation from both
11. sides involved in this party...I just want to say to you and put on
12. record for here that if the Progressive Mine Workers' grievances are
13. not heard, I, for one, will be back asking you to support me to with-
14. draw this petition and give consideration to the other group which
15. has always had a voice on this Commission.

16. PRESIDENT:

17. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Well, Senator Davidson, coming from a family of Progressive
20. Mine Workers of America, I assure you that I will take the same position.

21. PRESIDENT:

22. Any further discussion? Senator Bruce...oh pardon me, Senator
23. Buzbee.

24. SENATOR BUZBEE:

25. It's alright, Mr. President, they all look alike, I know.

26. PRESIDENT:

27. Not anymore you don't.

28. SENATOR BUZBEE:

29. Mr. President, I would point out that the so-called lack of
30. representation to Senator Davidson, the so-called lack of representation
31. of the Progressive Mine Workers of America, there are a total of five
32. hundred working miners in the State of Illinois who are progressive...
33. belong to the Progressive Mine Workers' union. There are a total of

1 twelve thousand miners...working miners in the State of Illinois who
2 belong to the United Mine Workers, and so...I don't know how you split
3 that part of a person, but if you want to give them a percentage, it's
4 going to be less than...than the...considerably less than one person
5 on that Board.

6 PRESIDENT:

7 Any further...Senator Harris.

8 SENATOR HARRIS:

9 Well, Mr. President, I think someone ought to make some comments
10 about this very important Board and the nominees who have been proposed
11 to it and which nominees, the Executive Committee did recommend to the
12 full Senate their approval or its approval for advice and consent of
13 these nominees, but I think it important for the Senate to be mindful
14 that this State Mining Board really has the basic responsibility in the
15 name of the State of Illinois under the provisions of the Mining Act for
16 safety in the mines. Now, this industry is one that is beset with and
17 fraught with danger, and over the years, codes, regulations have been
18 imposed by law to guarantee as much as humanly possible to safeguard the
19 lives of those courageous people who daily provide us with this very
20 important source of energy, Illinois coal, and if there is any question
21 about complete understanding of the capacity for these nominees to serve
22 in this highly technical and highly important capacity, that it ought
23 to be raised. The men that...appeared before us were obviously well
24 intentioned, sincere men, and if these are the kind of men that the
25 Governor wants to occupy that responsibility, I'm not going to impose a
26 superior judgement on the Governor, but I think it important that we
27 understand the responsibility that these men are charged with, and God
28 forb^d ever occurring again any of those terrible disasters that have
29 occurred, but this is a function, service on this Board is a function,
30 whose importance cannot be overemphasized nor can the day to day safety
31 of the men who work the mines be overemphasized in its need for our
32 awareness and responsibility indirectly as we act on nominees for this
33 Board.

34 PRESIDENT:

1 Any further discussion? Senator Vadalabene.

2 SENATOR VADALABENE:

3 I just want to add that I couldn't agree with Senator Harris'
4 statement more. I would like to say in regards to Senator Buzbee's
5 statement about twelve thousand United Mine Workers and five hundred
6 Progressive Workers, if there was one Progressive Worker going down
7 in that coal mine, that he should be given just as much consideration
8 as the twelve thousand; however, if you remember, I think Senator
9 Demuzio passed the bill which adds two more members to this Board and
10 possible before they come up for confirmation, we can get a Progressive
11 representative on this Board, and I do move now that we advise and
12 consent the nominees.

13 PRESIDENT:

14 Senator Bruce is recognized.

15 SENATOR BRUCE:

16 Well, as members of the Executive Committee may remember, I
17 had some...Executive Appointments Committee may remember, I had some
18 objections and questions to ask about the State Mining Board. I want
19 to stand on this Floor and tell you that I have not been satisfied
20 with the conduct of that Board, and to echo the comments of Senator
21 Harris, I hold no ill will about the appointments of the three gentle-
22 men before us today, but I think that we could have done better in
23 these appointments. The Board is composed of four people, two com-
24 pany men, two miners. We will now have a board of four, with three
25 brand new people. I don't know whether anyone would follow my lead,
26 but I think that the next Session, I would like to introduce legis-
27 lation that staggers these terms. Surprised to see that all of them
28 come up at one time, and there evidently, is no history of reappoint-
29 ment, or at least, under this administration. We need qualified peo-
30 ple; we need...people who know about hoisting; we need steam en-
31 gineers; we need all kinds of people in mines, particularly in mine
32 safety. I just think that...I wish the new Board well; but I think it
33 is ill advised that all the members of this Board except one, be
34 new members.

1. PRESIDENT:

2. Senator Graham.

3. SENATOR GRAHAM:

4. You know, after two years of fiddling around with...the type of
5. appointments we've had to consider and knowing as you people do that
6. I have objected many times to the absolute unawareness of the Governor
7. for the needs of people with regard to those that he has subjected
8. and ...pushed upon us for appointments, I am glad at this time to
9. know that the gentleman from Olney agrees with me, that he hasn't
10. done a very good job.

11. PRESIDENT:

12. Any further discussion? The question is, does the Senate advise
13. and consent to the nominations just made? Those in favor vote Aye.
14. Those opposed vote Nay. The voting is open. Have all voted who wish?
15. Take the record. On that question, the Ayes are 45, the Nays are none,
16. with 6 Voting Present. A majority of Senators elected concurring by a
17. record vote, the Senate does advise and consent to the nominations just
18. made. Senator Vadalabene.

19. SENATOR VADALABENE:

20. Thank you, Mr. President and members of the Senate. I move that
21. the Senate do now arise from Executive Session.

22. PRESIDENT:

23. All in favor say Aye. Opposed Nay. The Ayes have it. The motion
24. carries. Is there leave to return to the order of the Secretary's Desk
25. for a bill that we passed over that was taken out of the record until it
26. could be straightened out? Leave is granted. Senate Bill 334, Senator
27. Kenneth Hall.

28. SENATOR KENNETH HALL:

29. Thank you, Mr. President, and members of the Senate. Mr. President,
30. I move that the vote by which we voted to nonconcur with Senate Bill 334,
31. House Amendment No. 1, be reconsidered...

32. PRESIDENT:

33. Senator Hall moves that...the vote by which...

1 SENATOR KENNETH HALL:

2 ...having voted on the prevailing side.

3 PRESIDENT:

4 ...we nonconcurrred be reconsidered...All in favor say Aye.

5 Opposed Nay. The Ayes have it. The...the motion is reconsidered.

6 PRESIDENT:

7 Now, I move, Mr. President, that we concur with House Amendment
8 1 to Senate Bill 334.

9 PRESIDENT:

10 The question is, shall the Senate concur...they're looking
11 for an explanation, Senator. Would you give us an explanation? The
12 reason I didn't, he...he had done it before when he nonconcurrred, but
13 go right ahead, Senator Hall.

14 SENATOR HALL:

15 The substance of the Amendment is this. Number 1, it requires
16 the chairman of the county board in which county or municipality has
17 established a housing authority to form an advisory committee for the
18 assignment of low income housing. Number 2, the Committee is to be
19 composed of the following: chairman of the county board, county board
20 member, if county has authority, or a city council member for each city
21 with a housing authority, representatives of the United Fund, represent-
22 atives of Public Aid or Children and Family Services, representatives of
23 Visiting Nurses Associations and a representative of each housing author-
24 ity. Number 3, it requires advisory committees to compile lists of per-
25 sons found to be in need of public housing, ranking them as to need. Num-
26 ber 4, it authorizes the chief operating officer of housing authority to
27 take committee recommendations into consideration when assigning units of
28 low income housing. I gave this before, and I'm sorry I didn't give it
29 again. I thought that you...had heard it...so I move to concur, Mr.
30 President.

