

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 23, 1975

1. PRESIDENT:

2. The hour of nine having arrived, the Senate will come to order.
3. The prayer will be deferred awaiting the arrival of Father Jerome Feldman
4. from Marydale, Illinois. Reading of the Journal. Senator Johns.
5. SENATOR JOHNS:

6. Mr. President, I move that the reading and approval of the Journals
7. of Wednesday, June the 11th, Thursday, June the 12th, Friday, June the
8. 13th, Monday, June the 16th, Tuesday, June the 17th, Wednesday, June
9. the 18th, Thursday, June the 19th and Friday, June the 20th together
10. with Saturday, June the 21st all 1975 be postponed pending arrival of
11. the printed Journals.

12. PRESIDENT:

13. You heard the motion. All in favor say Aye. Opposed Nay. The
14. Ayes have it. The motion carries. Committee Reports.

15. SECRETARY:

16. Senator Donnewald, Chairman of the Assignment of Bills, assigns
17. the following to Committee: Appropriations - House Bills 1342, 1996,
18. 2036 and 3002; Education - House Bill 3069; Elections and Reapportion-
19. ment - House Bills 3056 and 3091; Public Health, Welfare and Corrections
20. - House Bill 3066.

21. Senator Hynes, Chairman of the Appropriations Committee, reports
22. out the following: House Bills 596, 697, 734, 1552, 1588 and 2263
23. with the recommendation Do Pass. House Bill...

24. PRESIDENT:

25. Now, just a moment, Mr. Secretary. Would you hold it a moment?
26. We'll defer that. The Chaplain has arrived. Father Jerome Feldman,
27. St. Theresa Parish, Marydale, Illinois.

28. (Prayer given by Father Jerome Feldman)

29. PRESIDENT:

30. Continue with the Committee Reports.

31. SECRETARY:

32. House Bill 587, 1149, 1314, 1901, 2204 and 2559 with the recommenda-
33. tion Do Pass as Amended. House Bill 206 and 2701 with the recommendation

1. Do Not Pass.

2. PRESIDENT:

3. A Message from the House.

4. SECRETARY:

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

6. Mr. President - I am directed to inform the Senaté that the

7. House of Representatives has concurred with the Senate in the passage of

8. the following bill:

9. Senate Bill 1387 along with House Amendment No. 1. Senator Romano

10. is the chief sponsor.

11. PRESIDENT:

12. Secretary's Desk. A Message from the House. House Bills 1st

13. reading. House Bill 289, Senator Lemke.

14. SECRETARY:

15. House Bill 289.

16. (Secretary reads title of bill)

17. 1st reading of the bill.

18. PRESIDENT:

19. House Bill 995, Senator Hynes.

20. SECRETARY:

21. House Bill 995.

22. (Secretary reads title of bill)

23. 1st reading of the bill.

24. PRESIDENT:

25. House Bill 2476, Senator Rock.

26. SECRETARY:

27. House Bill 2476.

28. (Secretary reads title of bill)

29. 1st reading of the bill.

30. PRESIDENT:

31. House Bill 2989, Senator Hynes.

32. SECRETARY:

33. House Bill 2989.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDENT:
4. House Bill 3037, Senator Rock.
5. SECRETARY:
6. House Bill 3037.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDENT:
10. Any other members have bills on House Bills 1st reading? House
11. Bills 2nd reading. House Bill 3, Senator Lemke. House Bill 284,
12. Senator Joyce. House Bill 449, Senator Dougherty. House Bill 736,
13. Senator Hickey. House Bill 738, Senator Vadalabene. House Bill 743.
14. House Bill 852, Senator Joyce. House Bill 942, Senator Buzbee. House
15. Bill 1079, Senator Kosinski. House Bill 1089, Senator Dougherty. House
16. Bill 1172, Senator Netsch. House Bill 1274, Senator Demuzio. House
17. Bill 1399, Senator Savickas. House Bill 1426, Senator Knuppel-
18. Joyce. House Bill 1506, Senator Palmer. House Bill 1589, Senator
19. Shapiro. House Bill 1662, Senator Schaffer. 1732, Senator Brady. House
20. Bill 1977, Senator Demuzio. House Bill 1979, Senator Hickey. House
21. Bill 2074, Senator McCarthy. House Bill 2099, Senator Latherow. House
22. Bill 2160, Senator Brady. House Bill 2355, Senator Netsch. House Bill
23. 2576, Senator Davidson. House Bill 2784, Senator Egan. House Bill 2972,
24. Senator Buzbee. House Bill 3005, Senator Carroll. House Bill 3023,
25. Senator Rock. Read the bill.
26. SECRETARY:
27. House Bill 3023.
28. (Secretary reads title of bill)
29. 2nd reading of the bill. No committee amendments.
30. PRESIDENT:
31. Any amendments from the Floor? 3rd reading. House Bills on 2nd
32. reading. House Bill 284, Senator Joyce. Read the bill.
33. SECRETARY:

1. House Bill 284.

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. (Machine cut-off)...
6. is recognized at Senator Dougherty's desk.

7. SENATOR McCARTHY:

8. Yes, Mr. Chairman, I would like leave to go to the order of House
9. Bills on 3rd reading to House Bill 2105. It's a bill that I'm handling.
10. It's on the agreed list and I'd like to take it off the agreed list and
11. properly do move that it be committed to the Committee on Finance and
12. Credit Regulations. It's a duplicate bill.

13. PRESIDENT:

14. You heard the motion. All in favor will say Aye. Opposed Nay.
15. House Bill 2105 on the agreed bill 3rd reading list is recommitted to
16. the Committee on Finance. Continuing on House Bills on 2nd reading on
17. page 23, House Bill 3024, Senator Daley. House Bill 3035, Senator
18. Vadalabene. House Bill 3098, Senator Romano. House Bill 3105, Senator
19. Newhouse. I notice the arrival of some additional members. There are
20. House Bills on 1st reading, which you may desire to pick up. If so
21. which we'd indicate to the Secretary and return to that order. And
22. try to clear that part of the Calendar. Is Senator Mitchler on the
23. Floor? Senator Mitchler, you have, oddly enough, a couple congratulatory
24. resolutions, here, we could deal with at this time. Just by happen-
25. stance has a couple.

26. SECRETARY:

27. Senate Resolution 113 introduced by Senators Mitchler and all
28. Senators, and it's congratulatory.

29. PRESIDENT:

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. Mr. President, this is a congratulatory resolution for the Veterans
33. of Foreign Wars Convention held in Springfield this last weekend. I

1. would ask for immediate suspension of the rules and immediate considera-
2. tion and adoption of the resolution. All Senators are listed as cosponsors.

3. PRESIDENT:

4. Senator Mitchler moves for the suspension of the rules for the
5. immediate consideration of the resolution. All in favor say Aye. Opposed
6. Nay. The rules are suspended. Senator Mitchler moves the adoption of
7. the resolution. All in favor will say Aye. Opposed Nay. The resolu-
8. tion is adopted.

9. SECRETARY:

10. Senate Resolution 114 introduced by Senator Mitchler and it con-
11. gratulates the Girl's State.

12. SENATOR MITCHLER:

13. Mr. President and members of the Senate. Senate Resolution 114
14. is a resolution commending the Girl's State of the American Legion for
15. their work last week at MacMurray College in Jacksonville, and I would
16. ask for immediate suspension of the rules and adoption of the resolution.
17. All Senators are listed as cosponsors.

18. PRESIDENT:

19. Senator Mitchler moves for the suspension of the rules for the con-
20. sideration of the resolution. All in favor will say Aye. Opposed Nay.
21. The rules are suspended. Senator Mitchler moves the adoption of the
22. resolution. All in favor will say Aye. Opposed Nay. That resolution
23. is adopted.

24. SECRETARY:

25. Senate resolution 115 introduced by Senators Egan and Glass. And
26. it's congratulatory.

27. PRESIDENT:

28. Senator Egan.

29. SENATOR EGAN:

30. Thank you, Mr. President and members of the Senate. I would ask
31. leave of the Body to suspend the rules for the immediate consideration
32. of the congratulatory.

33. PRESIDENT:

1. Who does it congratulate, Senator?

2. SENATOR EGAN:

3. And I...

4. PRESIDENT:

5. Who does it congratulate? Just so the Body will know the subject
6. matter.

7. SENATOR EGAN:

8. It congratulates a single amateur hockey team boy, who was omitted
9. inadvertently from the congratulatory resolution, which we passed out
10. about a month ago.

11. PRESIDENT:

12. Senator Egan moves the suspension of the rules. All in favor will
13. say Aye. The Ayes have it. The rules are suspended. Senator Egan moves
14. the adoption of the resolution. All in favor will say Aye. Opposed Nay.
15. The resolution is adopted.

16. SECRETARY:

17. Senate Resolution 116, Senator Shapiro.

18. PRESIDENT:

19. Senator Shapiro.

20. SENATOR SHAPIRO:

21. Mr. President and Ladies and Gentlemen of the Senate. This is a
22. death resolution for a Mrs. Howard Shaw who is a former Republican County
23. Chairwoman of Lee County. I would now move that the rules be suspended
24. for the immediate consideration of the resolution.

25. PRESIDENT:

26. Senator Shapiro moves that the rules be suspended for the immediate
27. consideration of the resolution. All in favor say Aye. Opposed Nay.
28. The rules are suspended. Senator Shapiro now moves the adoption of the
29. resolution. All in favor say Aye. Opposed Nay. The resolution is
30. adopted.

31. SECRETARY:

32. Senate Joint Resolution No. 43 introduced by Senator Nudelman and
33. Senator Berning, and it's extending the reporting date of the Spanish

1. Speaking Peoples Study Commission.

2. PRESIDENT:

3. Senator Berning.

4. SENATOR BERNING:

5. Thank you, Mr. President. The Spanish Speaking Peoples Study
6. Commission is of the opinion we need the extended time do to the
7. complexities that have developed as a result of the incapacity of
8. the Executive Director to function. She is on maternity leave. We
9. have interim help. The report will be ready by October 15th. We re-
10. quest that the rules be suspended for the immediate consideration of
11. this resolution.

12. PRESIDENT:

13. You heard the motion. All in favor will say Aye. Opposed Nay.
14. The rules are suspended. Senator Berning now moves the adoption of the
15. resolution. All in favor will say Aye. Opposed Nay. The Ayes have
16. it. The resolution is adopted.

17. SECRETARY:

18. Senate Joint Resolution No. 44 introduced by Senator Palmer, and
19. it's extending the reporting date of the committee to investigate problems
20. concerning administrative unemployment.

21. PRESIDENT:

22. Senator Palmer.

23. SENATOR PALMER:

24. I move that the resolution be adopted.

25. PRESIDENT:

26. Senator Palmer moves that the rules be suspended for the immediate
27. consideration of the resolution. All in favor say Aye. Opposed Nay.
28. The rules are suspended. Senator Palmer now moves for the adoption of
29. the resolution. All in favor say Aye. Opposed Nay. The Ayes have it.
30. The resolution is adopted. Committee reports.

31. SECRETARY:

32. Senator Palmer, Chairman of the Education Committee, reports out
33. the following bills: House Bill 3047, 3049, 3050, 3087 and 1555 with

1. the recommendation Do Pass.

2. PRESIDENT:

3. Senator Palmer.

4. SENATOR PALMER:

5. Mr. Chairman, I started to ask the Clerk but I may ask the opinion
6. of the Chair. You noticed the last House Bill No. is 1555. That's not
7. a committee number. It's a House bill number. Is that proper at this
8. time, or is there a question? Having passed the deadline date do we
9. have leave of...does that need a special order?

10. PRESIDENT:

11. It is not a committee bill.

12. SENATOR PALMER:

13. No. The last...

14. PRESIDENT:

15. It is not...one moment. It is not an appropriation bill?

16. SENATOR PALMER:

17. No.

18. PRESIDENT:

19. Then you would have to, you would have to go by the Rules Committee
20. on both sides of the rotunda for...

21. SENATOR PALMER:

22. I...I didn't hear that. That's my question to you, is the...I'm
23. asking the inquiry as to what's proper there. And I didn't hear what
24. your answer was.

25. PRESIDENT:

26. It's not proper to have been voted out of committee in the first
27. instance, It not being a committee bill, it not being a appropriation
28. bill. It is not...

29. SENATOR PALMER:

30. Could that be approved by...by the committee?

31. PRESIDENT:

32. No, it cannot. It can be reintroduced. It would have to be approved
33. by the Rules Committee before it could ever reach the Calendar.

1. SENATOR PALMER:

2. Well, alright, I'll take the proper action. Thank you.

3. PRESIDENT:

4. Surely. Strike it from the report. A Message from the House.

5. SECRETARY:

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

7. Mr. President - I am directed to inform the Senate that the
8. House of Representatives has passed bills of the following titles in the
9. passage of which I am instructed to ask the concurrence of the Senate,
10. to-wit:

11. House Bill 3097, 3102, 3106, 3107, 3108, 3109, 3110, 3112, 3113,
12. 3114, 3115 and 3116.

13. PRESIDENT:

14. House Bills on 3rd reading. House Bill 6, Senator Egan. House Bill
15. 15, Senator Berning.

16. SECRETARY:

17. House Bill 15.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Berning.

22. SENATOR BERNING:

23. Thank you, Mr. President. This is a Recreational Motorboat Safety
24. Bill. It's an effort to make boating on our recreational waters and
25. with recreational vehicles safer for children and adults. It brings
26. us in the State of Illinois somewhat in conformity with the State of
27. Wisconsin. It's a desirable piece of legislation and I would recommend
28. an Aye vote.

29. PRESIDENT:

30. Any further discussion? The question is shall House Bill 15 pass.
31. Senator Soper.

32. SENATOR SOPER:

33. Thank you, Mr. President. Karl, would you answer a few questions?

1. I haven't had time to read the bill.

2. PRESIDENT:

3. He indicates he will.

4. SENATOR SOPER:

5. But, is every lake going to be marked whether it's fifty acres or
6. fifty one acres or...

7. PRESIDENT:

8. Senator Berning.

9. SENATOR BERNING:

10. This is in conformity with the existing Department of Conservation
11. designation for certain water uses. There...there is no marking at
12. the present time so far as I know, and the only thing that this re-
13. quires is that when there is a sixty acre lake, there shall be a
14. no wake speed, and all boaters know what that is.

15. PRESIDENT:

16. Senator Soper.

17. SENATOR SOPER:

18. I understand that, but I asked you one question and it's answered
19. by yes or no. You're on my time. Is there...is there a section in
20. there that states that the lakes will be marked, those that are fifty
21. ...is it sixty, now. Sixty acres? Will they be marked? This is a
22. sixty or less acre lake, and you can't have a wake in sixty or less
23. acre lake. Bad for the morticians. No wakes in those...would you
24. tell me yes or no. Will the lakes be marked? I'm not kidding.

25. PRESIDENT:

26. Senator Berning.

27. SENATOR BERNING:

28. It's not provided in this bill. No.

29. PRESIDENT:

30. Senator Soper.

31. SENATOR SOPER:

32. The only thing I say about it, is I...I believe in this, but if
33. you're going to arrest people. Now, what are the penalties if you

1. create a wake?
2. PRESIDENT:
3. Senator Berning.
4. SENATOR BERNING:
5. Senator, I'm not sure that there are penalties. However, those...
6. that would be subject to the rules and regulations of the Department
7. of Conservation, which already has the authority to establish such
8. rules on our navigable waters.
9. PRESIDENT:
10. Senator Soper.
11. SENATOR SOPER:
12. Now, if this...I understand that. I know that the Department of
13. Conservation can do this. So, why do you need this law? Why do you
14. have to put this on the books? If they can mark every lake and say -
15. this is a no wake lake. Why do you need this?
16. PRESIDENT:
17. Senator Berning.
18. SENATOR BERNING:
19. Senator, this goes much further than that one specific small section
20. of the bill involving the fifty...or the sixty acre lakes. It, also,
21. has provisions to protect swimmers, fisher...fishermen and the area
22. within one hundred feet of docks, rafts and buoyed objects.
23. PRESIDENT:
24. Senator...
25. SENATOR BERNING:
26. It prohibits the harassment by operating a boat in a circuitous
27. motion around a swimmer within two hundred feet of that swimmer, or
28. a fishing boat. All of these are rules and regulations intended to
29. protect the legitimate users of our waters, from some, and I say
30. some few, unconcerned, unscrupulous operators of motorboats.
31. PRESIDENT:
32. Senator Hickey.
33. SENATOR HICKEY:

1. Thank you, Mr. President. I'd like to ask the sponsor a question.
2. Senator Berning, you may have said this earlier but I didn't hear.
3. Does this mean there absolutely could be no water-skiing on lakes
4. fifty acres or less?

5. PRESIDENT:

6. Senator Berning.

7. SENATOR BERNING:

8. That would be correct. If you can't create a wake you would not be
9. able to water-ski.

10. PRESIDENT:

11. Any further discussion? Senator Harris.

12. SENATOR HARRIS:

13. Well, there's a lot more in this bill besides that no wake provision,
14. and it just seems to me, I presume, that Representative Deuster has
15. a problem up there in that Chain of Lakes area, and what it seems to
16. me he ought to do is seek the authority to, by ordinance, cure their
17. local problem and not provide these very restrictive regulations on
18. the entire State. For example, there are some very serious limitations
19. on the age that a person can operate a motorboat. I'm not one that's
20. had a lot of experience in that regard, but there are an awful lot
21. of young people that presently operate motorboats and if they're train-
22. ed adequately by their parents, I think they're able to do it. Also,
23. this bill has a section about how people can sit in a boat. I just
24. don't know how far we go to regulate people.

25. PRESIDENT:

26. Senator Berning may close the debate.

27. SENATOR BERNING:

28. Well, thank you, Mr. President. Yes, this does have some re-
29. strictions on who may operate a boat. The age limits for operating
30. motorboats are established the same as the Wisconsin boating law
31. and identicals the age limit in Senate Bill 692 sponsored by Senator
32. Demuzio and passed by this Senate. No child under the age of ten
33. may operate a motorboat, from ten to twelve only if accompanied in

1. the boat by a parent or guardian or an adult age eighteen or more.
2. From age twelve to sixteen children may operate a motorboat alone if
3. in possession of a safe boating certificate issued by the Department
4. of Conservation. This is a measure which is supported by the Depart-
5. ment of Conservation and Outdoor Boating Association of Illinois.
6. It is the kind of safety regulation that we ought to endorse and
7. support. It is good not only for the Chain of Lakes and the Fox River,
8. but for all of our recreational waterways. And I would ask for a
9. favorable roll call, Mr. President.

10. PRESIDENT:

11. The question is shall House Bill 15 pass. Those in favor will vote
12. Aye. Those opposed Nay. The voting is open. Have all voted who wish?
13. Take the record. On this question the Ayes are 12, the Nays are 3.
14. With 2 Voting Present. House Bill 15 having received...having failed
15. to receive a constitutional majority is declared lost. House Bill 44,
16. Senator Hall. House Bill 45, Senator Hall. House Bill 62, Senator
17. Don Moore. Senator Moore.

18. SENATOR MOORE:

19. Mr. President, on Senate Bill 62, 3, 4 and 66 of...there is some
20. controversy to them. We're trying to work it out by amendment, and
21. I would ask leave of the Chair to not call them now, but if we do
22. get the amendments worked out, to come on back to them and we can
23. go up or down on them at that time.

24. PRESIDENT:

25. Is there leave? Leave is granted. House Bill 114, Senator Knuppel.
26. House Bill 119, Senator Schaffer. House Bill 121, Senator Glass.
27. House Bill 138, Senator McCarthy. House Bill 141, Senator Harber
28. Hall. House Bill 146, Senator Regner. (Machine cut-off)...catching
29. but there are enough people here to pass a good bill. House Bill 152,
30. Senator Nimrod. Read the bill.

31. SECRETARY:

32. House Bill 152.

(Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Nimrod.

3. SENATOR NIMROD:

4. Yes, Mr. President and fellow Senators. This bill does exactly
5. what it says in the summary, and I know of no opposition to this
6. bill, and Senator Dougherty is here from Local Government where it
7. was heard, and I would ask for a favorable roll call. I'd be happy
8. to answer any questions.