31 PRESIDENT:

32 The question is, shall the Senate concur in Amendment No. 1 to Senate
33 Bill 334. Those in favor vote Aye. Those opposed Nay. The voting is open.
34 Have all voted who wish? Take the record. On that question,

1. the Ayes are 47, the Nays are none, with none Voting Present, and the
2. Senate concurs in Amendment No. 1 to Senate Bill 334, and the bill having
3. received the required constitutional majority is declared passed. Senate
4. bills on 3rd reading. Is there leave to remain on the order of Secretary's
5. Desk for a couple of other bills that we've not dealt with? Leave is
6. granted. Senate Bill 338, Senator Hickey.

7. SENATOR HICKEY:

8. Thank you, Mr. President. This is the one that we had a little
9. confusion about this morning when I was looking at the wrong amendment.
10. Originally, this amended several Acts allowing for mail to be...for
11. certified mail to be used as well as registered mail when sending out
12. notices, and among the Acts which were...amended by the original bill,
13. is the Cigarette...Tax Act, and the amendment in the House that was
14. put on it,...allows for any cigarette that are...are involved when
15. cigarette machines are picked up for nonpayment to the...for the
16. Department of Revenue that the cigarettes may be contributed to an
17. eleemosynary organization. Now, I...I thought when I saw this that I
18. spotted a technical error in the spelling of eleemosynary, and I learned
19. something, it is not eleomosynary, as I thought, it is just eleemosynary,
20. but anyway, that's the amendment, and I move that we concur. There's
21. only one problem with this, is that probably by the time that all this
22. procedure has gone through, the cigarettes are going to be a little
23. stale, and I'm not sure whether anybody will want them.

24. PRESIDENT:

25. Any discussion? Senator Nudelman.

26. SENATOR NUDELMAN:

27. You want to give cigarettes away to people to smoke?

28. PRESIDENT:

29. Senator...Senator Hickey.

30. SENATOR HICKEY:

31. That's what the Amendment says. To give them to anybody who
32. wants them. I don't think it is to go out and teach people to smoke.

33. PRESIDENT:

1 Senator Nudelman.

2 SENATOR NUDELMAN:

3 Why don't we dispose of them like we dispose of guns that are
4 caught in crimes, and cigarettes are bad things and they should be
5 destroyed? I think that would be a better thing to do with those
6 cigarettes. It's dangerous. It's more than maybe...it is dangerous
7 to your health, absolutely.

8 PRESIDENT:

9 Any further discussion? Senator Mitchler.

10 SENATOR MITCHLER:

11 Well, yes, I'd like to ask the sponsor, do you think, Senator
12 Hickey, that the Director of the Department of Public Health would
13 approve of this?

14 PRESIDENT:

15 Senator Hickey.

16 SENATOR HICKEY:

17 I haven't asked him, Senator Mitchler. You are to make your own
18 decisions; this amendment came from the House, I moved to concur, and
19 you...you decide as you wish. I gave up cigarette smoking myself about
20 five years ago, and I think it would be a good thing if everybody did,
21 but we've got a lot ashtrays on this Floor, so I am sure that everybody
22 else hasn't, and I'm not sure that we should try to decide whether people
23 in charitable institutions should smoke or should not smoke. The cigar-
24 ettes are there, if they want them, they're going to smoke them. I say,
25 let's give them to them.

26 PRESIDENT:

27 Senator Mitchler.

28 SENATOR MITCHLER:

29 Well, Senator Hickey, we'd probably be doing exactly what the Di-
30 rector of the Department of Public Health and the administrators are
31 trying to do, and that is to discourage the distribution of cigarettes
32 and tobacco in the hospitals, and here we are condoning this, and then
33 too, I mean you have the tobacco industry and they're down here lobby-

1 ing all the time against my bills to prohibit smoking in public places
2 and have restriction and they're around lobbying, so I...

3 PRESIDENT:

4 For what purpose does Senator Clarke arise...

5 SENATOR MITCHLER:

6 ...would think they would be against it...

7 PRESIDENT:

8 ...For what purpose does Senator Clarke arise? One moment, Senator,
9 for what purpose does Senator Clarke arise?

10 SENATOR CLARKE:

11 Just a point of order; I think you ought to stay on the subject.

12 PRESIDENT:

13 Point is well taken. Senator Mitchler.

14 SENATOR MITCHLER:

15 ...Well,...the...the distribution of these cigarettes, I...I think
16 Senator Nudelman alluded to the fact that when you confiscate guns and
17 contraband of this type, it's destroyed. And then when you distribute
18 cigarettes to these places that are trying to discourage it, well, you
19 are counteracting what the Director of the Department of Public Health
20 is trying to do, and Senator Hickey, that surprises me that you would
21 do such a thing.

22 PRESIDENT:

23 Senator Latherow.

24 SENATOR LATHEROW:

25 Thank you, Mr. President, I just thought, Senator Mitchler, that
26 this amendment might be made to take effect for some person that I met
27 sometime ago, a little boy in a doctor's office whose father was coming
28 in and out, in and out, and I finally said to the little boy, what does
29 your dad do, and he said he smokes, and I said, well, where does he
30 work? He said, well, he's a disabled veteran, he's not able to work and
31 so on, so maybe this is something that Senator Hickey is trying to do
32 with her amendment. This being a disable veteran thing and you would
33 be working against them if you didn't support it.

1. PRESIDENT:

2. Any further discussion? The question is, shall the Senate concur
3. in House Amendment No. 1 to Senate Bill 338. Those in favor vote Aye.
4. Those opposed vote Nay. The voting is open. Have all voted who wish?
5. Take the record. On that question, the Ayes are 35, the Nays are 10,
6. with 2 Voting Present. The Senate concurs in Amendment No. 1 to Senate
7. Bill 338, and the bill having received the constitutional majority is
8. declared passed. Senator Palmer.

9. SENATOR PALMER:

10. Mr. President....

11. PRESIDENT:

12. Senate Bill 1133, Senator Palmer.

13. SENATOR PALMER:

14. Mr. President and members of the Senate, on House Bill...no, Senate
15. Bill 1133, after conference with Senator Shapiro and staff, it has been
16. determined that to concur with the House Amendment is proper action. I
17. now move that we concur with House Amendment No. 1 on House...on Senate
18. Bill 1133.

19. PRESIDENT:

20. The question is, shall the Senate concur in...Amendment No. 1 to
21. Senate Bill 1133? Those in favor vote Aye. Opposed Nay. The voting
22. is open. Have all voted who wish? Take the record. On that question,
23. the Ayes are 54, the Nays are none, with none Voting Present. The
24. Senate concurs in Amendment No. 1 to Senate Bill 1133, and the bill having
25. received the required constitutional majority is declared passed. House
26. bills on 3rd reading. House Bill 2606, Senator Vadalabene.

27. SECRETARY:

28. House Bill 2606.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Vadalabene.

33. SENATOR VADALABENE:

1. Yes, thank you, Mr. President and members of the Senate. House
2. Bill 2606, as amended, changes the annual renewal to the biannual
3. renewal and doubles the renewal fees for the following professions:
4. Physical Therapy, Optometry, Nursing and Pharmacy. Several of the
5. professions licensed by the Department of Registration and Education
6. already have biannual renewals, and it is hoped that in the near future
7. all of the professions will be renewed on a biannual basis. The Depart-
8. ment of Registration and Education and the four professions concerned
9. namely, the Physical Therapy, the Optometry, the Nursing and Pharmacy
10. all support this bill, and I'd appreciate a favorable vote.

11. PRESIDENT:

12. Any further discussion? The question is, shall House Bill 2606
13. pass? ...Senator Weaver is recognized.

14. SENATOR WEAVER:

15. Oh, Mr...Mr. President, question of the sponsor. Are they doubling
16. the fee on this for two year registration or just...single fee or
17. doubling the fee? Thank you.

18. PRESIDENT:

19. The question is, shall House Bill 2606 pass? Those in favor will
20. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
21. Take the record. On this question, the Ayes are 56, the Nays are none,
22. with none Voting Present. House Bill 2606 having received the constitu-
23. tional majority is declared passed. For what purpose does Senator
24. Mitchler arise?

25. SENATOR MITCHLER:

26. Mr. President, when we started this morning on the 3rd reading, it
27. was necessary that I be absent from the Floor, and on House Bill 2541,
28. of which I am cosponsor with Senator Knuppel, replacing the Illinois
29. Veteran's Commission with the Department of Veteran's Affairs, I was not
30. recorded, and I'd ask leave of the Senate to have it...the record show
31. that had I been here, I would have given that an affirmative vote.

32. PRESIDENT:

33. The record will so show.

1. SENATOR MITCHLER:

2. Also, Mr. President, ...House Bill 2561 was in the order of
3. business and being off the Floor for a...an excused purpose, I wonder if
4. we could have leave of the Senate to go back to House Bill 2561?

5. PRESIDENT:

6. Senator, several people have made that kind of a request, and I
7. have said no to all of them. We're going to be getting back to it,
8. it's just going to cause a problem. House Bill 2617, Senator Course.
9. House Bill 2620, Senator Egan. Read the bill.

10. SECRETARY:

11. House Bill 2620

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Egan.

16. SENATOR EGAN:

17. Thank you, Mr. President, and members of the Senate. House Bill 2620
18. changes the meeting...the initial meeting date for the Board of Tax
19. Appeals in Cook County from the third Monday in June to the second...
20. Monday in September, for the simple reason that the Board does not get the
21. books from the assessor until that time, and there is no need that they
22. meet prior to that time; I...I ask for your favorable consideration.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there further debate? The question is, shall House Bill 2620
25. pass? Those in favor vote Aye. Those opposed vote Nay. The voting is
26. open. Have all voted who wish? Take the record. On that question, the
27. Ayes are 55, the Nays are none, none Voting Present. House Bill 2620
28. having received the constitutional majority is declared passed. House
29. Bill 2622, Senator Rock. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 2622

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
5. House Bill 2622 is an amendment to the Act with respect to the regulation
6. of the University of Illinois, and what it does is provide that the term
7. of office of each elected trustee shall commence the second Monday in
8. January as opposed to...as it is now, the second Tuesday of March. What
9. it does effectively is...it is a reduction of the lame duck time, so
10. when these trustees are elected in November, they will be sworn into
11. office on the second Monday in January. This was at the request of the
12. elected trustees, I know of no objection, I would seek a favorable vote.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further debate? The question is, shall House Bill 2622
15. pass? Those in favor vote Aye. Those opposed vote Nay. The voting is
16. open. Have all voted who wish? Have all voted who wish? Take the
17. record. On that question, the Ayes are 57, the Nays are none, none
18. Voting Present. House Bill 2622 having received the constitutional
19. majority is declared passed. House Bill 2625, Senator Rock. House
20. Bill 2627, Senator Carroll.

21. SECRETARY:

22. House Bill 2627

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President. This bill has two purposes. One is,
29. to provide that the Department of Mental Health and Developmental
30. Disabilities has the power to provide mental health care for those
31. persons who are incarcerated in county jails and penal institutions
32. within the State of Illinois. They apparently have that power; there
33. was a question of the need to statutorily so enact. In addition to

1. which we have amended the bill to put in the provision that the Depart-
2. ment of Local Government...and the...Department of Illinois Department
3. of Revenue can collect those local taxes that are compatible with State
4. taxes and that pay them over to the local unit of government after
5. having deducted the cost of so collecting them; the types of taxes
6. that are compatible are cigarettes, liquor, utility, and MFT taxes;
7. I would move for a favorable roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there a debate? Senator...Senator Berning I saw first.

10. SENATOR BERNING:

11. I'd like to ask the sponsor, what does this impose upon the
12. county in the way of furnishing facilities in a county jail for the
13. administrating of...of administering of mental health care?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Carroll.

16. SENATOR CARROLL:

17. It imposes no additional burden upon the counties. They have the
18. jails; the problem has arisen as to who is responsible for the actual
19. providing of the mental health care of those inmates who are in need.
20. At times the Department of Mental Health and Developmental Disabilities
21. has said, we may not or do not have the responsibility; the local
22. counties always say, yes you do have the responsibility to provide the
23. type of care that the Mental Health Code requires them to give. So they
24. have the physical facilities to do it, we're requiring DMHDD to do it.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Berning.

27. SENATOR BERNING:

28. Well, Senator Carroll, I would much prefer that this say the
29. Department of Mental Health and...Developmental Disabilities may provide
30. and not shall. It appears to me that this is going to now put in the
31. Department of Mental Health the authority to mandate the counties to
32. provide facilities or anything else that the Department feels is
33. necessary if there is someone incarcerated in the county jail, and as

1 you know, that can be anywhere from a day to six months, and or a year.
2 In the meantime, if it is a very short period of time, that sort of
3 prerogative ought not to accrue to the Department of Mental Health and
4 at the same time by implication, at least my concern is, we are author-
5 izing the Department to impose additional obligations on the counties
6 through what appears to be, a very laudable move here. How do we know
7 that the county is not going to be mandated into providing a treatment
8 room?

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Senator Berning...Senator Carroll, I'm sorry.

11 SENATOR CARROLL:

12 Senator Berning, let me answer you in a few ways. One, the county
13 boards, the county sheriffs, have requested this legislation. Two,...

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 For what purpose does Senator Nimrod arise?

16 SENATOR NIMROD:

17 Are we all talking about the same bill? Is this 2627? I...I
18 think we got a wrong bill; it seems that this bill has been amended, and
19 the original bill has completely been struck, and there is a new bill
20 in place of it. ...This...this is entirely different from what the...
21 the information I have.

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 You'll hold one moment, please. If you'll give us one moment,
24 please. We'll...for what purpose does Senator Netsch rise?