9. PRESIDENT:

10. Any discussion? The question is shall House Bill 152 pass. Those
11. in favor will vote Aye. Opposed Nay. The voting is open. Have all
12. voted who wish? Take the record. On this question the Ayes are 34,
13. the Nays are none, with none Voting Present. House Bill 152 having
14. received a constitutional majority is declared passed. (Machine cut-
15. off)...Sargeant-at-Arms, come down here a moment. House Bill 160,
16. Senator Knuppel. House Bill 169, Senator Brady. House Bill 195,
17. Senator Bloom.

18. SECRETARY:

19. House Bill 195.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Bloom.

24. SENATOR BLOOM:

25. Thank you, Mr. President and members of the Body. This bill does
26. exactly what the majority analysis says it does. It permits a waiver
27. of the one percent day reduction in State aid. If the lack of atten-
28. dance days is do to an energy crisis. That is, you know, during the
29. winter you run out of coal. Some people have asked - well, couldn't
30. you add on more days later on. Then you get into the local district's
31. budget problems and planning. I'd urge a favorable roll call.

32. PRESIDENT:

33. Senator Harris.

1. SENATOR HARRIS:

2. Senator, we've had this bill before. My recollection is that it
3. was Superintendent Bakalis' bill back in the height of the energy
4. crisis. I really don't quite understand why we should eliminate the
5. one percent penalty for any school district that does not meet the
6. minimum number of days, otherwise. Do we not just throw the minimum
7. number of days for certified school out the window. Surely, the
8. energy crisis problem can be cured in the months of May or June for
9. those school districts that normally are scheduled to end then.

10. PRESIDENT:

11. Senator Bloom.

12. SENATOR BLOOM:

13. Well, I could only hear about half of what Senator Harris said
14. due to the static here. But, this is just for a specified emergency
15. situation. This isn't just whim and caprice. If you haven't got the
16. fuel to keep the boilers open you shouldn't be penalized by one per-
17. cent. It's the way the thrust of this bill was explained to me.

18. PRESIDENT:

19. Senator Harris.

20. SENATOR HARRIS:

21. The point I'm making is that they need fuel in the cold winter
22. months, but this eliminates the penalty and permits a school to
23. close its year in May or June, and avoid the penalty which results
24. in not meeting the minimum number of days to hold school. It seems
25. to me perfectly logical for a school district to go ahead and schedule
26. some additional days at the end of the school year.

27. PRESIDENT:

28. Senator Bloom.

29. SENATOR HARRIS:

30. If in fact they have had to close down during the cold months.

31. SENATOR BLOOM:

32. I think that I'll take this bill out of the record for the time
33. being.

1. PRESIDENT:

2. Take it out of the record. House Bill 202, Senator Wooten.
3. House Bill 210, Senator Egan. Senator Egan is recognized.

4. SENATOR EGAN:

5. Thank you, Mr. President and members of the Senate. If I may have
6. a bit of attention, Mr. President, I would like to explain...

7. PRESIDENT:

8. As Senator Bloom described it, there is too much static. Senator
9. Egan.

10. SENATOR EGAN:

11. Yes, thank you. I am the Senate cosponsor with Senator Lane on
12. House Bill 210. When that came into the Chamber I was willing to
13. accept the sponsorship at the request of Senator Lane, which I did
14. very willingly. And as we progressed with the bill, I found it neces-
15. sary that we sit down with the representatives of the Retail Clerks
16. Union and the representatives of the Retail Merchants Association among
17. others, to try to amend the bill so that it would satisfy all of the
18. antagonists and so that we could pass the bill out of the Chamber.
19. And as I progressed I was very happy to know that after about a two
20. hour session with everybody we decided that if we could only statutorily
21. maintain the status quo, that should satisfy the needs of the consumers
22. as well as the needs of the merchants, and the union agreed to that...
23. agreed at the end of that meeting that if we did that that would satisf-
24. fy their needs. And so with that we went to the meeting of the Judici-
25. ary Committee the next morning where I offered that amendment with
26. another as an agreed amendment. However, I found that the agreement had
27. been withdrawn behind my back, without my knowledge and of course con-
28. trary to what we had discussed the evening prior to that. And as a
29. result the amendment was not offered at the committee and it is not on
30. the bill today. Well, as a consequence of that, Mr. President and
31. members of the Senate, I find myself unable to support the bill, because
32. it does not do which it is intended to do. And as a consequence of all
33. these events I'm going to ask leave to withdraw as the principal cospons

1. and ask that Senator Lane take the bill. Now, I have consulted with
2. Senator Lane and Representative Kelly from the House, who have sponsored
3. the bill that there is no ill will, there is no ill feeling and I
4. do this only, because in attempt to get something that we could pass
5. my efforts were thusly thwarted and I must ask leave to remove myself
6. as the principle cosponsor.

7. PRESIDENT:

8. Is there leave? Leave is granted. House Bill 210, Senator Lane.
9. House Bill 212, Senator Nudelman. House Bill 222, Senator Newhouse.
10. House Bill 223, Senator Lemke. House Bill 229, Senator Vadalabene.
11. Read the bill.

12. SECRETARY:

13. House Bill 229.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Just for the membership's edification the Sergeant-at-Arms informs
18. us there are a total of forty-nine persons in attendance. Senator
19. Vadalabene.

20. SENATOR VADALABENE:

21. Yes, House Bill 229 addresses itself to an attempt to provide an
22. increase in the maximum levy for the operation of the Assessors Office
23. from one percent to two percent. However, in committee hearing the
24. House Bill 229 after much discussion was amended. The Amendment No.
25. 1, which was a technical amendment, which insured that the one percent
26. tax rate for the Assessors Office be levied in addition to the county
27. corporate rate. However, Amendment No. 2, which had the approval of
28. the taxpayers federation, Morrie Scott, that which would remove the
29. two percent tax for the Assessors Office and replace it with a one
30. percent rate. This is, now, the current rate. Thus there is no tax
31. rate increase in this bill and I find no opposition with these two
32. amendments, and I would appreciate a favorable vote.

33. PRESIDENT:

1. Any discussion? The question is shall House Bill 229 pass. Those
2. in favor will vote Aye. Opposed Nay. The voting is open. Have all
3. voted who wish? Take the record. On this question the Ayes are 39,
4. the Nays are 2, with 3 Voting Present. House Bill 229 having received
5. a constitutional majority is declared passed. Is there leave to go to
6. the order of Resolutions for the purpose of a Joint Resolution? Leave
7. is granted. Read the resolution.

8. SECRETARY:

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

10. Mr. President - I am directed to inform the Senate that the
11. House of Representatives has adopted the following preamble and
12. joint resolution, in the adoption of which I am instructed to ask the
13. concurrence of the Senate, to-wit:

14. PRESIDENT:

15. Rules Committee.

16. SECRETARY:

17. House Joint Resolution 40.

18. PRESIDENT:

19. Rules Committee. House Bill 235. Read the bill.

20. SECRETARY:

21. House Bill 235.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Partee.

26. SENATOR PARTEE:

27. Mr. President and members of the Senate. House Bill 235 does
28. exactly what the Calendar says, and I'd appreciate a favorable roll
29. call. The purpose of it is to have people who are objective make a
30. determination as to the matter involved. I'd be happy to answer any
31. questions, or if not I'd ask for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? The question is shall House Bill 235 pass. Those

1. in favor will vote Aye. Opposed will vote Nay. The voting is open.
2. Have all voted who wish? Take the record. On that question the Ayes
3. are 42, the Nays are 6. One Voting Present. Senate Bill 235 having
4. received a constitutional majority is declared passed. Returning to
5. the order of House bills on 3rd reading. House Bill 236, Mr. Secretary.
6. SECRETARY:

7. House Bill 236.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Partee. Senator Partee.

12. SENATOR PARTEE:
13. Oh, that's a companion of 235 that you just passed. Take these
14. out of the record.

15. PRESIDING OFFICER: (SENATOR ROCK)
16. Take it out of the record, Mr. Secretary. 278, Senator Carroll.
17. On the order of House bills on 3rd reading. House Bill 278, Mr.
18. Secretary.

19. SECRETARY:
20. House Bill 278.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Howard Carroll.

25. SENATOR CARROLL:
26. Thank you, Mr. President. This bill was part of the Rape Study
27. Commission package of bills. This deals with the insurance problem
28. and it provides that no insurance company can deny coverage for those
29. injuries resulting from an act of rape and it has been amended to say
30. that if you have a normal fifty dollar deductible that would still
31. apply in this case. This would not limit that, but other than that
32. they cannot deny treatment for that specific hospital care, and I
33. would ask for a favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any discussion? The question is shall House Bill 278 pass. Those
3. in favor...I beg your pardon. Senator Harris.

4. SENATOR HARRIS:

5. Senator Carroll, my records show that this bill was to have...there
6. was a committee amendment discussed that was not adopted in the Committee
7. Has the bill been amended? My record does not show that it has.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Carroll.

10. SENATOR CARROLL:

11. My understanding was that it had been. I'll check with the Sec-
12. retary. If not I will take it back. The folder has been in my desk
13. for quite awhile. I have the amendment in my folder and only one
14. copy of it, so I assumed the amendment had been adopted.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. The Secretary indicates there is no amendment.

17. SENATOR CARROLL:

18. Then will we take it from the record and we'll later take it
19. back.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Take it out. House Bill 300, Senator Lemke. 328, Senator Fawell.
22. On the order of House bills on 3rd reading. House Bill 328, Mr.
23. Secretary.

24. SECRETARY:

25. House Bill 328.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Fawell.

30. SENATOR FAWELL:

31. Mr. President and members of the Senate. The amendment to this
32. bill is really more important than the bill in its original form. We
33. simply changed the nomenclature of County Superintendent to Regional

1. Superintendent inasmuch as we no longer have simply superintendents
2. for each county in the State. We're down to seventy-eight regional
3. superintendents, now, and after the end of the next four year term
4. I believe we'll be down to approximately 54, as I recall, so that this
5. bill is the pay raise bill for the regional superintendents and the
6. new pay scale is from zero to...forty-eight thousand. It's twenty-six
7. thousand dollar salary from forty -eight up to a population of one hun-
8. dred thousand it's twenty-nine thousand. One hundred thousand to nine
9. hundred and ninety-nine to a million is thirty-one thousand and over
10. a million is thirty-three thousand, which I think are relatively reson-
11. able salary scales. If there are any questions I'd be more than glad
12. to attempt to answer them.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Is there any discussion? The question is shall House Bill 328 as
15. amended pass. Those in favor will vote Aye. Those opposed will vote
16. Nay. The voting is open. Have all voted who wish? Take the record.
17. On that question the Ayes are 43, the Nays are 1. One Voting Present.
18. House Bill 328 as amended having received a constitutional majority
19. is declared passed. 330, Senator...342, Senator...Senator Hickey,
20. for what purpose do you arise?

21. SENATOR HICKEY:

22. Mr. President, how am I recorded on 236?

23. PRESIDING OFFICER: (SENATOR ROCK)

24. 236 was taken from the record.

25. SENATOR HICKEY:

26. Oh, it's taken from the record.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Yes, Ma'am. 342, Senator Netsch. 345, Senator Daley. On the
29. order of House Bills on 3rd reading. House Bill 345, Mr. Secretary.

30. SECRETARY:

31. House Bill 345.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

34. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Daley.

2. SENATOR DALEY:

3. Mr. President and fellow Senators. The bill states it makes dis-
4. crimination the basis of a discharge from the military service for
5. other than honorable conditions and unfair labor practice. I discussed
6. this with Senator Mitchler. There was a compromise on this...on this
7. bill in regards to going up to only a general discharge and it did not
8. include the dishonorable discharge.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any discussion? Senator Harris.

11. SENATOR HARRIS:

12. Senator Daley, my record shows that there was to have been a technical
13. amendment as a result of discussion in the committee. Are you familiar
14. with that or is this....

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Daley.

17. SENATOR DALEY:

18. No, I'm not. If there is I'll hold it for a technical amendment.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Daley.

21. SENATOR DALEY:

22. Hold the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. All right. Take it out of the record, Mr. Secretary. 367, Senator...
25. 378. 396, Senator Hall. Senator Kenneth Hall. Do you want to call
26. it back, or you wish the bill called.

27. SENATOR HALL:

28. I'd like to call it back for purpose of an amendment.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Hall seeks leave to recall House Bill 396 back to the order
31. of 2nd reading for the purpose of an amendment. Is leave granted?
32. Leave. 396 on the order of 2nd reading. Senator..

33. SENATOR HALL:

1. Thank you, Mr. President. There are two more amendments to go on
2. the bill. This one and Senator Latherow has one. Now, this Amendment
3. No. 2 is, deletes the word on page 18 line 20, eminent domain. If
4. you notice in there it just deletes that and I would ask that this
5. amendment be adopted.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. The question is the adoption of Amendment No. 5 to House Bill 396.
8. Senator Hall has moved the adoption of Amendment No. 5. All those
9. in favor signify by saying Aye. All those opposed. The Ayes have
10. it. The amendment is adopted.

11. SECRETARY:

12. Amendment No. 6 by Senator Latherow.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Latherow.

15. SENATOR LATHEROW:

16. Amendment No. 6, Mr. President and members of the General Assembly,
17. say that the powers contained in this Act shall not be exercised by
18. the authority in an unincorporated area unless the exercise of those
19. powers therein have been approved by the governing body of the county
20. in which powers are proposed to be enacted and I move the adoption of
21. the amendment.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any discussion? Senator Latherow moves the adoption of Amendment
24. No. 6 to House Bill 396. All those in favor signify by saying Aye.
25. All those opposed. The Ayes have it. The amendment is adopted. Any
26. further amendments? 3rd reading. Senator, do you wish to come back
27. to that bill?

28. SENATOR LATHEROW:

29. Yes.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Okay. 420, Senator Glass. On the order of House bills on 3rd
32. reading. House Bill 420, Mr. Secretary.

33. SECRETARY:

34. House Bill 420.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Glass.

5. SENATOR GLASS:

6. Thank you, Mr. President and members of the Senate. Under the
7. Federal and State tax laws there is a deduction provided for remainder
8. interest in wills and trust agreements that passed to charities. How-
9. ever, since 1969 the Federal Government has enacted the Tax Reform Act
10. of that year, which requires the charitable remainders to meet certain
11. drafting requirements and the Act...thank you, Mr. President. The Act
12. also required that outstanding wills and agreements and new instruments
13. conform to the Federal Estate Tax for the deduction to be allowed and
14. have given a period of time to accomplish that, so what this bill does
15. is allows trustees of the agreements that are not conforming to make
16. the required changes in order that they may qualify for the charitable
17. deductions. And I would ask for a favorable roll call.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Is there any discussion? The question is shall House Bill 420
20. pass. Those in favor will vote Aye. Those opposed will vote Nay. The
21. voting is open. Have all voted who wish? Take the record. On that
22. question the Ayes are 48, the Nays are none. None Voting Present.
23. House Bill 420 having received a constitutional majority is declared
24. passed. 425, Senator Netsch. 450, Senator Glass. 474, Senator
25. Knuppel. 484, Senator Egan. On the order of House bills on 3rd reading.
26. House Bill 484, Mr. Secretary.

27. SECRETARY:

28. House Bill 484.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Egan.

33. SENATOR EGAN:

1. Thank you, Mr. President and members of the Senate. The House Bill
2. 484 eliminates the requirement that the State Board of Elections and
3. county townships, town or village clerks mail campaign disclosure forms
4. and instruction manuals to persons who file nominating petitions. It
5. rather allows them to notify the various persons who are...who have
6. filed nominating petitions that they pick them up if they want them.
7. Now, what it does is just eliminate a lot of mailing expense and a
8. lot of clerking expense in getting these campaign disclosure forms into
9. the hands of those that wish to have them. And I know of no opposition.
10. The office...the Cook County Clerk is in favor of this Legislation.
11. Representative Jack Williams who is Mayor of Franklin Park is in favor
12. of it. It is the type of thing that will ease the burden on small
13. villages and I would recommend a favorable consideration to you.
14. PRESIDING OFFICER: (SENATOR ROCK)

15. Is there any discussion? The question is shall House Bill 484
16. pass. Those in favor will vote Aye. Those opposed will vote Nay.
17. The voting is open. Have all voted who wish? Take the record. On
18. that question the Ayes are 44, the Nays are 4. None Voting Present.
19. House Bill 484 having received a constitutional majority is declared
20. passed. 495, Senator Knuppel. On the order of House bills on 3rd
21. reading. House Bill 495, Mr. Secretary.

22. SECRETARY:

23. House Bill 495.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. House Bill 495 does approximately what was done by an earlier bill
30. which passed out of here. It reduces the age for members of the...
31. serve on school boards to the age of eighteen years instead of twenty
32. one. This is already a law in the City of Chicago with respect to
33. their appointment type of school board. It also includes, however,

1. the school trustees as well. It is a little broader than the bill
2. which we passed. And, of course, these are elected positions. My
3. position if it's an elective position, those people who elect them have
4. the opportunity to view them and that this is an acceptable age since
5. that's the age of reason now for all other purposes. I would appreciate
6. a favorable roll call.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Is there any discussion? Senator Mitchler.

9. SENATOR MITCHLER:

10. Well, ask the sponsor. Did we have a Senate Bill that did the
11. same thing?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. I didn't hear it, please.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. May we have some order.

18. SENATOR MITCHLER:

19. Did we have a Senate Bill that did the same thing as this?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. This bill as I explained goes a bit further and includes the
24. school trustees. I assume, county school trustees. But, it does...
25. we already have passed a bill which reduces the age to eighteen for
26. members of the school boards. Yes.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Yes, Mr. President, on a question. Does...does this repeal the
31. appointment of students to the boards, then?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. Again, I didn't hear the question. I don't know if they haven't
3. got the mike up, or if it's the noise. But, I don't hear the question.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. It's probably the noise. Senator Nimrod.

6. SENATOR NIMROD:

7. Yes, Senator Knuppel, does this repeal any part of the law which
8. requires the students to be appointed to the boards without voting
9. membership, which we have provided expenses for this year?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. I didn't hear the question fully, but if I understand what you said,
14. I think it does not. This has only to do with school boards and school
15. trustees. It has nothing to do with these college boards where they're
16. to have student members and they're to get some expenses.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any further discussion? The question is shall House Bill 495 pass.
19. Those in favor will vote Aye. Those opposed will vote Nay. The voting
20. is open. Have all voted who wish? Take the record. On that question
21. the Ayes are 30, the Nays are 16. None Voting Present. House Bill 495
22. having received a constitutional majority is declared passed. Senator
23. Harber Hall has requested a verification. Will all the members please
24. be in their seats. Mr. Secretary, read the affirmative votes.

25. SECRETARY:

26. The following voted in the affirmative: Bloom, Brady, Bruce, Buzbee,
27. Carroll, Daley, Demuzio, Donnewald, Dougherty, Egan, Kenneth Hall, Hickey,
28. Hynes, Joyce, Knuppel, Kosinski, Lemke, McCarthy, Morris, Netsch, Nudel-
29. man, Rock, Roe, Savickas, Schaffer, Smith, Vadalabene, Welsh. Wooten,
30. Mr. President.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Vadalabene is in the well. Senator Hynes is with Senator
33. Partee. Senator Wooten is right behind you. Alright, the roll call has

1. been verified. The Ayes are 30, the Nays are 16. None Voting Present.
2. House Bill 495 having received a constitutional majority is declared
3. passed. If I might have the attention of the membership, there has
4. been a request of the sponsor to remove a bill from the agreed list on
5. page 19, House Bill 1070. 1070. At the request of the sponsor will
6. be stricken from the agreed list and placed on the ordinary...another
7. sponsor, 1730 will also be removed at the request of the sponsor. So
8. on page 19 you strike 1070 and 1730. They will be placed back on the
9. Calendar in the regular order of business. And 1739 all on page 19.
10. Each at the request of the sponsor. Be stricken from the agreed list
11. and place on the regular order of business. 1070, 1730 and 1739. Do
12. we have leave to go to the order of Messages from the House. There are
13. some requests for conference committee which we can expedite. Leave.
14. Mr. Secretary, Messages from the House.