25 SENATOR NETSCH:

26 Mr. President, I was going to try to explain, if I might what
27 happened. The original bill, as introduced, did deal with the subject
28 matter that Senator Berning is discussing with Senator Carroll about the
29 mental health payments and all. While we were in Judiciary Committee,
30 a...an amendment, that is to put it mildly, not exactly germane to the
31 original subject matter, was offered to the bill which had to do with the
32 collection of taxes by the State for all units of local government in
33 the State. I raised the question at that time as to whether this wasn't
34 a little bit outside the subject matter of the bill, but...the...it was

1. considered to be in order, and so the amendment was then...placed on
2. the bill. So the bill really deals with two entirely different subject
3. matters. The original section is still in there, it was not stricken,
4. but there was added a second section and...I'm...I'm on...in line to
5. speak on the second section, but Senator Berning is right; his section
6. is also still in there.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Carroll, do you agree that the Chair is unable to determine
9. whether or not the...part of the bill that related to the Mental Health
10. Code is still in the bill?

11. SENATOR CARROLL:

12. It is my understanding, as Senator Netsch has stated, that they
13. are two sections in the bill now.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. We are informed by the Secretary and by the Parliamentarian that
16. both sections remain in the bill, an added section...

17. SENATOR CARROLL:

18. And that is the way I originally explained the bill...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. ...that is correct, Senator Carroll...

21. SENATOR CARROLL:

22. ...and I explained both sections as being within the bill, although
23. Senator Berning only questioned me on one section. I explained the
24. other section being the compatible tax section.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. ...right, the Chair had difficulty...determining...the Amendment
27. is drafted in a way that I have not seen in the past, but both sections
28. both the Mental Health Code and the taxation areas are in the bill so that
29. that is...questions on both of those areas would be germane. Senator
30. Demuzio is recognized.

31. SENATOR DEMUZIO:

32. Well, I don't...I don't know if I am the only one that has this
33. problem, but I...I don't seem to have the amendment in my Bill Book...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. For what purpose does Senator Nimrod rise?

3. SENATOR NIMROD:

4. Mr. President, I interrupted Senator Berning, and I was sorry
5. to do it to break this up, but I think we ought to go back to Senator
6. Berning to finish before you proceed, and then I'd like to come back
7. to this subject...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Berning's time was up. That's why we went...under our
10. rules, any Senator may speak a second time and if Senator Berning
11. still has additional comments, he will be recognized after all Senators
12. spoken one time, he will be recognized to speak a second time. I have
13. four gentlemen already on the list. Senator Demuzio was interrupted.

14. SENATOR DEMUZIO:

15. I do not have a amendment in my Bill Book, and I am wondering how
16. many others are...are in the same position that I am? I'd like to
17. have a copy of the Amendment if the Secretary has an extra one.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Well, Senator Demuzio, we have gone through that in the past.
20. It...the amendment was adopted in committee...if I...if I am not in-
21. correct, and it was a Committee Amendment I'm told by the Secretary,
22. and therefore, it would not appear in your books until such time the
23. amendment is printed. Senator Demuzio you will reserve your time and
24. Senator Netsch.

25. SENATOR NETSCH:

26. No...because I was responding to the point...

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. He rose on a point of order to explain the subject matter under
29. hand...

30. SENATOR NETSCH:

31. ...and in the process, I confirmed of what I did not realize
32. Senator Carroll had already said because I had just come onto the Floor,
33. now I would like to speak to the merits or I should say the demerits of

1. the second part of the bill. What this does, I think, in the first
2. place,...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. For what purpose does Senator Harris rise?

5. SENATOR HARRIS:

6. Well, for a point of parliamentary inquiry. It seems to me that
7. the second amendment is not at all germane to the original bill, and
8. certainly under the doctrine of the Gebelhausen case that I think that
9. a lot of us are familiar with, there's got to be a common tie between
10. the subject matter of an amendment. There is no common tie. I can
11. see where, in fact, if in the first place, there was discussion in
12. the bill to the mental health section of the Civil Administrative Code
13. involving taxation or something like that, fine and dandy, then there
14. might be a common tie, but there is absolutely no common tie between
15. these two amendments and I think, now I would rise to have a ruling by
16. the Chair as to whether the bill in its present form is not out of
17. order because of the lack of a common tie between the Amendment and
18. the original bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Harris, I would rule that both the original bill and the
21. Amendment deal with Chapter 127, the Civil Administrative Code, and
22. therefore, the matter is germane. Senator Harris.

23. SENATOR HARRIS:

24. Well, I would just point out that...that agreed, it amends two
25. different Acts within the Civil Administrative Code, but there
26. absolutely is no connection to them, with them to these two separate
27. sections of the Civil Administrative Code and the amendment is out of
28. order, and I would...Mr. President, appeal the ruling of the Chair.

29. PRESIDENT:

30. Senator Harris has appealed the ruling of the Chair. Is there
31. debate? Senator Clarke.

32. SENATOR CLARKE:

33. Well, I didn't...Mr. President...I didn't speak earlier when we

1 had a bill which had...had everything struck after the enacting clause,
2 but I'd just like to point out that I have heard several Speakers of the
3 House rule that that was unconstitutional because of the three readings
4 in each house. A...Lieutenant Governor, presiding as President of the
5 Senate, ruled likewise about four or six years ago, and so there is
6 clear case law, even though this is not the same case exactly, but it
7 is pretty close to it in terms of actually taking a nonsubstantive item
8 and putting a substantive bill in the case as to whether it has been
9 read three times in both houses.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Is there further debate? We are on the question of appealing
12 the ruling of the Chair that the two matters contained in Senate Bill...
13 House Bill 2627 are in fact germane. Senator Netsch.

14 SENATOR NETSCH:

15 This is on the appeal. I would like to make one further point.
16 The thing that was...disturbing about having this amendment offered
17 was that the subject matter is revenue, and yet it was offered as an
18 amendment in Judiciary to a Judiciary bill, and it is true that the
19 Revenue Committee, which presumably could have raised and either answered
20 or not answered all the questions about this, never had an opportunity
21 to do so. It was given to a committee which has not dealt with revenue
22 matters all Session.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Is there further debate? Senator Morris.

25 SENATOR MORRIS:

26 This is on your ruling. I have one question. I've got a copy of
27 the amendment here and it says, "An Act to amend sections, etc., the
28 Administrative Code of Illinois". The original bill said the "Civil
29 Administrative Code of Illinois". Now, wasn't the change in that word-
30 ing a complete change in what the bill was all about?...so, I, you know,
31 this whole bill is out of order, I think.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Well, Senator Morris, that may mean, that, in fact, the amend-

1. ment is out of order, but that does not affect my ruling...that the
2. two matters are germane and that is the question...under consideration.
3. If you wish to raise that point, that point would be raised after this
4. matter has been disposed of. Senator Rock.

5. SENATOR ROCK:

6. Parliamentary inquiry, Mr. President.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. State your point.

9. SENATOR ROCK:

10. How is this question put and what...what are the vote requirements?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. ...The question, and I was going to point that out, is, the
13. question is, shall the ruling of the Chair be sustained? That will
14. require a three-fifths vote to overrule the ruling of the Chair.

15. SENATOR ROCK:

16. So it would require thirty-six negative votes, is that correct...
17. in order for Senator Harris to prevail?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. That is correct. It would take thirty-six negative votes to
20. overturn the ruling of the Chair. Is there further debate on the
21. appeal of the ruling of the Chair? Senator Glass.