15. SECRETARY:

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

17. Mr. President - I am directed to inform the Senate that the
18. House of Representatives has refused to recede from their amendment
19. to the following title bills:

20. Senate Bill No. 4, Senator Mitchler is the chief sponsor.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. We've got to request a conference committee on all these. Is that
23. correct? Okay. Is there any formalization? Conference Committee.

24. SECRETARY:

25. Senate Bill No. 57, Senator Kosinski is the chief sponsor. They
26. refuse to recede from their amendment.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Alright. With respect to Senate Bill 4, Senator Mitchler moves that
29. we accede to the request of the House for a conference committee. The
30. question is shall the Senate exceed to the request of the House so that
31. a conference committee be appointed. All those in favor signify by
32. saying Aye. All those opposed. The Ayes have it. The motion carries.
33. Senate Bill 57. Senator Kosinski, do you wish a conference committee?

1. The question is shall the Senate accede to the request of the House that
2. a conference committee be appointed. All those in favor signify by
3. saying Aye. All those opposed. The Ayes have it. The motion carries
4. and the Senate exceeds the request to appoint a conference committee.

5. SECRETARY:

6. Senate Bill No. 211. Senator Davidson is the chief sponsor.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Davidson. Senator Davidson moves that the Senate accede
9. to the requests of the House that a conference committee be appointed.
10. All those in favor signify by saying Aye. All those opposed. The
11. Ayes have it. The motion carries and the Senate accedes to the request
12. to appoint a conference committee.

13. SECRETARY:

14. Senate Bill 295. Senator Dougherty is the chief sponsor.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Dougherty, do you wish a conference committee? Senator
17. Dougherty moves to accede to the request of the House that a conference
18. committee be appointed. All those in favor signify by saying Aye. All
19. those opposed. The Ayes have it. The motion carries and the Senate
20. exceeds to that request.

21. SECRETARY:

22. Senate Bill 419. Senator Morris is the chief sponsor.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Conference committee. Senator Morris moves that the Senate accede
25. to the request of the House that a conference committee be appointed.
26. All those in favor signify by saying Aye. All those opposed. The
27. Ayes have it. The motion carries and the Senate accedes to the House's
28. request.

29. SECRETARY:

30. Senate Bill 432. Senator Partee is the chief sponsor.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Partee moves that the Senate accede to the request of the
33. House that a conference committee be appointed. All those in favor

1. signify by saying Aye. All those opposed. The Ayes have it. The
2. motion carries and the Senate accede to the request of the House.

3. SECRETARY:

4. Senate Bill 638 and Senator Donnewald is the chief sponsor.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Donnewald moves that the Senate accede to the request
7. of the House that a conference committee be appointed. All those in
8. favor signify by saying Aye. All those opposed. The Ayes have it.
9. The motion carries and the Senate accede to the House's request.

10. SECRETARY:

11. Senate Bill 640. Senator Donnewald is the chief sponsor.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Donnewald moves that the Senate accede to the request of
14. the House that a conference committee be appointed. All those in favor
15. signify by saying Aye. All those opposed. The Ayes have it. The
16. motion carries and the Senate accede to the House request.

17. SECRETARY:

18. Senate Bill 642. Senator Netsch is the chief sponsor.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Netsch moves that the Senate accede to the request of the
21. House that a conference committee be appointed. All those in favor
22. signify by saying Aye. All those opposed. The Ayes have it. The
23. motion carries and the Senate accedes to the request of the House.

24. SECRETARY:

25. Senate Bill 682 and Senator Egan is the chief sponsor.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Egan moves that the Senate accede to the request of the
28. House that a conference committee be appointed. All those in favor
29. signify by saying Aye. All those opposed. The Ayes have it. The
30. motion carries and the Senate accedes to the request of the House.

31. SECRETARY:

32. Senate Bill 944. Senator Don Moore is the chief sponsor.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Don Moore moves that the Senate accede to the request
2. of the House that a conference committee be appointed. All those
3. in favor signify by saying Aye. All those opposed. The Ayes have it.
4. The motion carries and the Senate accedes to the request of the House.
5. SECRETARY:

6. And Senate Bill 945. Senator Don Moore is the chief sponsor.
7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Don Moore again moves that the Senate accede to the request
9. of the House that a conference committee be appointed. All those
10. in favor signify by saying Aye. All those opposed. The Ayes have it.
11. The motion carries and the Senate accedes to the request of the House.
12. Back on the order of House bills on 3rd reading. Middle of page 5.
13. 497, Senator Partee. House bills on 3rd reading. On the order of House
14. bills on 3rd reading. House Bill 497, Mr. Secretary.

15. SECRETARY:

16. House Bill 497.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Partee.

21. SENATOR PARTEE:

22. Mr. President and members of the Senate. This bill does precisely
23. what the Calendar says. It is a traditional thing and I'd expect the
24. roll call to be favorable.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any discussion? The question is shall House Bill 497 pass. Those
27. in favor will vote Aye. Those opposed will vote Nay. The voting is
28. open. Have all voted who wish? Take the record. On that question
29. the Ayes are 54, the Nays are none. None Voting Present. House Bill
30. 497 having received a constitutional majority is declared passed.
31. 525, Senator Newhouse. 527, Senator Knuppel. On the order of House
32. bills on 3rd reading. House Bill 527, Mr. Secretary.

33. SECRETARY:

1. House Bill 527.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. Mr. Chairman and members of the Body. House Bill 527 sponsored by
8. Representative Rigney in the House and by myself in the Senate, creates
9. a revived and renewed Illinois Brands Act. About two or three years
10. ago when the price of cattle became quite high there was a rash of
11. burglaries of cattle rustling in Illinois and one spot, I think, was
12. alleged it was being done by helicopter. It became apparent then that we
13. had an archaic brands bill where a person could register a brand in a
14. county clerk's office and it only had to be witnessed by two of his
15. neighbors but it had little affect in this day of high mobility of
16. truck and otherwise. This bill would require the Department of Agri-
17. culture to take over the Branding Act and copies of those brands on
18. file with the county clerk would have to be forwarded to the Department
19. of Agriculture. They would prepare a book showing the registered brands
20. and these brands would then be distributed to sheriffs and other law
21. enforcement people who are required to check on stolen cattle and so
22. forth. Also, all places slaughtering cattle would be required to keep
23. records of those animals which were branded, for the police or others,
24. and...so in the event of stolen cattle this could be checked out. There
25. is a fee and there was a dispute in committee about the size of the fee.
26. The fee was reduced from twenty-five dollars to fifteen dollars and
27. then for the renewal after a five year period from fifty to twenty-
28. five. Certainly the bill is an improvement, in my opinion, over what
29. we have, because what we have is so local it is of no value at all. It
30. used to be if cattle were stolen, of course, they had to be moved by
31. wagon or by foot, but today with trucks, planes, helicopters and other-
32. wise, if we're going to have branding at all it must be on a statewide
33. basis. I recommend this as a...at least an adequate and a good approach

1. to a problem that could develop. It had developed a couple years ago
2. here. Cattle and livestock again being worth...getting to be worth
3. quite a bit of money and this is a real possibility with animals being
4. worth four or five hundred dollars a piece. I would appreciate a
5. favorable roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any discussion? The question is shall House Bill 527...Senator
8. Latherow.

9. SENATOR LATHEROW:

10. Well, Mr. President, first of all I'd like to rise in opposition to
11. this piece of legislation and state to you what I think the purpose of
12. a brand is. The purpose of a brand is to identify one person's owner-
13. ship from another person's ownership. And in the case of this particular
14. piece of legislation, this is not the primary purpose of this legislation.
15. Its purpose is to use law enforcement. Now, I think two things that
16. you must recognize now. One of them especially as someone in order to
17. be a law enforcement officer and to make this an affective law enforce-
18. ment agency must be able to read that particular brand. I just recently
19. have purchased some livestock from Nebraska and just as this bill passed
20. the committee and I asked a gentlemen out there what it took to become
21. a brand inspector. He said about two and one half years of schooling.
22. Now, otherwise, we're going to make professional brand inspectors here
23. in the State of Illinois by passing House Bill 527. We're, also, going
24. to do with this bill a few extra things, which they don't do with the
25. present branding law. For, I think, the fee of thirty five cents I
26. can go into my county clerk's office and register a brand today and get
27. the same identical thing that I can get with this branding act except
28. for publication of a book. Now, today I go...if this passes I'll come
29. to the State of Illinois those branding books that are on record with
30. the county clerk will be forwarded here and then we'll, also, get a
31. book published of the entire list of brands in the State of Illinois.
32. I had a couple of questions I wanted to ask before I finished my re-
33. marks and one of those, Mr. President, if the sponsor would yield.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. He indicates he will yield.

3. SENATOR LATHEROW:

4. How many instances of livestock rustling do you have in a year in
5. the State of Illinois?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. I don't have statistics on how many in the State of Illinois, but
10. I know it occurs rather regularly in the county...in counties where I
11. live that you'll have three or four instances a year where somebody
12. steals some cattle in each of those counties. So, I'd assume you'd
13. have three or four instances...three or four hundred instances in the
14. State of Illinois.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Latherow.

17. SENATOR LATHEROW:

18. Some of those, of course, could be hogs rather than cattle, or
19. sheep and so on like that. That other question...

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Of course, I don't know of anybody branding these animals, but
24. the Branding Act does provide that they could be sheep and hogs too.
25. But, generally speaking, the rustling that I referred to is more...
26. we have in those counties I would say an instance of two or three
27. instances a year of cattle that have been stolen and that would...I
28. don't know what it is in your area, but I'm assuming based on that
29. you could have as many as three hundred instances a year of cattle
30. that were stolen. A lot of times it's somebody locally who butchers
31. the animal possibly themselves and it's just one or two animals.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Latherow.

1. SENATOR LATHEROW:

2. Mr. President, I appreciate the elongated answer to my question.
3. Now, of course, it says also wherever you market this particular
4. animal that they, also, must read the brand. I know you're well
5. acquainted around livestock auctions where all these cattle are checked
6. in and so forth. And that particular livestock is checked in and the
7. man who's marking it on the right hand side certainly he cannot read
8. a brand on the left hand side. And if he doesn't read that particular
9. brand and read it correctly he's in violation of the law. Every live-
10. stock auction in the State of Illinois will have to have a brand in-
11. spector there in order to read that brand, and you well know it, Senator.
12. Right. I don't mind seeing something used for a proper purpose but
13. when we start using a brand law here in the State of Illinois to use
14. for a law enforcement effort that's entirely wrong of the scope of the
15. Act. Now, brands are used, as I mentioned earlier, for identification
16. of livestock from one ownership to another. And you have compulsory
17. branding you might be successful in your brand identification of live-
18. stock for law enforcement. I have my brand number and other people
19. around have it. But, we use it to identify our livestock from the
20. other person's livestock. Mr. President, I think this bill should be
21. defeated.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any further discussion? Senator Demuzio.

24. SENATOR DEMUZIO:

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

26. PRESIDING OFFICER: (SENATOR ROCK)

27. He indicates he will yield.

28. SENATOR DEMUZIO:

29. This is a voluntary act, is it not?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. By that you mean, the farmer has to choose to. Nobody has to brand

1. their cattle doesn't have to and they don't have to pay the fee.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any further discussion?

4. SENATOR KNUPPEL:

5. I'd like to respond...

6. PRESIDING OFFICER: (SENATOR ROCK)

7. You will have the opportunity. Any further discussion? Senator

8. Knuppel may close the debate.

9. SENATOR KNUPPEL:

10. Well, while half of what...

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Excuse me, Senator. Senator Latherow.

13. SENATOR LATHEROW:

14. Mr. President, I'd like to have the privilege of answering that
15. voluntary act portion. Today recognize we have a voluntary act that
16. cost you thirty five cents. Under this Act it costs you twenty-five
17. dollars and then you renew it...fail to renew it on time it costs you
18. fifty dollars. So, we're just getting for twenty-five and fifty dollars
19. what we get today for thirty-five cents.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Alright. Any further discussion? Senator Knuppel may close the
22. debate.

23. SENATOR KNUPPEL:

24. Well, in response to what Senator Latherow has to say, part of it
25. is accurate that one of the reasons you brand cattle, one of the reasons
26. you branded cattle was that they didn't have fences and they ran on the
27. range when this Act was originally put on. My Grandfather used to run
28. catt^{le} and they would go out and sort them out from somebody elses
29. cattle over in the woods. They had open range here in Illinois just
30. like they had in the west and that way you could identify your cattle,
31. but that's not the only reason. I'd like to know, if I want to brand
32. my cattle, I'd like to know that I can have some kind of protection at
33. the slaughtering house, the auction houses and other places. I just

1. had the experience a few years ago of having a man trace a pony all the
2. way from Enid, Oklahoma through a sale barn in Tulsa, Oklahoma, a sale
3. barn in Kansas City and an auction sale at the fairgrounds in Petersburg.
4. In space of less than three days that pony moved from where he was
5. stolen on Friday night and he was sold the last time on Labor Day, Monday
6. at the Petersburg...or Menard County Fairgrounds. Now, there is an
7. additional purpose besides just identifying your cattle. Now, with
8. respect to reading brands I'll admit that a lot of people aren't quali-
9. fied to read brands, but still in case of cattle that have been stolen
10. and marketed I'm sure we could find somebody to read them. This would
11. be under the direction of the Department of Agriculture, it would be
12. helpful to law enforcement officers. I say it's a distinct improvement
13. over that law that was passed even though the other one cost thirty-
14. five cents. One time my little daughter was selling potholders she
15. had made and some other child was selling them and the other child was
16. selling them for fifteen cents and she was selling them for twenty-five
17. and the teacher asked her how come she was charging twenty-five and
18. the other girl was charging fifteen, and she said you get what you pay
19. for. You know, and this is kind of true. For thirty-five cents you
20. don't get much and we might just as well not have a branding act for
21. all it's worth. Today with fences and people know their cattle well
22. enough. It isn't as if they were running on open range anymore. I
23. say we're without a branding act. This is one thing that will give us
24. some protection. It's sponsored by rural people in the House. It's
25. supported by the Department of Agriculture here in the State of Illinois,
26. and I think it's good legislation for you people who might be torn be-
27. tween choices of two different people who are rurally oriented. I
28. suggest this is good legislation, it's voluntary legislation and it
29. ought to receive a favorable roll call. Thank you.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. The question is shall House Bill 527 pass. Those in favor will
32. vote Aye. Those opposed will vote Nay. The voting is open. Have all
33. voted who wish? Take the record. On that question the Ayes are 36,

1. the Nays are 15. 1 Voting Present. House Bill 527 as amended having
2. received a constitutional majority is declared passed. 569, Senator
3. Regner. On the order of House bills on 3rd reading. House Bill 569,
4. Mr. Secretary.

5. SECRETARY:

6. House Bill 569.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Regner.

11. SENATOR REGNER:

12. Yes, Mr. President and members of the Senate. This is another
13. Mobile Home Taxation Bill. It is similar to one passed two years
14. ago. An amendment was put on it in the Revenue Committee that was
15. prepared by the...a member of the Cook County Assessors Office and
16. provides for notification, enforcement, penalty and clears up some
17. language regarding the taxing district...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Regner, there's been a request that this bill be held.
20. Take it from the record, Mr. Secretary. 581, Senator Nimrod. 598,
21. Senator Fawell. 598, Senator Fawell, do you wish that called?

22. SENATOR FAWELL:

23. I need my file. Is it possible I could return to this in just
24. a few seconds?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. I'm sure it is. 607, Senator Bell. Yes or No. Yes. On the
27. order of House bills on 3rd reading. House Bill 607.

28. SECRETARY:

29. House Bill 607.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Bell.

H. B. 612
3rd Reading
6/23/75

1. SENATOR BELL:

2. Thank you, Mr. President and members of the Senate. House Bill
3. 607 addresses itself to the problem of families whose names have been
4. placed on priority list under the residency preference criterion affect
5. the date of their application. This is in reference to public housing.
6. What has happened is that there has been various Public Housing Authori-
7. ties a little jockeying around of these names and people that have been on
8. these lists have for some period of time have found that other people
9. have put in...been put in ahead of them. And House Bill 607 seeks to
10. simply address that problem by saying that once that authority, takes
11. that name on that authority's list that it must proceed in a...in a
12. manner meeting the guidelines of that authority and can't be jockeyed
13. around so that people find somebody else superposed ahead of him
14. outside of the Authorities' prerogative. I think it's a good bill. It's
15. had no problems in committees and I ask for a favorable roll call.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Is there any discussion? The question is shall House Bill 607 pass.
18. Those in favor will vote Aye. Those opposed will vote Nay. The voting
19. is open. Have all voted who wish? Take the record. On that question
20. the Ayes are 49, the Nays are none. 1 Voting Present. House Bill 607
21. having received a constitutional majority is declared passed. 612,
22. Senator Brady, do you wish that called? Senator Brady, 612. Okay. On
23. the order of House Bills on 3rd reading. House Bill 612, Mr. Secretary.

24. SECRETARY:

25. House Bill 612.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Brady.

30. SENATOR BRADY:

31. This is a new act creating Illinois Welfare and Rehabilitation
32. Services Planning Act. It sets up a detailed goal and manner achieving
33. the goals and it's report submitted by departments to the General

1. Assembly on a three year plan. The three year plan is last year, the
2. current fiscal year and the future year, and it is to be reported back
3. as of April 1st. I'll answer any questions on it, and if there are
4. none I urge a favorable roll call.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Can we have just a little bit more order then we have had.
7. Any discussion? Senator Harber Hall.

8. SENATOR HALL:

9. Senator Brady, this is the first I've seen of this bill. Can you
10. give me an idea how many people would be employed to administer this
11. new act?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Brady.

14. SENATOR BRADY:

15. Senator, I don't have a plan of how many people would be employed,
16. but these departments now are writing their requirements and putting
17. them in for the budget. This is...this is more a detail of what they
18. did in a past sequence of events and what they're currently doing
19. against what they propose to do to give everybody an idea of the direction
20. the department is taking. I don't think it is going to require any
21. new personnel.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Harber Hall.

24. SENATOR HALL:

25. Are these people going to be the people who administer this, is
26. this going to be some type of commission or...how will these people
27. be appointed or is the department going to administer this act without
28. any new people.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Brady.

31. SENATOR BRADY:

32. Senator, these plans will be drawn up and it says in section three
33. on it that they may be required to submit these to the Bureau of the

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1. Budget prior to their submission to the General Assembly, but it will
2. be done by each department.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Harber Hall.
5. SENATOR HALL:
6. Well, I just wonder why the department can't be doing this now.
7. Every department does planning and everything. What is this...what is
8. this giving the State of Illinois that they shouldn't already be getting?
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Brady.
11. SENATOR BRADY:
12. Senator, in my opinion what it gives them is a...is a look at
13. something that the department did in the past and is heading into in
14. the future. It better defines the goal and what they're trying to
15. achieve towards the future is all.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Further discussion? Senator Mitchler.
18. SENATOR MITCHLER:
19. I'd like to ask the sponsor what the cost of this new planning act
20. would be?
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Brady.
23. SENATOR BRADY:
24. Senator Mitchler, they're...we don't have a specific cost on it,
25. because it's not adding any personnel and most of the work is being
26. done right now. They're just asking for a format to add the detailed
27. report that is presently the information is being accumulated in a
28. different manner and is being submitted to the General Assembly by
29. April 1st of every year.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Mitchler.
32. SENATOR MITCHLER:
33. The only thing, this...this has to cost more money. Because it's

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1. another report, it will be submitted to the General Assembly. I just
2. got a five year plan for either Mental Health, or Public Aid, or some-
3. body. I think it was about three inches thick. The cost of this printing
4. and all, and in a time of austerity and the Governor has called for a
5. reduction in funds, this does have a note here, fiscal note, maybe
6. applicable. This is bound to cost more money, and another thing is you
7. come up with a three, four year, five year plan, you get a new administra-
8. tion on the second floor, they discard it and they throw it out the
9. window. I never seen them follow a plan more then three weeks around
10. here. We don't even conform to our own rules and regulations. This is
11. just another cost and another bureaucratic part of Government. Although,
12. it sounds like it's nice to put a plan, but we're just too flexible
13. in State Government and in the departments to follow any plan that they
14. would propose to the Bureau of the Budget, to the Governor, to the
15. General Assembly, or to anybody. And it's just a waste of time. Bad
16. bill. Vote it down.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Further discussion? Senator Don Moore.