22. SENATOR GLASS:

23. Thank you, Mr. President. In support of Senator Harris' appeal,
24. I would point out that the Illinois Constitution, Article IV Section 8
25. does state that...that bills except for appropriations...provision or
26. rearrangement of the law, shall be confined to one subject, and I...
27. just don't understand, and I think the members should be aware of this
28. that the bill originally states that the Department of Mental Health
29. will have the power to care for persons incarcerated in jails. The
30. amendment gives the Department of Revenue power to enforce units...the
31. laws of units of local government when taxes being collected are com-
32. patible with a like state tax, and it seems to be me if those two are
33. not different subjects that...we are defying the...the normal inter-

1 pretation of the English language. ...It...I would certainly hope
2 the members would be aware of that, and...and...vote to overrule his
3 ruling.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Is there further debate? The question is, shall the ruling of
6 the Chair be sustained? Those in favor vote Aye. Those opposed to
7 sustaining the ruling...vote No. The voting is open. Have all voted
8 who wish? Take the record. On that question, the Ayes are 19, the
9 Nays are 31, 1 Voting Present. The ruling of the Chair is sustained.
10 For what purpose does Senator Harber Hall arise?

11 SENATOR HARBER HALL:

12 Mr. President, I now move that this bill be recommitted to the...
13 the Committee on Revenue.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 If you will hold one minute, Senator Hall. Senator...Senator
16 Carroll...

17 SENATOR CARROLL:

18 I was seeking your...

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 ...for what purpose do you arise?

21 SENATOR CARROLL:

22 ...attention before Senator Hall to ask that the bill be taken
23 out of the record.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Sponsor controls the bill. He's asked...

26 SENATOR CARROLL:

27 And I would ask that leave that it be taken out of record at
28 this time.

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 ...asks leave to take the bill out of...out of the record. All...
31 is leave granted? Leave is granted. House Bill 2628, Senator Carroll.

32 SECRETARY:

33 House Bill 2628.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President and members of the Senate. This bill
7. is pure and unamended...and deals with the same concept as the...first
8. section of the last bill, and what it does is, it describes to the
9. Department of Mental Health and Developmental Disability that they
10. shall provide mental health care for all persons in need of mental
11. treatment, whether or not they are declared unfit to stand trial if
12. they are confined in a county jail or in a county Department of Corrections.
13. This is in Chapter 91½, and this is a mandate to the Department to pro-
14. vide what the Mental Health Code says they must provide. I would ask
15. for a favorable roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? The question is, shall House Bill 2628
18. pass? Those in favor vote Aye. Those opposed vote Nay. The voting is
19. open. Have all voted who wish? Take the record. On that question,
20. the Ayes are 37, the Nays are 11, 1 Voting Present. House Bill 2628
21. having received the constitutional majority is declared passed. House
22. Bill 2693, Senator Schaffer. House Bill 2694, Senator Schaffer. House
23. Bill 2720, Senator Wooten. Read the bill, Mr. Secretary.

24. SECRETARY:

25. House Bill 2720

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Wooten.

30. SENATOR WOOTEN:

31. Yes, Mr. President and colleagues. Representative Polk's bill is
32. an attempt to answer the situation in which we often find ourselves
33. when a...when there is a...an occurrence of some kind, an accident, or

1 a breakdown at a nuclear power plant, and the State seems to be left
2 out of the whole chain of information. We had one at Cordova, and it
3 took us more than a day just to find out that something truly had
4 gone wrong. In his bill, Representative Polk sets out the occurrences
5 which should be reported and in a response to a request from Senator
6 Glass, we specified the time limit, and answered his objection on that.
7 We reduced the penalty to what we thought was a reasonable level, and
8 I would ask for a favorable roll call.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Is there further Debate? Senator Bell.

11 SENATOR BELL:

12 Well, thank you, Mr. President. I really have some questions in
13 my own mind as to the advisability of...of this particular type of
14 legislation, and I would especially call the attention of Representative
15 ...or excuse me, Senator Kosinski, who is a member of the State Atomic
16 Energy Commission. The bill is now before the Senate, but I would like
17 to go on and say that...Federal government generally, and, in fact, and
18 as far as I know, totally handles and has preempted from the State the
19 right to get into the field of atomic energy and disclosure of break-
20 downs or incidents to agencies outside of the...Federal Atomic Energy
21 Commission, and while it's an area that can bring about a great deal of
22 fright on the part of the citizenry, I think this is the concern that the
23 Federal Government has had with its AEC handling of the particular situa-
24 tion, and that that it is why the AEC or the Federal government has pre-
25 empted from the states, involving itself in nuclear...in nuclear matters,
26 and that is to say...not to say that the Federal government has not had
27 some problems in this particular area. But, Mr. President and members of
28 the Senate, I really fail to see where the State of Illinois and its
29 infinite wisdom, and its bureaucratic administration can do much other
30 than to exacerbate the fear that can be brought about by improper hand-
31 ling of minor nuclear incidents. And to me, this bill is one that is
32 going to cause problems in the necessary development of the energy re-
33 quirements of this country. I think it's best left to the Federal

1 Atomic Energy Commission, and for the State of Illinois not to involve
2 itself unnecessarily into this particular area. The reason I...I
3 mentioned Senator Kosinski in reference to this, is because of the fact,
4 that he is a member of the State Atomic Energy Commission. I would
5 also draw reference to Senator Mitchler in reference to this particular
6 problem because I think both of these individuals may have some pertinent
7 thoughts on this...on this measure. I see it as a...as an entry on the
8 part of the State into an area that it really doesn't belong in, and
9 that it will serve only to...allow the State to exacerbate problems that
10 don't belong in the State rationale, but rather continue at the Federal
11 level.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Is there further debate? Senator Rock.

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(Continued on next page)

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1 SENATOR ROCK:

2 Well, thank you, Mr. President and Ladies and Gentlemen of the
3 Senate. I rise in opposition to House Bill 2720, even while reluctantly
4 admitting that it is in much better shape than when it came over from the
5 House. I think that the amendments that Senator Wooten did offer in the
6 Committee made at least an attempt to clean up the bill. I was just
7 mentioning to Senator Nudelman, I cannot frankly, for the life of me,
8 remember that the case law to which I am about to refer, but I don't
9 understand how we can put a duty on a "plant" and propose a criminal fine
10 on a plant which willfully violates. How in the world does a plant
11 willfully violate, and how in the world can a plant be subject to
12 criminal sanction? It...it...it just...I can appreciate the problem that
13 Senator Wooten and Representative Polk are attempting to address. The
14 information that I have received would indicate that those nuclear energy
15 ...institutions or plants, I guess is the right word, that the managing
16 personnel of those plants does, in fact, do this now, and to attempt to
17 impose a criminal sanction on this...on a plant, I...I think is just...
18 technically and substantially...substantively incorrect, and I would
19 urge a no vote.

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Senator Harber Hall.

22 SENATOR HARBER HALL:

23 I rise also to oppose this bill, Mr. President. I think the concept
24 of placing serious matters of this nature into a Department that hasn't
25 justified its large appropriations, and to me has caused more trouble
26 around the State just trying to handle...minor responsibilities like
27 blowing sirens and whistles every time a cloud passes over the area is a
28 serious mistake. I think, in fact I know, that the Federal government's
29 control in this area is thorough, it's most complete, it's in the hand
30 of those who are equipped, who are knowledgeable, and who have the
31 ultimate responsibility for the protection of the people and...and the
32 areas involved, and I think that is where it should be left. I am
33 amazed that we would find this bill on this order in the legislative

1. process, not having been stopped sooner than this. I think it is a
2. bad bill. I hope everyone understands what it is, prior to voting on it.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Bloom.