19. SENATOR MOORE:

20. Thank you, Mr. President and members of the Senate. I rise in
21. support of this bill. Particularly in the field of Public Aid. When
22. the Legislative Advisory Committee went to the State of California to
23. investigate the welfare reform that went through there, we were given
24. a book of the plan to reform the welfare system in the State of Cali-
25. fornia. What their goals were, what their needs were and what
26. legislation was needed in order to accomplish this. It was a plan
27. they had in the beginning. If we would have had such a plan in the
28. State of Illinois we would be much further ahead with the welfare re-
29. form program in the State of Illinois then we are now. I think this
30. is a good bill, I think that the members of the General Assembly should
31. know where some of these code departments are going, what they feel
32. they need to achieve, the goals that they do want to achieve. I think
33. it's a good bill and I would solicit for it.

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? Senator Brady may close the debate.

3. SENATOR BRADY:

4. Thank you, Senator. Mr. President and fellow Senators. In title
5. twenty, which has to do with the Children and Family Services Area, the
6. Federal Government in some of its mandates has already required this.
7. What we're doing is trying to bring all of the departments which are
8. dealing with human services under this plan to give us a better idea
9. of their future goals. I urge a favorable roll call.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. The question is shall House Bill 612 as amended pass. Those in
12. favor will vote Aye. Those opposed will vote Nay. The voting is open.
13. Have all voted who wish? Take the record. On that question the Ayes
14. are 38, the Nays are 11. 1 Voting Present. House Bill 612 having
15. received a constitutional majority is declared passed. 622, Senator
16. Hynes, for what purpose do you arise?

17. SENATOR HYNES:

18. Mr. President, on a point of personal privilege.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. State your point.

21. SENATOR HYNES:

22. I would like to introduce some distinguished guests that are with
23. us in the gallery to our rear. The wife and family of our acting
24. President, Senator Rock. Sheila Rock, Kathleen, Megan, Colleen and
25. JJ, and I'd ask that they stand and be acknowledged by the Senate.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Yeah, they're on...they're watching the Republicans this week.
28. 622, Senator Daley. 623, Senator Savickas. Hold. 626, Senator
29. Palmer. On the order of House Bills on 3rd reading. House Bill 626,
30. Mr. Secretary.

31. SECRETARY:

32. House Bill 626.

33. (Secretary reads title of bill)

34. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Palmer.
3. SENATOR PALMER:
4. Yes, Mr. President and members of the Senate. House Bill 626 pro-
5. vides that the Chief Examiner of Titles may represent the registrar of
6. titles in court proceedings under this act. The reason for this act
7. is because the State's attorney of the county represents all county
8. officers. However, all titles that are registered under the Torrens
9. Act that become involved in legal proceedings, the registrar is served
10. with a summons and must answer the proceedings. And it has been by
11. the consent of the State's attorney that at present that the Chief
12. Examiner's of title does, now, represent the Registrar of titles. All
13. we're doing now is doing by statute what is being done in practice.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Glass.
16. SENATOR GLASS:
17. Thank you, Mr. President. A question of the sponsor if he will
18. yield.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. He indicates he will yield.
21. SENATOR GLASS:
22. Senator Palmer, am I correct that Cook County is the only county
23. that has the Torrens system?
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Palmer.
26. SENATOR PALMER:
27. Yes, Senator Glass, you are correct.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Glass.
30. SENATOR GLASS:
31. Well, in that case I'm wondering why there's a home rule amendment
32. on this bill. It says that there will...this is not a limitation on
33. a home rule county. And I just wonder since if it only applies to Cook

1. County it's a good bill if you really want that amendment.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Palmer.

4. SENATOR PALMER:

5. Well, I...I really don't know how to answer that except there is
6. another insertion here that in the application, well, that would still
7. be the same reasoning. In the application they require that the ID
8. number be included in registering titles. Well, that would still only
9. apply to registered titles and I don't know why you need a home rule
10. amendment.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Palmer.

13. SENATOR PALMER:

14. I've been told that this is not a pure home rule amendment. It
15. just takes a lot...it's not a limitation on this county.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any further discussion?

18. SENATOR PALMER:

19. I move for a favorable roll call. This is the practice now that's
20. being engaged and we're asking for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. The question is shall House Bill 626 as amended pass. Those in
23. favor will vote Aye. Those opposed will vote Nay. The voting is open.
24. Have all voted who wish? Take the record. On that question the Ayes
25. are 49, the Nays are 1. None Voting Present. House Bill 626 having
26. received a constitutional majority is declared passed. On the order
27. of House bills on 3rd reading. House Bill 598, Mr. Secretary.

28. SECRETARY:

29. House Bill 598.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Fawell.

1. SENATOR FAWELL:

2. Yes, Mr. President and members of the Senate. This is very much
3. like Senate Bill 323 which we did pass out quite some time ago. It
4. pertains to the responsible relative charges and under the schedule,
5. this is Gene Hoffman's bill, it amends another section of the Mental
6. Health Code, but pertains to the same subject matter and under the
7. amendment that was prepared by the Department of Mental Health setting
8. up a revised schedule with a limitation of one hundred dollars for any
9. family that would be placing children in a private care facility, we
10. find...or the department finds that they will become eligible for Medicaid
11. coverage can actually mean an increase income to the State of Illinois
12. of approximately five million dollars and I think that's rather con-
13. servative. So, this bill, I think, passed out unanimously in the House
14. and I know of no opposition, but also a very fervid backing, now, by
15. the Department of Mental Health.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any discussion? The question is shall House Bill 598 pass. Those
18. in favor will vote Aye. Those opposed will vote Nay. The voting is
19. open. Have all voted who wish? Take the record. On that question the
20. Ayes are 47, the Nays are 1. 1 Voting Present. House Bill 598 having
21. received a constitutional majority is declared passed. 638, Senator
22. Knuppel. On the order of House bills on 3rd reading. House Bill 638,
23. Mr. Secretary.

24. SECRETARY:

25. House Bill 638.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Mr. Chairman and members of the Body. House Bill 638 is designed
32. to give some additional protection to the employee who's borrowed or
33. working on a job as to whether he's working for a subcontractor or a

1. contractor if he files a claim against one or the other, it is deemed
2. that he has filed in a timely manner. And he's protected even though
3. he may have filed against wrong the person. This is the way it should
4. be. I know it happens frequently where several people working on a
5. job and they're borrowing employees back and forth. This is procedural
6. thing and a man ought not to be deprived of his right to recover under
7. Workmens Compensation Act by the mere fact that he has filed against
8. somebody he thinks is employing him when in fact someone else is the
9. responsible party. Both parties probably carry insurance and the in-
10. tention is to protect the employees. This is good legislation. Ought
11. to receive even a unanimous roll call.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any discussion? Senator Sommer.

14. SENATOR SOMMER:

15. Senator Knuppel, will you yield for a question?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. He indicates he will yield. Senator Sommer.

18. SENATOR SOMMER:

19. What is the provision of the Civil Practice Act of the Supreme

20. Court rules in relation to this topic in a normal civil action?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Knuppel.

23. SENATOR KNUPPEL:

24. Well, I would say if you filed against the wrong party and I'm not
25. too sure about it, but I would think you would get some...some leniency
26. but that if you had filed against the wrong party and the statute had
27. run that you'd be out of court. But, we have a little different thing
28. with respect to workmen's compensation in the fact it covers all of the
29. employees and the idea is that you get a recovery. It's a little more
30. lenient, because of the problems that arise and you don't have to prove
31. negligence or anything so that there is insurance and the purpose of
32. the insurance is to protect the employee. While in a civil case you're
33. on your own. You row your own boat. I think it's an entirely different

1. thing. It protects where there is an interchange of employees, you
2. don't know who it is that covers you on a job.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Sommer.

5. SENATOR SOMMER:

6. Well, Senator Knuppel, I submit to you that the common law has al-
7. ways been and we've retained that in all our civil practice acts. That
8. if you file against the wrong defendant you don't stop the Statute of
9. Limitations and you're out of court.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? Senator Knuppel may close the debate.

12. SENATOR KNUPPEL:

13. All I say is the workmens compensation is a statutory remedy. It
14. isn't a common law remedy. And it's there for the protection of the
15. employee and it's very difficult sometimes, very difficult, and I've
16. handled...I don't handle a great number, but I handle quite a few
17. workmens comp cases and it rises frequently as to whether a person is
18. actually an employee of the contractor, the subcontractor or is a
19. loan employee. If he files he knows he's been hurt, there's an inter-
20. relationship between the contractor and the subcontractor and this
21. fact ought to protect the employee. He has a short filing date too,
22. which is one year as opposed to in common law a two year filing date.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Graham, the debate has been closed. For what purpose do
25. you arise?

26. SENATOR GRAHAM:

27. Well, then I would ask on a point of personal privilege on this
28. subject matter to say to the Gentlemen and Ladies, this if passed will
29. provide a very possible expensive precedent. And I hope we vote No.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Glass, for what purpose do you arise?

32. SENATOR GLASS:

33. Well, Mr. President, I...I do realize the debate has been closed.

1. I...there is one short question I would like to ask the sponsor if the
2. Body will allow it on...to understand the bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Leave is granted. State your question.

5. SENATOR GLASS:

6. Thank you, Mr. President. Senator Knuppel, under the bill would
7. it, in fact, expand coverage. That is if an employee of a subcontractor
8. is injured now does he have a claim against the general, or would this
9. still expand coverage to give him such a claim.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. No, and this answers Senator Graham's problem. He's entitled to
14. only one recovery. This just protects him against making a mistake
15. when he's under difused supervision and it's difficult to tell and he
16. sues one party, files the claim against one party and it turns out later
17. it ought to have been a different party. But, he only gets one recovery.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Knuppel. The question is shall
20. House Bill 638 pass. Those in favor will vote Aye. Those opposed will
21. vote Nay. The voting is open. Have all voted who wish? Take the
22. record. On that question the Ayes are 32, the Nays are 18. None
23. Voting Present. House Bill 638 having received a constitutional majority
24. is declared passed. Senator Morris, for what purpose do you arise?

25. SENATOR MORRIS:

26. I'd like to...voting on the prevailing side to reconsider that vote.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Having voted on the...Senator Morris having voted on the prevailing
29. side moves to reconsider the vote by which House Bill 638 has passed.
30. Senator Joyce moves to Table. All in favor signify by saying Aye. The
31. motion is Tabled. Senator Partee, for what purpose do you arise?

32. SENATOR PARTEE:

33. For the purpose, Mr. President, of an announcement.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. May we have some order, please. Gentlemen there is to be an
3. announcement. May we have some order. Senator ParTEE.

4. SENATOR PARTEE:

5. At eleven a.m. this morning there will be a rather brief Joint
6. Session in the House of Representatives. Captain Eugene Serman
7. a native of Illinois who was the spacecraft commander of Apollo 17
8. will be present for the purpose of bequeathing lunar samples to the
9. State of Illinois. They will be received on behalf of the State by
10. the Governor, and we are appointing Senator Savickas, McCarthy, Joyce,
11. Mitchler and Howard Mohr to escort the Governor. We will leave here
12. at five minutes before eleven for that purpose. We will return
13. immediately after that ceremony. And while I'm on my feet let me point
14. out that after we return we will go to the order of House bills on
15. 3rd reading and we will go through the Calendar taking first the appro-
16. priations bills. It is obviously that it must get to the House as
17. quickly as possible, and after we shall have gone through all of the
18. appropriations bills we will return to wherever we were before we left.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. 645, Senator Latherow. On the order of House bills on 3rd reading.
21. House Bill 645, Mr. Secretary.

22. SECRETARY:

23. House Bill 645.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Latherow.

28. SENATOR LATHEROW:

29. Thank you, Mr. President, I wonder if I could have leave to take
30. 645 and 646 together. 646 does to the Boating Act what 645 does to
31. the Snowmobile Act.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. The Senator seeks leave to explain 645 and 646. Is leave granted?

1. Leave. So ordered. Senator Latherow.

2. SENATOR LATHEROW:

3. These bills state that a person under ten years of age cannot
4. operate a snowmobile or a motorboat. They also say that anyone under
5. twelve...over ten but under twelve may operate providing they have
6. someone over eighteen years of age who has been authorized by the
7. parent or guardian to aid them in the operation. Those from twelve to
8. sixteen may operate with someone eighteen years of age or older or
9. they may operate by themselves providing they have passed a State boat-
10. ing and snowmobile examination or schooling. Now, this...and also those
11. who have...are sixteen years of age and have an automobile license may
12. operate a snowmobile or motorboat. It, also, sets up within this a
13. school to be operated either by or through the Department of Conserva-
14. tion, and at that school to go to it would cost you two dollars and
15. a half. A dollar and fifty cents, which would come to the Department
16. and one dollar would be retained by the person who conducted the school.
17. If it is conducted strictly by the Department that two fifty would re-
18. main there. A certificate which has been issued by another state for
19. those over twelve and under sixteen or by the providence of Canada that
20. was similar to the school conducted by the State of Illinois, those
21. persons could operate a snowmobile or motorboat in the State of Illinois
22. without the license. I'd appreciate a favorable roll call and would
23. be glad to try to answer any questions.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any discussion? The question is shall House Bill 645 as amended
26. pass. Those in favor will vote Aye. Those opposed will vote Nay. The
27. voting is open. Have all voted who wish? Take the record. On that
28. question the Ayes are 48, the Nays are none. None Voting Present.
29. House Bill 645 as amended having received a constitutional majority is
30. declared passed. On the order of House bills on 3rd reading. House
31. Bill 646, Mr. Secretary.

32. SECRETARY:

33. House Bill 646.

34. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Latherow.

4. SENATOR LATHEROW:

5. Thank you, Mr. President. This has to do with the Boating Act
6. what I explained before jointly with the Snowmobile Act.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any discussion? The question is shall House Bill 646 pass. Those
9. in favor will vote Aye. Those opposed will vote Nay. The voting is
10. open. Have all voted who wish? Take the record. Senator Berning,
11. for what purpose do you arise?

12. SENATOR BERNING:

13. On a point of personal privilege.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. State your point, Sir.

16. SENATOR BERNING:

17. I'd like to point out that the bill just passed with my support
18. and for which I commend the Body, is to a large extent identical with
19. House Bill 15. Thank you.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. On that question the Ayes are 48, the Nays are 1. None Voting
22. Present. House Bill 646 having received a constitutional majority is
23. declared passed. Senator Soper, for what purpose do you arise?

24. SENATOR SOPER:

25. Well, I just wanted to alert the Body and let them know the difference
26. between the two bills was 36 votes. One got 12 the other got 48.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Alright. Gentlemen, we will now stand in recess until immediately
29. after the Joint Session. Now, we're asked to go forthwith to the House
30. for the purpose of a Joint Session. The Senate stands in recess.

31.

RECESS

32.

33.

AFTER RECESS

1. PRESIDENT:

2. The Senate will be in order. Messages from the House.

3. SECRETARY:

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

5. Mr. President - I am directed to inform the Senate that the
6. House has concurred...the House of Representatives has concurred with
7. the Senate in the passage of the following bills along with House
8. amendments.

9. Senate Bill number 443, with House amendments number 1, 2, 3, 4
10. and 5. Senator Course is the chief sponsor.

11. Senate Bill number 463, with House amendments number 2 and 3.
12. Senator Kenneth Hall is the chief sponsor.

13. Senate Bill number 637, with House amendments 2 and 4. Senator
14. Partee is the chief sponsor.

15. Senate Bill number 661, with House amendments 1, 2 and 4. Senator
16. Johns is the chief sponsor.

17. Senate Bill number 663 with House amendments number 1 and 2.
18. Senator Philip is the chief sponsor.

19. Senate Bill number 749, with House amendment number 1. Senator
20. Partee is the chief sponsor.

21. Senate Bill number 882, with House amendments 1 and 2. Senator
22. Fawell is the chief sponsor.

23. Senate Bill number 968, with House amendment number 1. Senator
24. Netsch is the chief sponsor.

25. Senate Bill number 447, with House amendment number 1, 2, 3 and 5.
26. Senator Rock is the chief sponsor.

27. Senate Bill number 1048, with House amendment number 2. Senator
28. Regner is the chief sponsor.

29. Senate Bill number 1049, with House amendments number 1 and 2.
30. Senator Vadalabene is the chief sponsor.

31. Senate Bill number 1113, with House amendments number 1 and 2.
32. Senator Howard Mohr is the chief sponsor.

33. Senate Bill number 1497, with House amendment number 1. Senator

1. Berning is the chief sponsor.

2. Senate Bill number 1499, with House amendments number 1 and 2.

3. Senator Course is the chief sponsor.

4. PRESIDENT:

5. All from the Secretary's Desk. May the Chair have your attention.

6. It occurred to us when Captain Cernan was speaking that many of you

7. may desire a copy of his remarks. On that basis we've asked them in

8. the House to give us a copy so we can reproduce it for all members of

9. the Senate who may desire it. In addition thereto I am going to ask

10. the Sergeant-at-Arms to come and have someone circulate this picture

11. so that you can personally see it, examine it and then we'll, of course,

12. have it encased in a permanent kind of way and we'll hang it in the

13. President's Office for the future. I think maybe we'd like to just

14. personally see it and examine it before we prepare it for the future.

15. So, we'll just pass it to the members and so they may all see it. The

16. Chair had announced that we would be going to the order of House Bills

17. on 3rd reading and going to the appropriations bills first. Now, the

18. very first one and I do not see the sponsor. I'm going to go right

19. down the line until we get back to those sponsors when they arrive.

20. Senator Palmer is recognized....Senator Rock.

21. SENATOR ROCK:

22. I think we may find that Senator Romano is ill. I would be happy

23. to handle 726 if you wish to call that one.

24. PRESIDENT:

25. Fine. Senator Palmer is recognized on a point of personal privilege.

26. SENATOR PALMER:

27. I just wanted to comment on the guests we had, who delivered us....

28. PRESIDENT:

29. Well, one moment, please. May Senator Palmer have your attention.

30. SENATOR PALMER:

31. ...who delivered a beautiful speech to the General Assembly today,

32. the Astronaut. But, I kind of, you know, had a personal feeling about

33. it, because my wife once asked me to buy her a mink coat, and I said

1. I'll buy you a mink coat when man walks on the moon. So look what
2. happened to me.

3. PRESIDENT:
4. That'll teach you. House Bill 726, Senator Rock.

5. SECRETARY:
6. House Bill 726.
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 and Ladies and Gentlemen of the Senate.
13. House Bill 726 is the annual appropriation for the ordinary and con-
14. tingent expenses for the Department of Insurance in the amount of four
15. million plus dollars...

16. PRESIDENT:
17. Oh, Senator Rock, I'm sorry. Let's hold this one. I got to talk
18. to you about that.

19. SENATOR ROCK:
20. Fine. Take it out of the record.

21. PRESIDENT:
22. Take it out of the record. House Bill 731, Senator Smith. House
23. Bill 735; Senator Vadalabene. House Bill 745, Senator Buzbee.

24. SECRETARY:
25. House Bill 745.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.

28. PRESIDENT:
29. Senator Buzbee.

30. SENATOR BUZBEE:
31. Thank you, Mr. President. This is the appropriation for the ordinary
32. and contingent expenses of the State Civil Service Commission for the
33. fiscal year beginning July 1, 75, and I would ask for a favorable roll.

1. call.

2. PRESIDENT:

3. The question is shall House Bill 745 pass. Those in favor will
4. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
5. Take the record. On this question the Ayes are 49, the Nays are none.
6. With none Voting Present. House Bill 745 having received a constitu-
7. tional majority is declared passed. The Chair would make the announce-
8. ment that most of these bills have been amended and have to go back to
9. the House and they'll probably be conference committees on all of them.
10. And on that basis we will go back, Senator Rock, to House Bill 726.
11. Senator Rock.

12. SECRETARY:

13. House Bill 726.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. SENATOR ROCK:

17. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
18. House Bill 726 sponsored in the Senate by Senator Romano is the FY-76'
19. appropriation for the Department of Insurance that has undergone a
20. committee amendment which reduced it approximately four hundred thou-
21. sand dollars. I know of no objection to it in its present form and
22. I would seek a favorable vote.

23. PRESIDENT:

24. The question is shall House Bill 726 pass. Those in favor will
25. vote Aye. Opposed Nay. The voting is open. Have all voted who
26. wish? Take the record. Have all voted who wish? Take the record.
27. On this question the Ayes are 52, the Nays are none, with none Voting
28. Present. House Bill 726 having received a constitutional majority
29. is declared passed. House Bill 731, Senator Smith.

30. SECRETARY:

31. House Bill 731.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Smith.

3. SENATOR SMITH:

4. I'm willing to accept that, Mr. President and members of the
5. Senate. Definitely I'm ready and willing to accept the roll call
6. on this bill.

7. PRESIDENT:

8. The question is shall House Bill 731 pass. All in favor will
9. vote Aye. Opposed Nay. The voting is open. Have all voted who
10. wish? Take the record. On this question the Ayes are 49, the Nays
11. are none, with 2 Voting Present. House Bill 731 having received a
12. constitutional majority is declared passed. House Bill 816, Senator
13. Lane.

14. SECRETARY:

15. House Bill 816.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. SENATOR LANE:

19. Yes, Sir, Mr. President and members of the Senate. House Bill 816
20. is the annual appropriation for the Department of Financial Institutions.
21. I request a favorable roll call.

22. PRESIDENT:

23. The question is shall House Bill 816 pass. Those in favor will
24. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
25. Take the record. On this question the Ayes are 49, the Nays are none,
26. with 1 Voting Present. House Bill 816 having received a constitutional
27. majority is declared passed. House Bill 836...The Chair recognizes

28. Senator Carroll.

29. SECRETARY:

30. House Bill...

31. PRESIDENT:

32. Senator Carroll is recognized on 836.

33. SENATOR CARROLL:

1. Thank you, Mr. President. I would ask leave to bring this bill
2. back for purpose of amendment.

3. PRESIDENT:

4. Is there leave? Leave is granted. 836 is on 2nd reading. Senator
5. Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President, I have an amendment to House Bill 836,
8. which restores two stenos that were needed, because of the increased
9. work load in the court of claims. They thought they were temporary
10. help when the committee had taken them out. They have since then ex-
11. plained and they've agreed to allow them to be put back into the budget.
12. I move adoption of Amendment No. 2.

13. PRESIDENT:

14. Senator Carroll moves the adoption of Amendment No. 2 to House Bill
15. 836. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment
16. No. 2 is adopted. Any further amendments?

17. SECRETARY:

18. Amendment No. 3 by Senator Carroll.

19. PRESIDENT:

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President. Amendment No. 3 is an increase in the
23. revolving fund for the victims of...Compensation of Victims of
24. Crimes Act to increase the revolving fund from one hundred and fifty
25. thousand to two hundred and fifty thousand, and we have, this Session
26. given them the authority to pay all awards as they award them rather
27. than limiting it to a thousand dollars. I move the adoption of the
28. amendment.

29. PRESIDENT:

30. Senator Carroll moves the adoption of Amendment No. 3 to House Bill
31. 836. All in favor will say Aye. Opposed Nay. The Ayes have it.
32. Amendment No. 3 is adopted. Any further amendments? 3rd reading.
33. House Bill 944, Senator Clarke. Is anyone else on the Floor who could

1. handle this bill on the Audit Commission? Senator Weaver.
2. SECRETARY:
3. House Bill 944.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDENT:
7. Senator Weaver.
8. SENATOR WEAVER:
9. Thank you, Mr. President. This is the annual appropriation to the
10. Legislative Audit Commission. We have not tried to reduce this, the
11. six percent on these small commissions. We'll leave that up to the
12. Governor. So, I'd move for a favorable roll call.
13. PRESIDENT:
14. The question is shall House Bill 944 pass. Those in favor will
15. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
16. Take the record. On this question the Ayes are 54, the Nays are none.
17. With none Voting Present. House Bill 944 having received a constitutional
18. majority is declared passed. House Bill 836, Senator Carroll.
19. SECRETARY:
20. House Bill 836.
21. (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDENT:
24. The question is shall this bill...Senator Carroll. The question
25. is shall this bill pass...House Bill 836. All in favor will vote Aye.
26. Opposed Nay. The voting is open. Have all voted who wish? Take the
27. record. On this question the Ayes are 53, the Nays are none, with
28. none Voting Present. House Bill 836 having received a constitutional
29. majority is declared passed. House Bill 993, Senator Buzbee.
30. SECRETARY:
31. House Bill 993.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Roll call.

5. PRESIDENT:

6. The question is shall House Bill 993 pass. Those in favor vote Aye.
7. Opposed vote Nay. The voting is open. Have all voted who wish? Take
8. the record. On this question the Ayes are 51, the Nays are none, with
9. none Voting Present. House Bill 993 having received a constitutional
10. majority is declared passed. House Bill 1048, Senator Kenneth Hall.
11. For what purpose does Senator McCarthy arise? Pardon me. Good.
12. House Bill 1048, Senator Kenneth Hall.

13. SECRETARY:

14. House Bill 1048.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Hall.

19. SENATOR HALL:

20. Thank you, Mr. President. This is an appropriation for the ordinary
21. and contingent expenses of the Commission on Human Relations. There is
22. a six percent cut in here and it, also, cuts out the fifty-two thousand
23. in section two for demonstration experimental projects. I ask your
24. most favorable support.

25. PRESIDENT:

26. The question is shall House Bill 1048 pass. Those in favor will
27. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
28. Take the record. On this question the Ayes are 52, the Nays are none,
29. with 3 Voting Present. House Bill 1048 having received a constitutional
30. majority is declared passed. House Bill 1056, Senator Kosinski. Senator
31. Kosinski is recognized.

32. SENATOR KOSINSKI:

33. I wish it was so. Mr. President and members of the Senate. I ask

1. leave of the Body to bring the bill back to 2nd.

2. PRESIDENT:

3. Is there leave to return the bill to the order of 2nd reading for
4. the purpose of an amendment? Leave is granted. Senator Kosinski.

5. SENATOR KOSINSKI:

6. Senator Regner is the gentleman...I wish I could put...

7. PRESIDENT:

8. Senator Regner is recognized.

9. SENATOR KOSINSKI:

10. Mr. President, I'm not very happy for the cut in this Inter-Govern-
11. mental Commission...Committee....Commission, because these are real
12. hard, an awful hard working people and I don't think that most of us
13. realize that this Commission can help us a great deal. We don't know
14. their advantages for us, the Chairman Latimar has done a outstanding
15. job, and so has his staff, but I shall...well, take it out of the
16. record.

17. PRESIDENT:

18. For what purpose does Senator Welsh arise?

19. SENATOR WELSH:

20. I wonder if we could take this bill out of the record. A question
21. has just come up, Mr. President. I'd like to talk to Senator Regner.

22. PRESIDENT:

23. Take it out of the record. No, just a moment. We'll return it to
24. ...well, it's on 2nd reading, we'll return it to 3rd and then we'll be
25. where we are. Is there leave to return the bill to 3rd reading? Leave
26. is granted. House bills on the order of 3rd reading. House Bill 1086,
27. Senator Demuzio.

28. SECRETARY:

29. House Bill 1086.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Demuzio.

1. SENATOR DEMUZIO:

2. Thank you, Mr. President and members of the Senate. This is the
3. appropriation for the ordinary and contingent expenses of the Illinois
4. Commerce Commission. I know of no opposition and I urge the roll call.

5. PRESIDENT:

6. The question is shall House Bill 1086 pass. Those in favor will
7. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
8. Take the record. On this question the Ayes are 50, the Nays are none.
9. With none Voting Present. House Bill 1086 having received a constitu-
10. tional majority is declared passed. House Bill 1303, Senator Kenneth
11. Hall.

12. SENATOR HALL:

13. I...I would like leave...

14. PRESIDENT:

15. Just a moment. We have to read the bill first.

16. SENATOR HALL:

17. I'd like leave of the Senate to have it returned to 2nd reading.

18. PRESIDENT:

19. Is there leave to return the bill to the order of 2nd reading.

20. SENATOR HALL:

21. For purpose of an amendment.

22. PRESIDENT:

23. Leave is granted.

24. SENATOR HALL:

25. Senator Rock has an amendment.

26. PRESIDENT:

27. The bill is on 2nd reading. Senator Rock is recognized.

28. SENATOR ROCK:

29. Thank you, Mr. President. Amendment No. 3 at the Secretary's
30. Desk under your name, I believe, Mr. President, Senator Partee. This
31. would restore in the committee we made a cut in the affirmative action
32. operation of approximately sixty thousand dollars. This amendment,
33. Amendment No. 3, would restore forty of that sixty, and I would move

1. its adoption.

2. PRESIDENT:

3. Senator Rock moves the adoption of Amendment No. 3 to House Bill
4. 1303. All in favor say Aye. Opposed Nay. The Ayes have it. The
5. amendment is adopted. Any further amendments? Senator Hall. Just
6. a moment. Senator Weaver has a 2nd amendment...another amendment.

7. SECRETARY:

8. Amendment No. 4 by Senator Weaver.

9. PRESIDENT:

10. Senator Weaver.

11. SENATOR WEAVER:

12. Thank you, Mr. President. This amendment increases the general
13. revenue appropriation to match Federal funds received under the Inter-
14. Governmental Personnel Act from thirty six thousand, five hundred to
15. sixty thousand and adding twenty three-thousand, five hundred. It,
16. also, appropriates six hundred thousand from the Inter-Governmental
17. Personnel Act Federal Trust Fund for state and local grants. This
18. completes the transfer of local grant funds from the appropriation
19. of the Department of Local Government Affairs to Personnel, and I
20. move its adoption.

21. PRESIDENT:

22. Senator Weaver moves the adoption of Amendment No. 4 to House Bill
23. 1303. All in favor say Aye. Opposed Nay. The amendment is adopted.
24. Any further amendments? 3rd reading. Senate...House Bill 1502,
25. Senator Howard Mohr. Read the bill.

26. SECRETARY:

27. House Bill 1502.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Howard Mohr.

32. SENATOR MOHR:

33. The bill's just exactly that, Mr. President. I move for a favorable

1. roll call.

2. PRESIDENT:

3. The question is shall House Bill 1502 pass. Those in favor vote
4. Aye. Opposed Nay. The voting is open. Have all voted who wish? Take
5. the record. On this question the Ayes are 49, the Nays are none, with
6. 1 Voting Present. House Bill 1502 having received a constitutional
7. majority is declared passed. House Bill 1303, Senator Kenneth Hall.

8. SECRETARY:

9. House Bill 1303.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. The question is shall House Bill 1303 pass. All in favor will
14. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?
15. Take the record. On this question the Ayes are 51, the Nays are none.
16. With 1 Voting Present. House Bill 1303 having received a constitutional
17. majority is declared passed. For what purpose does Senator Johns arise?

18. SENATOR JOHNS:

19. Just a matter of record. I would have voted affirmative but I
20. was pushing a button for a friend who's watching in the rear. Thank
21. you, Mr. President.

22. PRESIDENT:

23. The record will so show. And the reason, also. House Bill 1717.

24. SECRETARY:

25. House Bill...House Bill 1717.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. The question is shall this bill pass. Those in favor vote Aye.

30. Senator Regner.

31. SENATOR REGNER:

32. Just one statement, Mr. President and members of the Senate. This
33. is a new program that's starting and if we're going to continue the

1. operation we've had for the last couple of weeks regarding new programs
2. I just want to remind everyone.

3. PRESIDENT:

4. Take it out of the record. House Bill 1881, Senator Rock. House
5. Bill 1882, Senator Rock. Well, Senator Rock is recognized...

6. SENATOR ROCK:

7. I would ask leave, Mr. President. I've agreed to hold 1881 at the
8. request of the House sponsor. 1882 there is an amendment on the Secre-
9. tary's Desk, I'm told, and I'd like leave to bring it back for the
10. purpose of that amendment.

11. PRESIDENT:

12. Is leave granted? Leave is granted. House Bill 1882 is on the
13. order of 2nd reading. Senator Rock. Senator Donnewald desires recog-
14. nition.

15. SENATOR DONNEWALD:

16. Yes, this...this incorporates the language of Senate Bill 1120 we
17. passed out of this Chamber last week. I move its adoption.

18. PRESIDENT:

19. Senator Donnewald moves the adoption of Amendment No. 1 to House
20. Bill 1882. All in favor say Aye. Opposed Nay. The Ayes have it.
21. The amendment is adopted. Any further amendments? 3rd reading.
22. House Bill 2790, which is a companion bill to the one we passed making
23. for additional leaders in the House.

24. SECRETARY:

25. House Bill 2790.

26. (Secretary reads title of bill)

27. PRESIDENT:

28. The question is shall House Bill 2790 pass. Those in favor vote
29. Aye. Opposed Nay. The voting is open. Have all voted who wish?
30. Take the record. On this question the Ayes are 50, the Nays are none,
31. with 2 Voting Present. House Bill 2790 having received a constitutional
32. majority is declared passed. House Bill 1882, Senator Rock.

33. SECRETARY:

1. House Bill 1882.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. That's the one we just amended. I assumed you wanted to pass it.

6. That's the one we just amended.

7. SENATOR ROCK:

8. That's right.

9. PRESIDENT:

10. The question is shall House Bill 1882 pass. All those in favor will

11. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?

12. Take the record. Have all voted who wish? Take the record. On this

13. question the Ayes are 51, the Nays are none, with none Voting Present.

14. House Bill 1882 having received a constitutional majority is declared

15. passed. House Bill 2991, Senator Bloom.

16. SECRETARY:

17. House Bill 2991.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Bloom.

22. SENATOR BLOOM:

23. Thank you, Mr. President and fellow Senators. This bill does what

24. the synopsis says it came out of the Appropriations Committee on the

25. Agreed Bill List, and I'd appreciate a favorable roll call.

26. PRESIDENT:

27. The question is shall House Bill 2991 pass. Those in favor will

28. vote Aye. Opposed Nay. The voting is open. Have all voted who wish?

29. Take the record. On this question the Ayes are 54, the Nays are none,

30. with 1 Voting Present. House Bill 2991 having received a constitutional

31. majority is declared passed. Are there any other appropriation bills

32. of House bills on 3rd reading that the members desire called? Is

33. Senator Vadalabene on the Floor? Are you ready, now, on (machine cut-off)

1. The amendment is here. Very good. The Chair has an announcement with
2. reference to the rest of the day's schedule. The Senate will continue
3. with this order of business until 4:00 p.m. today. The Appropriations
4. Committee will meet at four. We will return to the Floor for further
5. business on the Floor at seven. That will give everybody a dinner hour
6. and it would give those on Appropriations a chance, also, to have
7. dinner before we come back at seven. Senator Vadalabene.

8. SENATOR VADALABENE:

9. Yes, we've just come into agreement on 735. I'd like to bring it
10. back to the order of 2nd for the purpose of an amendment.

11. PRESIDENT:

12. On House bills 3rd reading Senator Vadalabene seeks leave to bring
13. the bill back to the order of 2nd reading. Is there leave? Leave is
14. granted. Amendment No. 2, Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes. Amendment No. 2 is a hundred percent Federally funded amend-
17. ment, and I would ask for its adoption.

18. PRESIDENT:

19. Senator Vadalabene moves the adoption of Amendment No. 2 to House
20. Bill 735. All in favor will say Aye. Opposed Nay. The Ayes have it.
21. Amendment No. 2 is adopted. Any further amendments? 3rd reading.
22. Senator Harber Hall.

23. SENATOR HALL:

24. On House bills 3rd reading, Mr. President, House Bill 1453 that with
25. leave of the House...leave of the Body, I'd like to have returned to
26. the order of 2nd for purpose of an amendment.

27. PRESIDENT:

28. Is leave granted? Leave is granted. House Bill 1453 is now on
29. the order of 2nd reading. Senator Harber Hall.

30. SENATOR HALL:

31. This amendment excludes counties over five hundred thousand from
32. the provisions of appointment of trustees to fire protection districts.
33. I move adoption of the amendment.

1. PRESIDENT:

2. Senator Harber Hall moves the adoption of Amendment No. 1 to House
3. Bill 1453. All in favor will say Aye. Opposed Nay. The amendment
4. is adopted. Any further amendments? 3rd reading. House Bill 735,
5. Senator Vadalabene.

6. SECRETARY:

7. House Bill 735.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Vadalabene.

12. SENATOR VADALABENE:

13. Yes, what the Secretary said. It's the ordinary contingent expenses
14. of the Illinois Veterans Commission on House Bill 735 as amended, and
15. I would appreciate a favorable vote.

16. PRESIDENT:

17. The question is shall House Bill 735 pass. Those in favor vote
18. Aye. Opposed Nay. The voting is open. Have all voted who wish? Take
19. the record. On this question the Ayes are 54, the Nays are none, with
20. none Voting Present. House Bill 735 having received a constitutional
21. majority is declared passed. We've been through the order of House
22. bills on 2nd reading. We will now go through the order of House bills
23. on 2nd reading, calling the appropriations bills. House Bill 284,
24. Senator Joyce. Senator Joyce, you moved that already, didn't you,
25. House Bill 284? Fine. House Bill 738, Senator Vadalabene. Read the
26. bill.

27. SECRETARY:

28. House Bill 738.

29. (Secretary reads title of bill)

30. 3rd reading of the bill. The Committee on Appropriations offers one
31. amendment.

32. PRESIDENT:

33. Senator Vadalabene.

1. SENATOR VADALABENE:

2. Yes, I move for the adoption of this amendment.

3. PRESIDENT:

4. Any discussion? Senator Vadalabene moves the adoption of Amendment
5. No. 1 to House Bill 738. All in favor will say Aye. Opposed Nay. The
6. Amendment No. 1 is adopted. Any further amendments? 3rd reading. For
7. what purpose does Senator Philip arise?

8. SENATOR PHILIP:

9. Yeah. I'd like to apologize. I have an amendment for 738. I'd
10. like to ask the sponsor if he'd bring it back from 3rd when the amend-
11. ment is ready.

12. PRESIDENT:

13. Senator Vadalabene. He says he will. House Bill 743, Senator
14. Vadalabene. Read the bill.

15. SECRETARY:

16. House Bill 743.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. The Committee on Appropriations offers one
19. amendment.

20. PRESIDENT:

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. I move for the adoption of the committee amendment.

24. PRESIDENT:

25. Any discussion? Those in favor of the adoption of the amendment
26. will vote Aye. Opposed Nay. The amendment is adopted. Any further
27. amendments? 3rd reading. House Bill 942, Senator Buzbee.

28. SECRETARY:

29. House Bill 942.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. The Committee on Appropriations offers three
32. amendments.

33. PRESIDENT:

34. Senator Buzbee.

1. SENATOR BUZBEE:

2. Mr. President, I move adoption of Amendment No. 1.

3. PRESIDENT:

4. Any discussion? Senator Buzbee moves the adoption of Amendment No.

5. 1 to House Bill 942. All in favor will vote Aye...say Aye. Opposed

6. Nay. Amendment No. 1 is adopted. Amendment No. 2, Senator Buzbee.

7. SENATOR BUZBEE:

8. I move the adoption of Amendment No. 2.

9. PRESIDENT:

10. Any discussion? Senator Buzbee moves the adoption of Amendment No.

11. 2 to House Bill 942. All in favor will say Aye. Opposed Nay. Amend-

12. ment No. 2 is adopted. Amendment No. 3, Senator Buzbee.