5. SENATOR BLOOM:

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

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates that he will yield.

9. SENATOR BLOOM:

10. Earlier in the debate, I heard mention of the Act as the bill as
11. drawn. It refers to willful violations. Is that so and what is the
12. reasoning behind it?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Wooten.

15. SENATOR WOOTEN:

16. Yes, willful violation because things happen by inadvertence. In
17. other words, you may not discover something right away. It...you have
18. ...I believe in any situation where you are going to hold a person
19. accountable, you also have to leave some room for accidents. So...I...
20. I think willful violation is important.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Bloom.

23. SENATOR BLOOM:

24. Well, I'd...I'd commend the membership and especially the lawyers
25. in membership to read...EPA vs Jack & Dwight's New Way Auto Salvage
26. where the appellate courts said you can't...you know, you can't allege
27. a willful violation...against an entity such as that. I'd suggest that
28. perhaps it is poorly drawn. That's all.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there further debate? Senator Nimrod.

31. SENATOR NIMROD:

32. Yes, Mr. President. I would agree with the comments that have
33. been made, and especially of those with Senator Rock, but I would also

1. call our attention to one other thing that has to be done with this
2. bill. The Civil Defense must upon receipt of this, notify all of the
3. State agencies and then report to the Illinois State Atomic Energy
4. Commission within ninety days. Now, it just seems to me that if we've
5. had an emergency or we've had a death or we if we've had things happen,
6. that there is no result that can really take place, and no authority is
7. being given here; it can become very cumbersome. I think that it is
8. very easy for the Civil Defense Department to get a copy of these
9. reports for their records and to help coordinate wherever they can, but
10. we certainly don't need law to do this, and I would be very much opposed
11. to this particular law, even though I was a Civil Defense Director for
12. six years in my own community.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further debate? Senator Wooten may close.

15. SENATOR WOOTEN:

16. Mr. President and colleagues. I have heard all of the objections
17. which have been raised, and I would ask my colleagues to listen very
18. carefully, and if they can, assist me in a resolution to this problem.
19. We had an incident at the Cordova reactor. For a solid day, we could
20. not get any information as to whether the Civil Defense Agency which
21. is active and prepared in our area was needed, as to whether or not the
22. Mississippi River had been contaminated because our drinking supply
23. is just...would you please listen, Ladies and Gentlemen?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Can...can we have some order, please?

26. SENATOR WOOTEN:

27. I'm serious. I can...I concede that the bill was poorly drawn
28. because we are having difficulty knowing how to address the problem.
29. That fact is, we did not...we were not able to get any information from
30. anybody for a solid day, and you should have been in my office and
31. Representative Polk's office, in the Civil Defense office, in the
32. Department of Public Health, where calls were coming in from all over our
33. area because this reactor is just above our drinking supply, and all

1 we had to go on were rumors. We had no solid information. I do
2 not propose for an instant that we try to usurp any Federal authority.
3 I simply say, please find a way to let revelant departments of the
4 State know what is happening. Now, having said that and having conceded
5 that the bill was poorly drawn, I'm going to pull perhaps an unfair
6 trick here since we've talked about it, and ask to take this from the
7 record. I'm going to bring it back, but I would like some help as to
8 how we can achieve that purpose without interfering with the Federal
9 government, but just so that the State has a chance to know what's going
10 on. That's all this bill seeks to do, and I would welcome any assistance
11 anyone can give me in drafting such legislation.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Senator Wooten asks leave to take 2720 from the record. Is there
14 leave? Leave is granted.

15 PRESIDENT:

16 House Bill 2721, Senator Philip. House Bill 2741, Senator Nudelman.

17 SECRETARY:

18 House Bill 2741.

19 (Secretary reads title of bill)

20 3rd reading of the bill.

21 PRESIDENT:

22 Senator Nudelman.

23 SENATOR NUDELMAN:

24 Thank you, Mr. President. This is a companion bill to 2740 which
25 we passed on the Consent Calendar yesterday, and it provides for the
26 revocation of license of a detective who is convicted of eavesdropping.
27 That's all it does, and I would ask for a favorable roll call.

28 PRESIDENT:

29 Any further discussion? The question is, shall House Bill 2741
30 pass? Those in favor will vote Aye. Opposed Nay. The voting is open.
31 Have all voted who wish? Take the record. On this question, the Ayes are
32 51, the Nays are none, with none Voting Present. House Bill 2741 having
33 received the constitutional majority is declared passed. We have a couple

1. of appropriation bills on...Senate bills on second reading. Is there
2. leave to go to 2nd reading Senate Bills. Leave is granted. Senate
3. Bill 629, Senator Bruce.

4. SECRETARY:

5. (Secretary reads title of bill)

6. 2nd reading of the bill. The Committee on Appropriations offers four
7. amendments.

8. PRESIDENT:

9. Senator Bruce.

10. SENATOR BRUCE:

11. Yes, Mr. President and members of the Senate. I think Senator
12. Hynes will explain the four amendments...or Senator Rock will explain
13. the four amendments.

14. PRESIDENT:

15. Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
18. Amendment No. 1 to Senate Bill 629 effectively removes the weasel
19. clause and...makes Federal funding subject to the appropriation process.
20. I would move the adoption of Amendment No. 1.

21. PRESIDENT:

22. Senator. Senator Rock. The Secretary informs me that Amendment No.
23. 1 is the one one relating to the effective date.

24. SENATOR ROCK:

25. Yes. It...it deletes two sections, and...restores the effective
26. date. That is the correct one. It...the effective date doesn't change;
27. it just moved into a different section and...and the sections are re-
28. numbered. I would move the adoption of Amendment No. 1

29. PRESIDENT:

30. Senator Rock moves the adoption of Amendment No. 1 to Senate Bill
31. 629. All in favor will say Aye. Opposed Nay. The Ayes have it.
32. Amendment No. 1 is adopted. Amendment No. 2, Senator Rock..

33. SENATOR ROCK:

1. Thank you, Mr. President. Amendment No. 2 to Senate Bill 629
2. represents a...

3. PRESIDENT:

4. Just a moment, just a moment. The Gentleman can't hear himself
5. think. Senator Savickas, Senator Savickas, Senator Merritt. Will the
6. members be in their seats? Will the members be in their seats? Senator
7. Rock is recognized.

8. SENATOR ROCK:

9. Yes, this is a reduction in the general revenue funding for the
10. general operations of this office. It represents a little more than
11. the Governor requested. I think the total amount is between nine percent
12. and ten percent reduction; I would move the adoption of Amendment No. 2.

13. PRESIDENT:

14. Any discussion? Senator Rock moves the adoption of Amendment No.
15. 2 to Senate Bill 629. All in favor say Aye. Opposed Nay. Amendment
16. No. 2 is adopted. Amendment No. 3, Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
19. Amendment No. 3 breaks out into...into specific line items...the various
20. projects that are, in fact, funded by the Illinois Law Enforcement
21. Commission. There is involved some thirty-seven million dollars, if I
22. recall the testimony correctly, and this Amendment which is a lengthy
23. one breaks it out and...and specifies the purpose for which both the
24. Federal and the State match money are...are, in fact, available. I
25. would move the adoption of Amendment No. 3.