13. SENATOR BUZBEE:

14. I move adoption of Amendment No. 3.

15. PRESIDENT:

16. Any discussion? Senator Buzbee moves the adoption of Amendment No.

17. 2...3 to House Bill 942. All in favor will say Aye. Opposed Nay.

18. Amendment No. 3 is adopted. Any further amendments? 3rd reading.

19. House Bill 1079, Senator Palmer. Senator Palmer, 1079. Read...

20. SECRETARY:

21. House...House Bill 1079.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. The Committee on Appropriations offers three

24. amendments.

25. PRESIDENT:

26. Senator Palmer, I can't get your hand signals.

27. SENATOR PALMER:

28. Will you hold that? We're waiting for an amendment please.

29. PRESIDENT:

30. Senator Howard Mohr. Well, move it and then we can bring it back.

31. SENATOR PALMER:

32. Chair, move it forward. Thank you.

33. PRESIDENT:

1. Any amendments at this time? 3rd reading. Okay. Three committee
2. amendments. Fine. Amendment No. 1, Senator Palmer.

3. SENATOR PALMER:

4. Move the adoption of Amendment No. 1.

5. PRESIDENT:

6. Any discussion? Senator Hynes.

7. SENATOR HYNES:

8. This amendment simply removes the weasel clause regarding Federal
9. funds.

10. PRESIDENT:

11. Senator Palmer moves the adoption of Amendment No. 1 to House
12. Bill 1079. All in favor will say Aye. Opposed Nay. Amendment No.
13. 1 is adopted. Amendment No. 2, Senator Palmer.

14. SENATOR PALMER:

15. Move the adoption of Amendment No. 2.

16. PRESIDENT:

17. Senator Palmer moves the adoption of Amendment No. 2. Senator
18. Hynes.

19. SENATOR HYNES:

20. This removes the new General Revenue funded position. Two
21. hundred and thirteen thousand dollar reduction.

22. PRESIDENT:

23. Any further discussion? Senator Palmer moves the adoption of
24. Amendment No. 2 to House Bill 1079. All in favor will say Aye.
25. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Amend-
26. ment No. 3, Senator Palmer.

27. SENATOR PALMER:

28. Could I have a conference on this, Mr. Chairman, on Amendment
29. No. 3?

30. PRESIDENT:

31. Senator Hynes.

32. SENATOR HYNES:

33. This amendment removes a grant of three hundred thousand dollars

1. that was added in the House for supplemental support for local clinics.
2. It is not in the budget and is general revenue monies. The amendment
3. would remove the appropriation. And I move its adoption.

4. PRESIDENT:

5. Any discussion? Senator Hynes moves the adoption of Amendment
6. No. 3 to House Bill 1079. All in favor will say Aye. Opposed Nay.
7. The Ayes have it. Amendment No. 3 is adopted. Any further amend-
8. ments? 3rd reading. House Bill 1089, Senator Dougherty.

9. SECRETARY:

10. House Bill 1089.

11. (Secretary reads title of bill)

12. 2nd reading of the bill. The Committee on Appropriations offers
13. three amendments.

14. PRESIDENT:

15. Senator Dougherty moves the adoption of Amendment No. 1 to
16. House Bill 1089. Any discussion? All in favor of the adoption of
17. the amendment say Aye. Opposed Nay. Amendment No. 1 is adopted.
18. Amendment No. 2, Senator Dougherty. Senator Dougherty moves the
19. adoption of Amendment No. 2. Senator Bruce.

20. SENATOR BRUCE:

21. Yes, some of my United Auto Workers Locals were down here this
22. morning talking about Amendments Nos. 2 and 3 of this bill. I'd
23. like to have some explanation as it relates to cutting the safety
24. program in the Department of Local Government Affairs. I wonder
25. if I could get Senator Dougherty or someone from the Appropriations
26. Committee since those UAW Locals are near and dear to me.

27. PRESIDENT:

28. Senator Dougherty or Senator Hynes, on a question of Amendment
29. No. 2 to House Bill 1089.

30. SENATOR HYNES:

31. Amendments 2 and 3 remove new employees, also, remove the
32. Community Services Division of the Department. There is some dis-
33. cussion about the cut and those discussions are going to continue

1. but it was our intention to move the bill to 3rd reading for the
2. possibility there might be some modification prior to its passage
3. out of the Senate.

4. PRESIDENT:

5. Senator Bruce.

6. SENATOR BRUCE:

7. What...what is a function of the Community Services Branch?
8. That's what they're worried about, and how much was the cut?

9. PRESIDENT:

10. Senator Hynes.

11. SENATOR HYNES:

12. I believe the entire...the entire division, I believe, three
13. hundred some thousand dollars, and the function of that division
14. is to act as a liaison with local governments and municipalities,
15. in particular, and to provide advice and counsel to them in terms
16. of municipal problems. It was our intention to remove that division.
17. There is some discussion going on now with respect to that portion
18. of the amendment. We would not have called the bill today at all
19. except that it's getting late in the Session and we want to put the
20. amendment on and it will be brought back if no agreement is reached
21. for an effort to add the money if that's desired by anyone.

22. PRESIDENT:

23. Senator Hynes moves the adoption of Amendment No. 2 to House
24. Bill 1089. All in favor will say Aye. Opposed Nay. The Ayes have
25. it. Amendment No. 2 is adopted. Amendment No. 3 same posture.
26. Senator Hynes moves the adoption of Amendment No. 3. Any discussion?
27. All in favor will say Aye. Opposed Nay. Amendment No. 3 is adopted.
28. Any further amendments? 3rd reading. House Bill 1172, Senator
29. Netsch. Read the bill.

30. SECRETARY:

31. House Bill 1172.

32. (Secretary reads title of bill)

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

1. three amendments.

2. PRESIDENT:

3. Amendment No. 1. Is there leave to move the...oh, it's on
4. 2nd. Amendment No. 1, Senator Netsch.

5. SENATOR NETSCH:

6. Amendment No. 1 deletes the so-called "Weasel Clause". I move
7. its adoption.

8. PRESIDENT:

9. Senator Netsch moves the adoption of Committee Amendment No. 1
10. to House Bill 1172. All in favor will say Aye. Opposed Nay. Amend-
11. ment No. 1 is adopted. Amendment No. 2, Senator Netsch.

12. SENATOR NETSCH:

13. Amendment No. 2 deletes...cut three hundred ninety-three thousand
14. dollars from the operating expenses of EPA. This combined with the
15. cut made in the House makes a total of approximately six percent in
16. the operating budget of this agency. I move its adoption.

17. PRESIDENT:

18. Any discussion? Senator Netsch moves the adoption of Amendment
19. No. 2 to House Bill 1172. All in favor will say Aye. Opposed Nay.
20. The Ayes have it. Amendment No. 2 is adopted. Amendment No. 3, by
21. Senator Netsch.

22. SENATOR NETSCH:

23. Amendment No. 3 really corrects and clarifies language used in
24. part of the appropriation of the bond fund. I move its adoption.

25. PRESIDENT:

26. Any discussion? Senator Netsch moves the adoption of Amendment
27. No. 3 to House Bill 1172. All in favor will say Aye. Opposed Nay.
28. Amendment No. 3 is adopted. Any further amendments?

29. SECRETARY:

30. Four, offered by Senator Shapiro.

31. PRESIDENT:

32. Senator Shapiro is recognized for Amendment No. 4.

33. SENATOR SHAPIRO:

1. Mr. President and Ladies and Gentlemen of the Senate. Amendment
2. No. 4 will remove the remaining new positions, only, that were to
3. be funded out of general revenue funds to the amount of ninety-six
4. thousand four hundred dollars. This is positions out of Air Pollution
5. Control, Water Pollution Control and Land Pollution Control, and I
6. would urge adoption of the amendment.

7. PRESIDENT:

8. Any discussion? Senator Hynes.

9. SENATOR HYNES:

10. Mr. President, I would oppose the amendment. We...in amendment
11. No. 2 reduced substantially the appropriation for this agency and I
12. do not think that a further reduction is justifiable, and I would
13. ask that all members on this side, at least, oppose the amendment.

14. PRESIDENT:

15. Senator Shapiro.

16. SENATOR SHAPIRO:

17. I want to close by saying, Mr. President and members of the
18. Senate, that these are strictly new positions and with the Governor's
19. austerity program, I think this is the first place we should look to
20. cut as well as the six percent. When you consider that in this
21. particular appropriation there's only an increase of forty-three
22. thousand dollars in Federal funds, I think it's justified to take
23. the new position out and reduce general revenue funds. After all that's
24. local State Income Tax money and I would urge the members of this
25. Senate to approve the adoption of this amendment.

26. PRESIDENT:

27. Senator Netsch.

28. SENATOR NETSCH:

29. Just briefly to support what Senator Hynes said. Almost all of
30. the new positions had been removed. There is a total six percent
31. cut on this budget. It seems to me that when all of that is added
32. to the enormous cuts that were made in the requested budget last
33. year that that is enough. It is not that large of an appropriation.

1. Six percent is substantial and we should stop there.

2. PRESIDENT:

3. Senator Graham.

4. SENATOR GRAHAM:

5. Mr. President and members, in support of Senator Shapiro's idea,
6. I talked yesterday to some people who are involved in a department
7. of State Government. And who are concerned about additional expense
8. that some of these departments that is unwarranted, and to use a
9. phrase that was used by them in conversation with me, they said if
10. we could get rid of all the hotdogs that the Governor has on the pay-
11. roll in these various departments, we could cut each one by a sub-
12. stantial sum. Maybe we ought to start looking at the hotdogs.

13. PRESIDENT:

14. Senator Shapiro has moved the adoption of Amendment No. 4. Those
15. in favor will vote Aye. Opposed will vote Nay. The voting is open.
16. Have all voted who wish? Take the record. On this question the Ayes
17. are 25, the Nays are 28. Amendment No. 4 fails. Any further amend-
18. ments? 3rd reading. House Bill 1274, Senator Demuzio. For what
19. purpose does Senator Hynes arise?

20. SENATOR HYNES:

21. Could we pass that for just a moment and come back to it, please?

22. PRESIDENT:

23. He indicates affirmatively. House Bill 1426, Senators Knuppel -
24. Joyce. Department of Agriculture.

25. SECRETARY:

26. House Bill...

27. PRESIDENT:

28. Senator Knuppel is recognized.

29. SENATOR KNUPPEL:

30. I'm completely unhappy with what's happened to this bill, but
31. I'm going to advance it to 3rd and it is just going to lay there
32. unless we can get something worked out. But, I will advance it to
33. 3rd to save one Legislative day.

1. PRESIDENT:

2. Read the bill.

3. SECRETARY:

4. House Bill 1426.

5. (Secretary reads title of bill)

6. 2nd reading of the bill. The Committee on Appropriations offers four
7. amendments.

8. PRESIDENT:

9. Senator Knuppel.

10. SENATOR KNUPPTEL:

11. I move the amendments.

12. PRESIDENT:

13. Senator Knuppel moves the adoption of Amendment No. 1. All in
14. favor will say Aye. Opposed Nay. Amendment No. 1 is adopted. Amend-
15. ment No. 2, Senator Knuppel. Senator Knuppel moves the adoption of
16. Amendment No. 2 to House Bill 1426. All in favor will say Aye. Opposed
17. Nay. Amendment No. 2 is adopted. Amendment No. 3, Senator Knuppel.
18. Senator Knuppel moves the adoption of Amendment No. 3 to House Bill
19. 1426.. All in favor will say Aye. Opposed Nay. Amendment No. 3
20. is adopted. Amendment No. 4, Senator Knuppel. Senator Knuppel moves
21. the adoption of Amendment No. 4 to House Bill 1426. All in favor will
22. say Aye. Opposed Nay. Amendment No. 4 is adopted. Any further
23. amendments? 3rd reading. House Bill 1977, Senator Demuzio. Read
24. the bill.

25. SECRETARY:

26. House Bill 1977.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. The Committee on Appropriations offers
29. three amendments.

30. PRESIDENT:

31. Senator Demuzio, Amendment No. 1.

32. SENATOR DEMUZIO:

33. I'll yield to Senator Hynes on Amendment No. 1. I want to Table...

1. PRESIDENT:

2. Senator Hynes is recognized on Amendment No. 1 to House Bill
3. 1977.

4. SENATOR HYNES:

5. Removes the weasel clause and I would move its adoption.

6. PRESIDENT:

7. Senator Hynes moves the adoption of Amendment No. 1 to House
8. Bill 1977. All in favor will say Aye. Opposed Nay. Amendment No.
9. 1 is adopted. Amendment No. 2, Senator Demuzio.

10. SENATOR DEMUZIO:

11. I want to Table Amendment No. 2 and there is on the Secretary's
12. Desk Amendment No. 4 in its place and it is simply a technical amend-
13. ment. I've talked with the Republican Staff. Inadvertently a line
14. was left off of Amendment No. 2. It does not substantially change
15. any appropriations. I move to Table Amendment No. 2.

16. PRESIDENT:

17. Senator Demuzio moves to Table Amendment No. 2 to House Bill 1977.
18. All in favor will say Aye. Opposed Nay. Amendment No. 2 is Tabled.
19. Amendment No. 3, Senator Demuzio.

20. SENATOR DEMUZIO:

21. I'll yield to Senator Hynes.

22. PRESIDENT:

23. Senator Hynes is recognized on Amendment No. 3 to House Bill 1977.

24. SENATOR HYNES:

25. This...this is a reduction in the operational appropriation of
26. a hundred ninety-nine thousand dollars, and I would move its adoption.

27. PRESIDENT:

28. Senator Hynes moves the adoption of Amendment No. 3 to House Bill
29. 1977. Any discussion? Those in favor will say Aye. Opposed Nay.
30. Amendment No. 3 is adopted. Amendment No. 4, Senator Demuzio.

31. SENATOR DEMUZIO:

32. Amendment No. 4 on the Secretary's Desk simply corrects the
33. language that was inadvertently left out of Amendment No. 2, which

1. we have just Tabled. I move for the adoption of Amendment No. 4.

2. PRESIDENT:

3. Any discussion? Senator Demuzio moves the adoption of Amend-
4. ment No. 4 to House Bill 1977. Those in favor will say Aye. Opposed
5. Nay. The Ayes have it. Amendment No. 4 is adopted. Any further
6. amendments? Amendment No. 5, Senator Demuzio.

7. SENATOR DEMUZIO:

8. Thank you very much, Mr. President. Amendment No. 5 restores
9. the auditor's position. The necessary retirement social security
10. costs to cover that position reinstates a portion of the reduction
11. for cost of living increases, which was inadvertently overestimated
12. in the initial amendment. It further restores all of the legal fees
13. for default loan collections for out-of-state and fifteen thousand
14. dollars for in-state loan collections. These are both contractual
15. services. Lastly, it restores two thousand dollars for commodities.
16. The total addition for operations is eighty-seven thousand, five
17. hundred and fifty-five dollars. I move for the adoption of the Amend-
18. ment No. 5 to House Bill 1977.

19. PRESIDENT:

20. Any discussion? Senator Demuzio moves the adoption of...Senator
21. Weaver.

22. SENATOR WEAVER:

23. Well, Mr. President...

24. PRESIDENT:

25. Just a minute, just a minute. Let's have some order, now.
26. Senator Weaver on Amendment No. 5.

27. SENATOR WEAVER:

28. Mr. President, I had two amendments, but inasmuch as we have
29. adopted two Floor Amendments, these are technically incorrect so if
30. Senator Demuzio will bring it back why we'll move it on to 3rd.

31. PRESIDENT:

32. Senator Demuzio...

33. SENATOR DEMUZIO:

1. We'll bring it back.

2. PRESIDENT:

3. He indicates he will. Senator Demuzio has moved the adoption
4. of Amendment No. 5. Any discussion? All in favor will say Aye.
5. Opposed Nay. Amendment No. 5 to House Bill 1977 is adopted. Any
6. further amendments? 3rd reading. House Bill 1979, Senator Hickey.
7. Read the bill.

8. SECRETARY:

9. House Bill 1979.

10. (Secretary reads title of bill)

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

13. PRESIDENT:

14. Senator Hynes.

15. SENATOR HYNES:

16. I move the adoption of the committee...move the adoption of
17. Amendment No. 1, and I would also say that there may be a possible other
18. amendment. Senator Hickey has indicated she will bring the bill back
19. from 3rd reading.

20. PRESIDENT:

21. Any further discussion? Senator Hynes moves the adoption of
22. Amendment No. 1 to House Bill 1979. Those in favor will say Aye.
23. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any
24. further amendments at this time? 3rd reading. House Bill 2972,
25. Senator Buzbee. Read the bill.

26. SECRETARY:

27. House Bill 2972.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. No committee amendments.

30. PRESIDENT:

31. Any amendments from the Floor? 3rd reading. House Bill 3005,
32. Senator Carroll.

33. SECRETARY:

1. House Bill 3005.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. No committee amendments.

4. PRESIDENT:

5. Any amendments from the Floor? Senator Carroll.

6. SENATOR CARROLL:

7. There's an amendment on the Secretary's Desk. It is an amendment
8. to add the most recent awards by the Court of Claims in with
9. our usual procedure, and I move the adoption.

10. PRESIDENT:

11. Any discussion? Senator Carroll moves the adoption of Amendment
12. No. 1 to House Bill 3005. All in favor will say Aye. Opposed Nay.
13. Amendment No. 1 is adopted. Any further amendments? 3rd reading.
14. Senator Demuzio, for what purpose do you arise?

15. SENATOR DEMUZIO:

16. Could we go back and pick up 1274, now. I think we're ready to
17. roll.

18. PRESIDENT:

19. Is that on 2nd reading? What order of business is that? Yes.
20. House Bills on 2nd reading. House Bill 1274, Senator Demuzio. Read
21. the bill.

22. SECRETARY:

23. House Bill 1274.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. The Committee on Appropriations offers one
26. amendment.

27. PRESIDENT:

28. Senator Demuzio. Senator Hynes.

29. SENATOR HYNES:

30. This amendment reduces the General Revenue Appropriation for
31. operations by two hundred seventy-seven thousand, eight hundred dollars
32. and eliminates the new positions that were sought by the department.
33. It, also, reduces the Statistical Services revolving fund by one

1. million, three hundred fifty-six thousand dollars. The total re-
2. duction of one point six million. There is going to be a second amend-
3. ment offered, which will restore one hundred sixteen thousand of that
4. amount, which in our re-evaluation we determined was incorrect. So,
5. I would move the adoption of Amendment No. 1.

6. PRESIDENT:

7. Senator Hynes moves the adoption of Amendment No. 1 to House
8. Bill 1274. Any discussion? All in favor will say Aye. Opposed Nay.
9. Amendment No. 1 is adopted. Any further amendments at this time.

10. SECRETARY:

11. Amendment No. 2 offered by Senator Demuzio.

12. PRESIDENT:

13. Senator Demuzio.

14. SENATOR DEMUZIO:

15. Thank you, Mr. President. As indicated by Senator Hynes, this
16. restores a hundred and sixteen thousand, nine hundred dollars to the
17. Statistical Services revolving fund. I know of no opposition to this
18. amendment. I'd move for its adoption.

19. PRESIDENT:

20. Senator Demuzio moves the adoption of Amendment No. 2 to House
21. Bill 1274. Any discussion? All in favor will say Aye. Opposed Nay.
22. Amendment No. 2 is adopted. Any further amendments? 3rd reading.
23. For what purpose does Senator Egan arise?

24. SENATOR EGAN:

25. I thought you had a break there for a minute, Mr. President. I
26. would like to take a bill off the Consent Calendar to amend it.

27. PRESIDENT:

28. For what purpose does Senator Graham arise?

29. SENATOR GRAHAM:

30. Mr. President, we are dealing with what is the most important
31. function of this General Assembly this year, and we just cannot hear
32. the discussion. And I know it's all around me too, and I wish that
33. we would cooperate.

1. PRESIDENT:

2. Senator...Senator Merritt and McCarthy and the Gentleman, would
3. you take your conference off the Floor. Take your conference off so
4. that Senator Graham can hear. And what you say, Senator, is very
5. correct. Let's have some order. On the...is there leave to go to
6. the order of..Consideration Postponed for picking up a Senate bill?
7. An appropriation bill there. Leave is granted. Senate Bill 629,
8. Senator Bruce.

9. SENATOR BRUCE:

10. It is an appropriation for the ordinary and contingent expenses
11. of the Illinois Law Enforcement Commission. I would ask for a favor-
12. able roll call. I think there has been an understanding struck.

13. PRESIDENT:

14. Any further discussion? The question is shall Senate Bill 629
15. pass. Those in favor will vote Aye. Opposed Nay. The voting is
16. open. Have all voted who wish? Take the record. On this question the
17. Ayes are 50, the Nays are 1. With none Voting Present. Senate Bill
18. 629 having received a constitutional majority is declared passed.
19. In connection with the use of the word struck are we now ready to
20. go to Senate bills on 3rd reading? Is there leave? Leave is granted.
21. Senate Bill 683, Senator Egan.

22. SECRETARY:

23. Senate Bill 683.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Hynes, are we ready with this one? Read the bill.

28. Senator Egan.

29. SENATOR EGAN:

30. Mr. President, I'd like leave to bring this bill back to the
31. order of 2nd reading for the purpose of an amendment.

32. PRESIDENT:

33. Is there leave? Leave is granted. Senate Bill 683 is now on
34. the order of 2nd reading. Senator Egan is recognized.

1. SENATOR EGAN:

2. Thank you, Mr. President. I believe there was a...there was a
3. desire to Table an amendment that was put on the bill.

4. PRESIDENT:

5. Senator Wooten.

6. SENATOR WOOTEN:

7. Could we find out what that amendment is before we take pre-
8. cipitant action?

9. PRESIDENT:

10. Senator Egan may explain the amendment.

11. SENATOR EGAN:

12. It is not my motion. I...I would accede to it, but it's not
13. my motion.

14. PRESIDENT:

15. Does Senator Weaver or Senator Harris care to explain the amend-
16. ment? Senator Harris.

17. SENATOR HARRIS:

18. Well, I did not vote on the prevailing side of the motion that
19. adopted this amendment. It would...the motion would have to be put
20. by someone who voted on the prevailing side to move to reconsider.

21. PRESIDENT:

22. Yes, Senator Bruce.

23. SENATOR BRUCE:

24. Well, having voted on the prevailing side I would now move to
25. reconsider the vote by which the amendment was Tabled. I believe
26. that was the motion.

27. PRESIDENT:

28. You've heard the motion. All in favor will say Aye. Opposed
29. Nay. The...wait a minute. What was the number of the amendment? Let's
30. get this straight. Amendment No. 1 has now been reconsidered, the
31. vote by which it failed has now been reconsidered. The vote by which
32. the motion was adopted has now been reconsidered. The Chair would
33. now entertain a motion by Senator Egan to Table the amendment. Senator

1. Harris moves to Table the amendment. All in favor will say Aye.
2. Opposed Nay. The amendment is Tabled. For what purpose does Senator
3. Wooten arise? Did you seek recognition, Senator?

4. SENATOR WOOTEN:

5. No, I...apparently this has been agreed to. I thought this was
6. a subject in which we might get into some division here, but apparently
7. there has been some kind of agreement. So, let it go.

8. PRESIDENT:

9. It is the Chair's position, Senator, to ask for a discussion
10. on all of these amendments so that the membership will be apprised
11. of what the order of the business is, and whether there has been any
12. agreement or not, each member has the right to ask for...

13. SENATOR WOOTEN:

14. Well...

15. PRESIDENT:

16. ...discussion and the Chair never forecloses that right. And
17. I want that clearly understood.

18. SENATOR WOOTEN:

19. That amendment was a fairly controversial one, I thought.
20. And I was a little amazed that we're so quickly moving to Table it.

21. PRESIDENT:

22. Well, Senator, perhaps we went into this quite in depth the
23. last day that we were here and there was a snafu, which you perhaps
24. remember. I assumed that everybody remembered what went on just
25. two days ago. Any further amendments?

26. SECRETARY:

27. Amendment No. 10 offered by Senator Harris.

28. PRESIDENT:

29. Senator Harris may explain the amendment.

30. SENATOR HARRIS:

31. This amendment provides for two hundred thousand dollars appro-
32. priated out of bond funds for a project on the Vermillion River hired
33. by the City of Streator, which that community is extremely anxious

1. to have proceed in Fiscal '76, I've discussed this with Leo Isee.
2. He indicates that while the total project, and he originally suggested
3. a six hundred thousand dollar appropriation, we've evaluated those
4. figures over the week-end and states that the project in its entirety
5. is probably in the neighborhood of a five hundred thousand dollar
6. project. Two hundred thousand of which could be obligated and actually
7. utilized during Fiscal '76. I would reassure the membership that this
8. is out of bond money, not out of General Revenue, and would move to
9. adopt Amendment No. 10.

10. PRESIDENT:

11. Any discussion? Senator Egan.

12. SENATOR EGAN:

13. Yes, there is no disagreement on the amendment, Mr. President
14. and members of the Senate. It was originally a six hundred thou-
15. sand dollar request which was set too high. This is totally acceptable.

16. PRESIDENT:

17. Any further discussion? Senator Harris moves the adoption of
18. Amendment No. 10 to Senate Bill 683. Those in favor will vote Aye.
19. Opposed Nay. The amendment is adopted. Any further amendments? 3rd
20. reading. Senate Bill 1498, Senator Hynes. Read the bill.

21. SECRETARY:

22. Senate Bill 1498.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Hynes.

27. SENATOR HYNES:

28. This is the Omnibus Commission bill, which includes the appro-
29. priation for regular legislative commissions, and I would ask for a
30. favorable roll call.

31. PRESIDENT:

32. Any discussion? Senator Regner.

33. SENATOR REGNER:

1. A question of the sponsor.

2. PRESIDENT:

3. He indicates he'll yield.

4. SENATOR REGNER:

5. Senator Hynes, we're still working on the overall amendment for
6. the Omnibus Commission Bill and the House Bill. And you just want
7. to get this one over to the House for their work?

8. PRESIDENT:

9. Senator Hynes.

10. SENATOR HYNES:

11. Yes, and Representative Lechowicz is going to pick it up in the
12. House and it will be made to conform with the amendment that we put
13. on the House bill, which is here. And, actually, the House bill which
14. is still in the Senate will be the ultimate vehicle. This is simply
15. going to rest over there.

16. PRESIDENT:

17. The question is shall House Bill 1498 pass. Those in favor will
18. vote Aye. Opposed...Senate Bill 1498. The question is shall Senate
19. Bill 1498 pass. Those in favor will vote Aye. Opposed Nay. The
20. voting is open. Have all voted who wish? Take the record. On this
21. question the Ayes are 55, the Nays are none, with none Voting Present.
22. Senate Bill 1498 having received a constitutional majority is declared
23. passed. Senate Bill 683.

24. SECRETARY:

25. Senate Bill 683.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. The question is shall Senate Bill 683 pass. Those in favor
30. will vote Aye. Opposed Nay. The voting is open. Have all voted
31. who wish? Take the record. On that question the Ayes are 49, the
32. Nays are none, with 8 Voting Present. Senate Bill 683 having re-
33. ceived a constitutional majority is declared passed. The Chair would

1. like to make an announcement which alters a former announcement
2. with reference to the night schedule. We had said that we would
3. work until 4:00 o'clock and that we would return at seven and that
4. in the intervening period commencing at four the Appropriations
5. Committee would work. It's very obvious to the Chair, now, after
6. another assessment that the Appropriations Committee needs more than
7. three hours in which to prepare themselves for tomorrow. On that
8. basis there will be no Floor meeting or no Senate Session tonight.
9. But, the Appropriations Committee will be at four, and hopefully will
10. work until they can...well, they will just work from four forward.
11. No Floor Session tonight. Senator Hynes.

12. SENATOR HYNES:

13. Mr. President, there are also some appropriations bills on the
14. Secretary's Desk and some of those may result in conference committees,
15. if we could go to that order.

16. PRESIDENT:

17. If the Chair could have the attention of the membership, it will
18. facilitate the handling of these bills if you are ready when they
19. are called. There are several bills on the Secretary's Desk which
20. need to come back for amendments. I'm going to read the list so
21. that you can prepare yourself so that when we get to you, you'll know
22. it's going to be called. The list I'm giving you, now, though...the
23. list I shall give you now, or...oh, you mean the ones on the...Senator
24. Hynes. You allude to those on the Secretary's Desk that are appro-
25. priation bills, is that correct? Let's take those first. Is there
26. leave to go to the order of the Secretary's Desk for the purpose of
27. dealing with those appropriations bills on which have to be recalled.
28. Leave is granted. Senate Bill 284, Senator Soper. Senator Hynes,
29. would you like to make the motion?

30. SENATOR HYNES:

31. Well, Mr. President, this bill was approved by the House. Per-
32. haps Senator Weaver might want to comment on it, also.

33. PRESIDENT:

1. We would invite his comments.

2. SENATOR HYNES:

3. Approved by the House in the form it left the Senate with one
4. exception. The amendment which we debated the other day regarding
5. the FEPC was added to this bill as it was to all the other bills that
6. are on the Secretary's Desk and it is being added to every appropri-
7. ations bill in the House. We passed the two bills the other day with
8. the amendment on simply to move them off the Calendar. But, it seems
9. to me at this point we are facing the question again and we might
10. as well make the decision. This is substantive language with appro-
11. priation bill and it should not be contained therein. In addition it
12. seems to me it creates further potential problems if the bills go to
13. the Governor in this form, and I think that we ought to resolve this
14. issue once and for all and nonconcur on these amendments.

15. PRESIDENT:

16. Senator Harris.

17. SENATOR HARRIS:

18. Well, I join Senator Hynes in his suggestion that we move to
19. nonconcur. This issue was clearly determined in Kirk versus Lindburg.
20. It's just an exercise in futility on the part of the House, and I
21. think the best way for us to communicate it is to put all these bills
22. into a conference committee and just get it resolved. I would support
23. Senator Hynes' motion to nonconcur.

24. PRESIDENT:

25. On the order of bills on the...Senator Weaver.

26. SENATOR WEAVER:

27. My only observation, Mr. President, is why they didn't put this
28. same language in the House appropriations bills. They seemed to have
29. put it on the Senate bills, why not the House appropriations bills.

30. PRESIDENT:

31. Senator Hynes has moved on Senate Bill 284 that the Senate non-
32. concur in House Amendment No. 1. All in favor will say Aye. Opposed
33. Nay. The motion carries. Senate Bill 488. Is that the same motion,

1. Senator? Is that the same motion on 488? Senator Knuppel, do you
2. desire to make the same motion on Senate Bill 488? Senator Hynes.

3. SENATOR HYNES:

4. I believe there are two amendments on Senate Bill 488, one of
5. which...alright, move to nonconcur on both amendments.

6. PRESIDENT:

7. Senator Hynes moves to nonconcur on Amendments No. 1 and 2 to
8. Senate Bill 488. All in favor say Aye. Opposed Nay. The motions
9. carry. Senator Donnewald...Senator Dougherty.

10. SENATOR DOUGHERTY:

11. The same motion on 512, Mr. President.

12. PRESIDENT:

13. Senator Donnewald moves to nonconcur with the House amendments
14. on Senate Bill 512. All in favor say Aye. Opposed Nay. The Senate
15. nonconcur. Senate Bill 608 the same motion. 1 and 2. All in favor
16. will say Aye. Senator Hynes.

17. SENATOR HYNES:

18. No, move to concur in Amendment No. 1, Mr. President, and non-
19. concur in No. 2.

20. PRESIDENT:

21. On Senate Bill 608 Senator Hynes moves to concur in Amendment No.
22. 1. All in favor say Aye. Wait a minute. Yes, moves to concur in
23. Amendment No. 1 to Senate Bill 608. All in favor will vote Aye and
24. Opposed will vote Nay. The voting is open. Have all voted who wish?
25. Take the record. The question is shall the Senate concur in Amendment
26. No...on this question the Ayes are 55, the Nays are none, with one
27. Voting Present. The Senate concurs in Amendment No. 1 to Senate Bill
28. 608. Amendment No. 2. Senator Hynes moves to nonconcur in Amendment
29. No. 2. All in favor will say Aye. Opposed Nay. The Senate nonconcur
30. in Amendment No. 2.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. May I have the attention of the Body. There are several bills
33. that the members requested be returned to the order of 2nd reading

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1. from 3rd and I'm going to read the list and I would appreciate if the
2. members would be prepared when they are called for that...the amend-
3. ment stage. All of the amendments...all of the bills that I'm going
4. to read are referred to the amendments are on the Secretary's Desk.
5. These are all House bills. House Bill 121, 210, 278, 345, 612, 665,
6. 809, 826, 990, 1103, 1287, 1443, 1691, 1914, 2215, 2538, 2592, 2617,
7. 2627, 2692 and 2804. We will begin...Do we have leave to return to
8. the order of 2nd reading on the bills mentioned? Alright. The bills
9. just read are now on 2nd reading. House Bill 121. House Bill 210.
10. House Bill 278, Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President. There is an amendment on the Secretary's
13. Desk. I do believe it is Amendment No. 1 to House Bill 278. This
14. was the discussion I had with Minority Leader Harris earlier to ex-
15. plain that in the rape treatments and the requirement of the insurance
16. to pay for the costs that if the insurance policy has a standard
17. reduction for any type of treatment it would, of course, also, apply
18. to a rape victim. I would move the adoption of the amendment.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? The question is shall Amendment
21. No. 1 to House Bill 278 be adopted. Those in favor indicate by saying
22. Aye. Those opposed No. The Ayes have it. The amendment is adopted.
23. Are there further amendments? 3rd reading. Do we have leave for
24. still photographs to be taken for about a period of ten minutes?
25. Leave is granted. House Bill 345, Senator Daley. Senator Daley.

26. SENATOR DALEY:

27. Mr. President and fellow Senators. This is a technical amend-
28. ment. It's amendment No. 1 to House Bill 345. I move for the adoption
29. of Amendment No. 1 on House Bill 345.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Senator Graham.

32. SENATOR GRAHAM:

33. If...are we looking at the same amendment, Senator? That's the

1. one that changes line twenty-six.
2. SECRETARY:
3. Senator Graham, this is your amendment.
4. SENATOR GRAHAM:
5. Thank you for introducing it.
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Senator Graham moves the adoption of Amendment No. 1 to House
8. Bill 345. All those in favor say Aye. Those opposed No. The Ayes
9. have it. The amendment is adopted. Senator Graham.
10. SENATOR GRAHAM:
11. I would appreciate very much and I would be glad to help you.
12. If we could cut the caucuses down to less than fifty it would be help-
13. ful. And it seems like they always gather around here.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Are there further amendments? 3rd reading. House Bill 612.
16. Senator Brady. That bill has been passed.
17. SENATOR BRADY:
18. That's correct, Mr. President.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. 665 is my bill. I'll have to skip it. House Bill 809, Senator
21. Vadalabene. House Bill 809 for the purpose of amendment.
22. SENATOR VADALABENE:
23. Yes, the impact of Amendment No. 2 to House Bill 809 requires
24. that the applicant for lease to submit to the Department of Trans-
25. portation proof that the proposed usage, improvements and structures
26. are in compliance with local zoning ordinances and building codes
27. if there are no applicable ordinances or codes at the proposed usage,
28. improvements and structures have been approved by local corporate
29. authorities. And the second phase of Amendment No. 2 specifies
30. that violation of local zoning ordinance or building codes may be
31. grounds for lease cancellation by the Department of Transportation.
32. This is essentially a corrected version of Committee Amendment No. 1
33. that was put on in committee.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Senator Howard Mohr.

3. SENATOR MOHR:

4. I wonder if, Senator Vadalabene, has that committee amendment been
5. removed.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. The committee amendment, as I understand it, Senator Howard
10. Mohr, is that this corrects the Committee Amendment No. 1.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Howard Mohr.

13. SENATOR MOHR:

14. I believe that that committee amendment will have to be removed.
15. If you will give me a minute I will check that.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, Senator...Senator Mohr, you are correctly right. I turned
20. the page over and it says Table Amendment No. 1 to House Bill 809
21. and substitute is a tax. So, I move, now, to Table Amendment No. 1.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. No, the motion is to reconsider the vote by which Amendment No.
24. I was adopted. All those in favor say Aye. Those opposed No. We
25. are, now, reconsidering the amendment. The motion is to Table Amendment
26. No. 1. All those in favor say Aye. Those opposed No. The amendment
27. is Tabled. Senator Vadalabene.

28. SENATOR VADALABENE:

29. Now, I move to adopt Amendment No. 2, which I've just explained.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Those in favor of adopting Amend-
32. ment No. 2 indicate by saying Aye. Those opposed No. The Ayes have
33. it. The amendment is adopted. Are there further amendments? 3rd
reading. 826, Senator Fawell. You may proceed.

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1. SENATOR FAWELL:

2. Yes, this amendment which would be Amendment No. 1 merely changes
3. the word charge and inserts therein the word paid, and there is no
4. controversy to this and I would ask the adoption of the same.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? The question is shall Amendment
7. No. 1 to House Bill 826 be adopted. Those in favor indicate by
8. saying Aye. Those opposed No. The Ayes have it. The amendment is
9. adopted. Are there further amendments? 3rd reading. Just a moment.

10. SECRETARY:

11. Amendment No. 2 by Senator...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Just a moment. The bill is back on 2nd. Do we have leave for
14. that bill to return to the order of 2nd. Leave is granted. Amendment
15. No. 2. Senator Howard Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President. Amendment No. 2 amends the bill to
18. say that where the person who uses the card requests the information
19. of what the interest is, it shall be sent to them. The bill in its
20. original form mandated it whether the consumer wanted it or not and
21. this changes it to request from the consumer with the requirement
22. that the retailer does notify the consumer of his entitlement to that
23. information. I would move the adoption of Amendment No. 2.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? The question is shall Amendment
26. No. 2 be adopted. Those in favor indicate by saying Aye. Those
27. opposed No. The Ayes have it. The amendment is adopted. Originally
28. as I read the list, House Bill 827 was not on it. Do we have leave
29. to return to the order of 2nd reading? Just a moment. Just a moment.
30. Are there further amendments on House Bill 826? 3rd reading. Now,
31. have I leave to return to the order of 2nd reading concerning House
32. Bill 827? Leave is granted. House Bill 827, Senator Fawell.

33. SENATOR FAWELL:

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1. Mr. President, Senator Carroll has this amendment, also.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Carroll. Just a moment. There is noise to my left and
4. noise to my right. And a little quiet in between, but not very much.
5. Could we have order, please. Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President, and this amendment is the identical
8. amendment to the one we passed on the companion bill 826. I would
9. move the adoption of the amendment.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? The question is shall Amendment
12. No. 1 to House Bill 827 be adopted. Those in favor indicate by saying
13. Aye. Those opposed No. The Ayes have it. The amendment is adopted.
14. Are there further amendments? 3rd reading. 990, Senator Clarke.
15. 1287, Senator Course. Senator Course, proceed. 1443, Senator Schaffer.

16. SENATOR SCHAFFER:

17. Mr. Secretary, what amendment number is this? I would have to
18. then to get the bill in proper shape, having voted on the prevailing
19. side move to reconsider Amendment No. 2.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. The motion is to reconsider the vote by which Amendment No. 2
22. was adopted. All those in favor of reconsideration indicate by saying
23. Aye. Those opposed No. The amendment is reconsidered. And, now,
24. move to Table Amendment No. 2. All those in favor indicate by saying
25. Aye. Those opposed No. The Ayes have it. Amendment No. 2 is Tabled.

26. SENATOR SCHAFFER:

27. ~~Amendment No. 3 as Amendment No. 2 redone. It basically removes~~
28. the rest of Cook County so that Cook County is excluded from the bill.
29. This was the Jim Soper amendment, which I believe Senator Rock is
30. also in concurrence with.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

1. opposed No. The Ayes have it. The amendment is adopted. Are there
2. further amendments? 3rd reading. 1691, Senator Schaffer. The noise
3. still persists, Gentlemen and Ladies. May we have order. A little
4. more. Proceed.