26. PRESIDENT:

27. Senator Rock moves the adoption of Amendment No. 3 to Senate Bill
28. 629. All in favor will say Aye. Opposed Nay. Amendment No. 3 is
29. adopted. Amendment No. 4, Senator Rock.

30. SENATOR ROCK:

31. Amendment No. 4 was offered in the Committee by Senator Savickas,
32. I don't see him so I will offer it...it does two things. It cuts out
33. funds for the Department of...a grant to...to the Department of Local

1. Government Affairs for a project called "Local Government Law En-
2. forcement Awareness" in the total amount of two hundred and twenty-two
3. thousand two hundred and twenty-two dollars. That grant is effectively
4. cut out. It was the feeling of the Committee that...just by virtue
5. of that kind of a title, "Local Government Law Enforcement Awareness"
6. and the description, the application description, is just, frankly did
7. not warrant action by this General Assembly, and we chose to delete it.
8. The second part of Amendment No. 4 deletes the money, the funds, for the
9. Office of Special Investigations in the total amount of one hundred and
10. eleven dollars. This is the office that everyone will recall the General
11. Assembly attempted, at least, to delete last Session. Amendment No. 4
12. deletes the funds for the OSI and also deletes this other grant. It
13. would move its adoption.

14. PRESIDENT:

15. Senator Rock moves the adoption of Amendment No. 4. All in favor
16. will say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is
17. adopted. Any further amendments? Senator Weaver.

18. SENATOR WEAVER:

19. Mr. President, I think it is understood that both 629 and 683 may
20. be brought back tomorrow for further amendments. Is that correct,
21. Senator Hynes and Senator Rock?

22. PRESIDENT:

23. They're negative. Senator Bruce.

24. SENATOR BRUCE:

25. I...I...are those amendments to add money? That's what I would
26. like to get clear, No, I'll bring it back to 2nd.

27. SENATOR WEAVER:

28. Possible.

29. PRESIDENT:

30. Any further amendments? 3rd reading. Senate Bill 683, Senator
31. Egan.

32. SECRETARY:

33. House Bill...or Senate Bill 683

1. (Secretary reads title of bill)

2. 2nd reading of the bill. The Committee on Appropriations offers six
3. amendments.

4. PRESIDENT:

5. Senator Egan.

6. SENATOR EGAN:

7. Yes, Mr. President and members of the Senate. ...Amendment No.
8. 1 which was offered in Committee, I now move to adopt. ...Amendment
9. No. 1 deletes the...the appropriation for the Middle Fork Reservoir,
10. and I move its adoption, Mr. President.

11. PRESIDENT:

12. Any discussion? Senator Egan moves the adoption of Amendment No.
13. 1 to Senate Bill 683. All in favor say Aye. Opposed Nay. The Amend-
14. ment is adopted. Amendment No. 2, Senator Egan.

15. SENATOR EGAN:

16. Amendment No. 2 was an addition for the Ogle Creek-St. Clair Madison
17. Counties' planning, construction, and acquisition of Ogle Creek Reservoir
18. in the St. Clair-Madison Counties. It passed the Committee...Mr.
19. President, unanimously; I offer the adoption of Amendment No. 2.

20. PRESIDENT:

21. Senator Egan moves the adoption of Amendment No. 2 to Senate Bill
22. 683. All in favor will say Aye. Opposed Nay. Amendment No. 2 is
23. adopted. Amendment No. 3, Senator Egan.

24. SENATOR EGAN:

25. Amendment...Amendment No. 3 includes the Southwestern Illinois
26. Metropolitan Area Regional Planning Commission proportionate share of
27. the cost of continuing development of a storm water control plan in the
28. Madison-St. Clair, Monroe and Randolph counties. It...it received un-
29. animous approval in Committee; I move for its adoption.

30. PRESIDENT:

31. Senator Egan moves the adoption of Amendment No. 3 to Senate Bill
32. 683. All in favor will say Aye. Opposed Nay. Amendment No. 3 is
33. adopted. Amendment No. 4...

1. SENATOR EGAN:

2. Amendment...

3. PRESIDENT:

4. ...Senator Egan.

5. SENATOR EGAN:

6. ...Amendment No. 4 changes the...the appropriation from State
7. funds to Federal funds in the amount of five hundred seventy thousand
8. dollars; I move the adoption of Amendment No. 4.

9. PRESIDENT:

10. Senator Egan moves the adoption of Amendment No. 4 to Senate Bill
11. 683. All in favor will say Aye. Opposed Nay. Amendment No. 4 is
12. adopted. Amendment No. 5, Senator Egan.

13. SENATOR EGAN:

14. Amendment No. 5 includes the appropriation for the rehabilitation,
15. replacement and construction of the retaining wall along the east banks
16. of...the east bank of the Fox River, and...it received unanimous
17. approval in Committee; I move its adoption.

18. PRESIDENT:

19. Senator Egan moves the adoption of Amendment No. 5 to Senate Bill
20. 683. All in favor will say Aye. Opposed Nay. Amendment No. 5 is
21. adopted. Amendment No. 6, Senator Egan.

22. SENATOR EGAN:

23. Amendment No. 6 appropriates a million dollars for the dredging
24. of Lake DePue; received unanimous approval in Committee; I move
25. its adoption.

26. PRESIDENT:

27. Senator Egan moves the adoption of Amendment No. 5 to Senate Bill
28. ...Amendment No. 6 to Senate Bill 683. All in favor will say Aye.
29. Opposed Nay. Amendment No. 6 is adopted. Any further amendments.
30. Senator Howard Mohr.

31. SECRETARY:

32. Amendment No. 7 by Senator Howard Mohr.

33. PRESIDENT:

1 Senator Howard Mohr.

2 SENATOR HOWARD MOHR:

3 Yes, Mr. President. Amendment No. 7...I discussed this in
4 Committee the other evening, and the Director Eisel is in
5 full agreement with this Amendment. I think the Appropriations
6 Committee is also at this time. It's for one million two which is
7 for land acquisition for the Lake Street underpass for four reservoirs
8 that have to be built in that area. It's a program that has been
9 studied for many years, and this is the...known as the world's largest
10 bathtub. I think most people are familiar with it and know when they
11 hear the radio broadcasts in the morning on the weather that they hear
12 nine out of ten times that the Lake Street underpass is closed. If
13 affects an awful lot of people, and I'm happy to report that the...we
14 are...we now have a plan and are ready to go with it. I move for
15 the adoption.

16 PRESIDENT:

17 Any discussion? Senator Howard Mohr moves the adoption...Senator
18 Egan.

19 SENATOR EGAN:

20 Yes, Mr. President and members of the Senate. I would just say
21 that...this has the unanimous approval of the Committee after long
22 deliberation; it's a much need project and I urge your support.

23 PRESIDENT:

24 Senator Howard Mohr moves the adoption of Amendment No. 7 to
25 Senate Bill 683. All in favor say Aye. Opposed Nay. Amendment No. 7
26 is adopted. Amendment...any further amendments?

27 SECRETARY:

28 Amendment NO. 8 offered by Senator McCarthy.

29 PRESIDENT:

30 Senator McCarthy.

31 SENATOR MCCARTHY:

32 Yes, Mr. President and members of the Body. Amendment No. 8
33 appropriates the sum of fifty thousand dollars to Macon County for ex-
34 penditure with the City of Decatur towards the development of recreation

1. water supply and water equality aspects as an alternative project to
2. Lake Springer. I have discussed this with the sponsor of the amendment...
3. and I would move its adoption. I think that it is a...Lake Springer is
4. in trouble, the Oakley dam is in trouble so here's a way to in-
5. vestigate an alternative project to it, and I think that it is...a
6. sound amendment.

7. PRESIDENT:

8. Any further discussion? The question is, shall Amendment No. 8
9. to Senate Bill 683 be adopted? All in favor say Aye. Opposed Nay.
10. The Amendment is adopted. Any further amendments? 3rd reading.
11. Senate Bills on 3rd reading. (machine cutoff) ...Senator Donnewald,
12. will one of you come up here, please? Messages from the House.

13. SECRETARY:

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

15. Mr. President - I am directed to inform the Senate that the
16. House of Representatives has concurred with the Senate in the passage
17. of the following bills along with the following amendments: Senate Bill
18. 662, with House Amendment No. 1, Senator McCarthy is the chief sponsor;
19. Senate Bill 665, with House Amendment No. 1, Senator Philip is the
20. chief sponsor; Senate Bill 669, with House Amendment No. 1, Senator
21. Sommer is the chief sponsor; Senate Bill 739, with House Amendments
22. No. 1, 2, and 3, Senator Berning is the chief sponsor; Senate Bill No.
23. 805, with House Amendments No. 1, 2, 3, and 5, Senator Knuppel is the
24. chief sponsor; Senate Bill No. 820, with House Amendments 1, 2, 3, and
25. 4, Senator Rock is the chief sponsor; Senate Bill No. 858, with House
26. Amendments No. 1 and 2, Senator Regner is the chief sponsor; Senate
27. Bill No. 910, with House Amendment No. 2, Senator Johns is the chief
28. sponsor; Senate Bill No. 978, with House Amendment No. 1, Senator Roe
29. is the chief sponsor; Senate Bill No. 1157, with House Amendments No. 1,
30. 2 and 3, Senator Latherow is the chief sponsor; Senate Bill No. 1298,
31. with House Amendment No. 1, Senator Clarke is the chief sponsor. Senate
32. Bill No. 1478, with House Amendment No. 1, Senator Shapiro is the chief
33. sponsor; Senate Bill No. 1381, with House Amendment No. 1, Senator

1. Latherow is the chief sponsor; Senate Bill No. 703, with House Amend-
2. ment No. 2, Senator Schaffer is the chief sponsor.
3. PRESIDING OFFICER: (SENATOR DONNEWALD).
4. All to the Secretary's Desk. Committee reports.
5. SECRETARY:
6. Senator Newhouse, Chairman of Pensions, Personnel and Veterans
7. Affairs, reports out the following bills: House Bill 3098 with a
8. recommendation Do Pass.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Motions.
11. SECRETARY:
12. Motion in Writing. Having...having voted on the prevailing side,
13. I move to reconsider the vote by which House Amendment No. 1 to Senate
14. Bill...or 946 was nonconcurrent in. Signed Senator Ozinga.
15. Motion in Writing....
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Just...just a moment. Senator Ozinga.
18. SENATOR OZINGA:
19. Set it for hearing Monday.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Set it for Monday.
22. SECRETARY:
23. ...Motion in writing. I move to reconsider the vote by which
24. House Bill 3049 was defeated. Signed Senator Harber Hall.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Do you want to set it? Set it for Monday. 23rd of June...I...I
27. might add to the Body, all of the motions set for hearing today, if I
28. have leave, we would set them over to the 25th of June. Is there leave?
29. Senator Nudelman, for what purpose do you arise?
30. SENATOR NUDELMAN:
31. Thank you, Mr. President. I have such a motion which I made
32. yesterday which I do not find in today's Calendar. Will that be con-
33. tinued as well until the 25th?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. It will be continued to the 25th.
3. SENATOR NUDELMAN:
4. I want the record to be perfectly clear on that point.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. We...we will read that into the record, Senator.
7. SECRETARY:
8. Having voted on the prevailing side, I move to reconsider the
9. vote by which House Bill 1925 passed. Signed Senator Nudelman.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. That will be set for Monday, June 23rd. Senator Philip.
12. SENATOR PHILIP:
13. Yeah, Mr. President, I would like to ask leave to have House Bill
14. 1921 heard on Monday, June 23rd.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Is there leave? Leave is granted. Senator Vadalabene...Senator
17. Vadalabene, addressing yourself to House Bill 3035, I understand that
18. you wish to make a motion?
19. SENATOR VADALABENE:
20. Yes, I would like to make a motion. I have had clearance on both
21. sides of the aisles in regards to House Bill 3035.
22. PRESIDING OFFICER: (SENATOR DONNEWALD)
23. Just a moment, that bill is on first reading?
24. SENATOR VADALABENE:
25. Yes, it's on first reading.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. And it is your motion...to...move that bill to the order of second
28. reading without reference to Committee?
29. SENATOR VADALABENE:
30. That is correct.
31. PRESIDING OFFICER: (SENATOR DONNEWALD)
32. Is there...we...we...must read it for the first time.
33. SECRETARY:

1. House Bill 3035
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. 2nd reading. Senator Demuzio.
6. SENATOR DEMUZIO:
7. I have a similar request, Mr. ...Mr. ...President to House Bill
8. 3048. I have spoken with the Chairman of the Education Committee, and
9. it is on first reading, and I'd like to advance that to the order of
10. second reading without reference to Committee.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Where is the...where is the bill, Senator?
13. SENATOR DEMUZIO:
14. It's on Committee...it's been assigned?
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. It is in the...your motion...your...just a moment, your motion is
17. discharge House Bill...
18. SENATOR DEMUZIO:
19. No, take it out of the record.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Take it out of the record. Senator Latherow.
22. SENATOR LATHEROW:
23. Mr. President, thank you, I have House Bill 3058, I'd like to have
24. read a first time, and ask that it be moved to 2nd reading without ref-
25. erence to Committee. Just...I talked to Senator Chew yesterday about
26. this and I think that I've talked to Senator Partee also on it...I didn't
27. talk to him, but someone else did.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Is there leave? Leave is granted.
30. SECRETARY:
31. House...
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Read the bill.

1. House Bill 3058

2. (Secretary reads title of bill)

3. 1st reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. 2nd reading. Senator Partee.

6. SENATOR PARTEE:

7. Thank you, Mr. President and members of the Senate. It was
8. indicated earlier today when we started, that we would probably work
9. until five or six o'clock today, and I would like to say that the Senate
10. has had, and I compliment the membership, an extremely productive day
11. today, despite the fact that there was extended debate on two or three
12. of the issues. I think perhaps physical concerns for all of us
13. indicate that we have perhaps done as much as we can today, reasonably,
14. and that this is a time to close for today with the understanding and
15. knowledge that we will be returning tomorrow at nine and will not work
16. later than two o'clock tomorrow. I think that our Calendar is in such
17. shape that it will not be necessary for us to work on Sunday. We will
18. work tomorrow from nine until two, no work on Sunday, and return Monday
19. at nine. Thank you.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Partee moves that the Senate stand adjourned until nine
22. o'clock Saturday, June the 21st. The Senate stands adjourned.

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