5. SENATOR SCHAFFER:

6. Amendment, I believe, Amendment No. 1 to House Bill 1691 is
7. proposed by me, but an agreed amendment with Senator Rock. It in-
8. serts the language on reimbursable services shall be paid by at one
9. hundred percent reasonable cost includes...defines it for Children
10. and Family Services. It is similar to legislation that's been be-
11. fore the Body.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? Senator Rock.

14. SENATOR ROCK:

15. Is this the one that now incorporates 3066, verbatim?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. Yes, I just couldn't remember the bill number.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Rock. The question is shall...just a moment.

22. SENATOR ROCK:

23. No, I had a similar amendment ready. As long as it's up there
24. and ready, fine. I would urge its adoption.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. The question is shall Amendment No. 1 be adopted. Those in favor
27. say Aye. Those opposed No. The Ayes have it. The amendment is

28. adopted. Are there further amendments? 3rd reading. House Bill
29. 1914, Senator Newhouse. You may proceed if you can hear. There
30. are many conferences throughout the Chamber, Ladies and Gentlemen,
31. which causes a great deal of noise. Could we have order. Senator
32. Newhouse.

33. SENATOR NEWHOUSE:

1. Mr. President, I believe the amendment is on 1914 on the
2. Secretary's Desk.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. It is. Proceed.
5. SENATOR NEWHOUSE:
6. 1914 is an amendment for the...or rather it's for the independent
7. colleges and universities. What this amendment does is limit the
8. amounts of money that can be utilized by those institutions by setting
9. a standard for a maximum of one hundred two hundred dollar rates. The
10. alternative would have been that there might have been an unlimited
11. amount of money which could have been spent by the universities in
12. the event there was an appropriation in an excessive amount. Senator
13. Hickey and Senator Fawell were codrafts for the amendment and I
14. would move its adoption.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Fawell.
17. SENATOR FAWELL:
18. There is no problem here except I thought we did this already.
19. Didn't we, Senator Newhouse. Oh, alright I...
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Is there further discussion? Senator Graham.
22. SENATOR GRAHAM:
23. Are we not getting printed forms of these amendments? I haven't
24. had one for an hour. You can't hear what they're saying...
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator...Senator Newhouse.
27. ~~SENATOR GRAHAM:~~
28. ...and we don't have the printed forms on our desks. I don't
29. know what the devil we're trying to do, but it isn't right.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Senator Newhouse.
32. SENATOR NEWHOUSE:
33. Senator, I realize this doesn't answer your question, but this

1. was a bill that was agreed pretty much and the amendment was agreed
2. upon before such time as you put it on in committee.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. I've been advised, Senator Graham, that these amendments were,
5. in fact, placed upon the desks of the members some time ago. Senator
6. Graham.

7. SENATOR GRAHAM:

8. Mr. President, all of you know that it's absolutely an impossi-
9. bility to keep track of this huge pile of papers. If they hit my
10. desk Saturday I don't think I have responsibility for them today and
11. I don't have them now.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Well, Senator, this is what happens when we have a huge number
14. of bills that the members of the General Assembly, both in the House
15. and Senate, introduce each year and it's becoming greater and greater
16. by the year, and I can certainly sympathize with you and the rest of
17. us. Senator Howard Mohr.

18. SENATOR MOHR:

19. Mr. President, and so in order to move along, but save a little
20. time in the end I wonder if we couldn't go to the suggestion I made
21. the other day whereby these amendments are...are distributed and then
22. be kind enough to let our staff review them and okay them for call.
23. If you would just give us a little time to look them over.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Well, I...I think that these amendments were distributed some
26. time ago, which would...

27. SENATOR MOHR:

28. Well, I'm just saying all of the amendments rather than coming
29. in at the last minute with an amendment and ask for action on it with-
30. out giving our staffs time to review. We all know what's going to
31. happen. If that's the will of the Body that's the will of the Body,
32. but I think that we would be given an opportunity to take the time
33. to have the staff look them over.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. There are conferences all over this Chamber. Would the members
3. please be in their seats, or take their conferences off the Floor.
4. Now, Senator Mohr, your point is well taken, I think it should, in
5. fact, be discussed by the Rules Committee. The motion is to adopt
6. Amendment No. 3 to House Bill 1914. All those in favor indicate by
7. saying Aye. Those opposed No. The Ayes have it. The amendment is
8. adopted. Are there further amendments? 3rd reading. House Bill 2215,
9. Senator Kenneth Hall. House Bill 2538, Senator Johns. Is it your
10. desire to put on the amendment to this bill, Senator? You may pro-
11. ceed. Take it from the record. 2692, Senator Schaffer. You may
12. proceed.

13. SENATOR SCHAFFER:

14. Mr. President, having voted on the prevailing side of Amendment
15. No. 2, I would move to reconsider the vote by which that amendment was
16. adopted.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. You've heard the motion. All those in favor indicate by saying
19. Aye. Those opposed No. The Ayes have it. The amendment is recon-
20. sidered.

21. SENATOR SCHAFFER:

22. Move to Table that amendment. Amendment No. 2.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. The motion is to Table Amendment No. 2. All those in favor say
25. Aye. Those opposed No. The Ayes have it. The amendment is Tabled.
26. Senator Schaffer.

27. SENATOR SCHAFFER:

28. Amendment No. 3 is Amendment No. 2 placed in the right point
29. in the bill. The drafter of Amendment No. 2 failed to notice an
30. amendment put on in the House and was working with the wrong version
31. of the bill. This does the same thing pointed out by the staff on
32. the other side. I move to adopt Amendment No. 3.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. The motion is...is there further discussion? The motion is to
2. adopt Amendment No. 3 to House Bill 2692. All those in favor indicate
3. by saying Aye. Those opposed No. The Ayes have it. The amendment
4. is adopted. House Bill 2617. 2627, Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President. On the order of 2nd reading I first
7. move to reconsider the vote by which Amendment No. 1 had been adopted
8. for the purpose of Tabling.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. The motion is to reconsider the vote by which Amendment No. 1
11. was adopted. Those in favor indicate by saying Aye. Those opposed
12. No. The motion is adopted. He, now, wishes to Table Amendment No. 1.
13. All those in favor of Tabling Amendment No. 1 to House Bill 2627
14. indicate by saying Aye. Those opposed No. The Ayes have it. The
15. amendment is Tabled. Senator Carroll.

16. SENATOR CARROLL:

17. I, now, move that we adopt Amendment No. 2, which is the identical
18. amendment with the technical changes made to correct the amendment.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? The question is shall Amendment...
21. Senator Netsch.

22. SENATOR NETSCH:

23. I...I think I should make everyone conscious of what this amend-
24. ment is. It is one that caused enormous furor both...or at least the
25. other day when the bill was being voted on on 3rd reading. I gather,
26. I have not seen the text of the amendment, but from Senator Carroll's

27. ~~description, I just know this is the amendment that requires the State~~
28. Department of Revenue to collect all compatible local taxes for all
29. local units of Government in the State. And I think that there are
30. many members who have objection to the...maybe not to the...I...the
31. ultimate objective of the amendment, but certainly to the way that
32. it has been drawn, because it is much too loose ended, and I doubt
33. very much if the language of the now proposed amendment makes those

1. corrections. So, that while I appreciate Senator Carroll Tabling
2. the first amendment he has compounded the error, now, by proposing
3. Amendment No. 2, and I would oppose it very vigorously. And I would,
4. also, say that we really ought to see a copy of it before we vote on
5. it. It is a matter of major importance.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Carroll.

8. SENATOR CARROLL:

9. As Senator Netsch has mentioned, it is identical to Amendment No.
10. 1 except for one word that was apparently left out in the heading,
11. not a new language but in the heading of the Civil Administrative
12. Code. In the first version of the amendment the word civil was left
13. out and it has been added to the amended version and I think being
14. civil I am entitled to have the bill in the form I would like it,
15. and especially since the amendment had already been adopted by this
16. Chamber and it's merely a technical change. If you oppose the con-
17. cept of this State upon the written request of a unit of local Govern-
18. ment collecting the tax and being reimbursed, the cost of collecting
19. and making total Government more efficient and making total Government
20. less costly to the taxpayer, fine, but, I'd appreciate having
21. the amendment adopted.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? The question...Senator Harris.

24. SENATOR HARRIS:

25. Well, I raise the point, again, that I think this amendment is
26. absolutely not germane and, of course, what it does is bring a com-
27. ~~plete new concept into this original mental health related bill the~~
28. question of the State of Illinois making collections for local units
29. of Government of their levied local taxes. I don't think the Floor
30. at this absolutely late date is the time or place for that kind of
31. consideration on an amendment on 2nd reading on a bill that has been
32. recalled from 3rd reading. It's a matter that ought to have a great
33. deal of evaluation in the appropriate committee and I would urge the

1. members from this side of the aisle to reject the question.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President. I think that Senator Harris' remarks
6. were not in order. The question of germaneness has already been ruled
7. upon. In addition to that this was a committee amendment. What we
8. are doing...what we have been doing for the past twenty five minutes
9. or so and that is making the amendment technically correct. Senator
10. Carroll has twice stated that there is no substantive change other
11. than the addition of one word, which apparently dropped out of the
12. typewriter, and I think he has, as he said, the right to put the bill
13. in the form he wishes it and I would urge the adoption of Amendment
14. No. 2.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Glass.

17. SENATOR GLASS:

18. Well, thank you, Mr. President, I guess my question has been
19. answered. I was going to see if there was enough change in the
20. amendment to ask for another ruling on germaneness. We'd be happy
21. to have one. It still seems to me not to be germane, but if there
22. hasn't been any substantive changes and I guess we'll have to go along
23. with the early ruling.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. You're right. Is there further discussion? The question is
26. shall Amendment No. 2 be adopted. All those in favor indicate by
27. saying Aye. Those opposed No. A roll call has been requested. The
28. question is shall Amendment 2 be adopted. Those in favor vote Aye.
29. Those opposed No. The voting is open. Have all those voted who
30. wish? Have all those voted who wish? Take the record. On that
31. question the Ayes are 23, the Nays are 30. 1 Voting Present. Amend-
32. ment No. 2 not having received a majority fails. Are there further
33. amendments? 3rd reading. House Bill 2692. Is there...this has been

1. advanced. Is there leave to recall it to 2nd? Leave is granted.
2. The bill is now on 2nd reading. Amendment No. 4 by Senator Morris.
3. Senator Morris.

4. SENATOR MORRIS:

5. Thank you very much, Mr. Speaker and fellow Senators.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Just a moment. This is the Senate.

8. SENATOR MORRIS:

9. Mr. President. I'll be alright. It's been so loud in here.
10. Everybody has been speaking. I've had a tough time making the
11. transition. This amendment is designed to make this bill basically
12. workable. As it now stands the bill is unworkable in that it creates
13. a second disciplinary board within the Department of Registration and
14. Education.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. You may proceed. We are on House Bill 2692.

17. SENATOR MORRIS:

18. This would result in the basic agencies overseeing the medical
19. licensing in the State of Illinois, which provides for terrible dup-
20. lication. It, also, would create a fund which would be difficult and
21. almost impossible to administer and to cover the cost. This amend-
22. ment is designed to keep the good features of the bill and rid the
23. bill of the bad features which are many. The...there's fiscal problems
24. with the bill as drafted and this would correct those in that it would
25. provide for a special fee to be collected and there would be no way
26. for that fee to be administered. The other problem that I'm trying

~~27. to deal with in the amendment is to prevent the duplication of services.~~

28. Under the proposed bill the Illinois...the Examining Committee would
29. also be the judge, the jury and the investigator and we're trying to
30. separate those functions. We do not deny that we need more people
31. to investigate possible problems within the medical profession. But,
32. we don't think it should be the same people serving in those functions.
33. This amendment would put the bill in a workable order. This amendment

1. is supported by the Department of Registration and Education, and
2. I'll answer any questions.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Schaffer.

5. SENATOR SCHAFFER:

6. Well, I'm the Senate sponsor of House Bill 2692 and I would
7. categorize this amendment as having basically the same effect as
8. striking the enacting clause. This bill with this amendment on dies
9. instantly. The Medical Society, I think, has responded very responsi-
10. bly to the need for better policing of its ranks, they've offered to
11. double their registration fee to cover for the policing of their ranks.
12. They just aren't quite ready to turn over the fate of Illinois medicine
13. to Ron Stackler. I can't blame them. They want to have a separate
14. board separating from the licensing board for disciplinary reasons.
15. And they want this board to be annointed by a slightly higher power
16. then Ron Stackler. They want this board to be confirmed by the State
17. Senate. And therein lies the real problem that Director Stackler has
18. with concept. We're shall we say, chipping away at his particular
19. castle. I don't single him out for any abuse. I suspect all bureau-
20. crats like to build castles. The Medical Society, I think, has re-
21. sponded very responsively. They've offered to finance the policing
22. of their ranks, they've added many more categoress for listing of
23. licenses, and in the final analysis this board is advisory and Mr.
24. Stackler as director will still be the final power and he can go
25. against this board if he wants to. This amendment is totally un-
26. acceptable. It destroys the concept, the thrust and the intention
27. of the bill. It makes the bill totally unacceptable to me and, I
28. believe, to the House sponsors. I request of Senator Morris that if
29. he wishes to defeat the bill and the concept, the place to do that
30. is on 3rd reading. This amendment should be rejected. I ask and
31. humbly request that the members of this Body allow me to proceed with
32. this bill to 3rd reading in the shape I and the House sponsors and the
33. Illinois Medical Society and other medical groups that have proposed, wish

1. it to be in. If you don't like it on 3rd reading there's the time
2. to kill it. Not on 2nd.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Morris, do you wish to
5. close the debate?

6. SENATOR MORRIS:

7. I...I'd just like a roll call. I think that Senator...

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Roll Call.

10. SENATOR MORRIS:

11. ...Schaffer is somewhat incorrect. We are not gutting the bill.
12. We're keeping the good features of the bill, but we're trying to
13. prevent a fiscal problem. This bill as it's now drafted would result
14. in a fund being created with the money coming into that fund could
15. not be used in a way that it is supposed to be used. And we're trying
16. to put the bill in a proper form, and I'd appreciate a favorable roll
17. call.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. A roll call is requested. The question is shall Amendment No.
20. 4 be adopted. Those in favor vote Aye. Those opposed No. The voting
21. is open. Have all those voted who wish? Take the record. On that
22. question the Ayes are 12, the Nays are 34. 1 Voting Present. House...
23. Amendment No. 4 to House Bill 2692 fails. Are there further amend-
24. ments? 3rd reading. House Bill 1968. You may proceed. Senator
25. Nudelman. Just a moment, Senator, I think to be in order we should
26. have leave to call that back. That was not one on the list. So, is
27. there leave to call House Bill 1968 for the purpose of an amendment
28. to the order of 2nd reading? Leave is granted. You may proceed.

29. SENATOR NUDELMAN:

30. Thank you, Mr. President, that was going to be my first motion.
31. I move, Mr. President, that we put Amendment No. 1 on House Bill 1968.
32. The amendment has been worked out between staff of the Department of
33. Insurance on the Republican side and the Democratic side. It makes

1. various procedural changes in the bill and it also changes the pro-
2. cedure by which the medical malpractice fund would be funded, and I
3. would more fully explain that, Mr. President, at the time of presenta-
4. tion of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator...Senator Partee.

7. SENATOR PARTEE:

8. I'd just like to ask Senator Nudelman if you could hold this.
9. This is a matter that we have not really had a chance to get into and
10. there is a great deal involved here and I'd just like a little time
11. to get ready for it.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Then the...would it be acceptable to move the bill back to 3rd
14. with the provision that it would be brought back to 2nd. 3rd
15. reading. House Bill 2804, Senator Vadalabene. You may proceed.

16. SENATOR VADALABENE:

17. Yes, thank you, Mr. President and members of the Senate. Senate
18. Amendment No. 1 to House Bill 2804 was proposed by Senator Nimrod,
19. the Republican and Democratic Staff, it was cleared with the House
20. sponsor, Representative Fennessey. This amendment has been brought
21. to apply the original intention of this bill to almost all real estate
22. exempted under the Revenue Act, and I would move for its adoption.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? The question is shall Amendment
25. No. 1 to House Bill 2804 be adopted. Those in favor indicate by
26. saying Aye. Those opposed No. The Ayes have it. The amendment is

~~27. adopted. Are there further amendments? 3rd reading. Senator Course~~

28. 2617. Members of the Senate, this particular bill was on the Agreed
29. List. It has, in fact, been removed. Do we have leave to return it
30. to the order of 2nd reading? Leave is granted. Senator Course.

31. SENATOR COURSE:

32. Thank you, Mr. President. This Amendment No. 1 to House Bill
33. 2617 was suggested by Senator Nimrod, and that on page two, line

1. twenty-three it deletes without competitive bidding. At the present
2. time this is done by the Division of Vocational Rehabilitation through
3. rules and regulations, which they have adopted. It was suggested that
4. we put it in the statute and make it, well, more legal. And I would
5. move the adoption of Amendment No. 1 to House Bill 2617.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is shall Amendment
8. No. 1 be adopted. All those in favor indicate by saying Aye. Those
9. opposed No. The amendment is adopted. Are there further amendments?
10. 3rd reading. House Bill 2538. That we ask leave...just a moment.
11. Senator Johns, this has been moved back to 2nd. You may proceed.

12. SENATOR JOHNS:

13. Now, the amendment that I have offered is based on the fact that
14. it would be...let me give you a digest of the bill so you'll be under-
15. standing for sure of what I'm about to do.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Just a moment. They'll be understanding if they can hear you,
18. Senator. You may proceed.

19. SENATOR JOHNS:

20. We're attempting here to amend the Detective and Investigators
21. Act. What I'm looking for is a way to help young people get employed
22. into this industry. It would be extremely helpful to our industry
23. if Section 10B, Article I of the Illinois act could be amended
24. to lower the minimum age requirement for unarmed guards from twenty-
25. one to eighteen. Now, as you Gentlemen and Ladies can appreciate,
26. this would provide a large number of job opportunities for young

27. people and I would hope that you would give me agreement on this amend-
28. ment.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? The question is shall Amendment
31. No. 4 to House Bill 2538 be adopted. Those in favor indicate by
32. saying Aye. Those opposed No. The Ayes have it. The amendment is
33. adopted. Are there further amendments? 3rd reading. It's the request

1. of Senator Egan to remove House Bill 960 from the Agreed Bill List.
2. Is there leave? Leave is granted. Now, there is a request as to
3. House Bill 114. Senator Knuppel. Senator...do we have leave to re-
4. turn to the order of 2nd reading for the purpose of an amendment?
5. Leave is granted. Senator Knuppel, proceed.

6. SENATOR KNUPPEL:

7. I'd like to have House Bill 114 returned to 2nd reading for the
8. purpose of Senator Mohr placing an amendment thereon. The amendment
9. is on the desk of the clerk and has been distributed. The amendment
10. changes the date of expiration of the purpose of the Act from 1982
11. to 1985.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Howard Mohr.

14. SENATOR MOHR:

15. That's exactly what the amendment does, Mr. President, and I
16. move for the adoption.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? The question is shall Amendment
19. No. 1 to House Bill 114 be adopted. Those in favor indicate by saying
20. Aye. Those opposed No. The amendment is adopted. House Bill 121,
21. Senator Glass. This has been...we have had leave to return to the
22. order, so you may proceed.

23. SENATOR GLASS:

24. Thank you, Mr. President. Senator Rock, I believe, would like
25. to offer an amendment to this bill. He has it on the Secretary's Desk.
26. And I would yield to him to explain the amendment. I would like to,
27. then, speak to it.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
32. Senate Bill, I mean House Bill 121 is introduced and passed over here
33. by Representative Porter. It calls for the Secretary of State and

1. the county clerk to give notice to those persons who are required to
2. file the governmental ethic statement, or statement of economic interest
3. All I'm suggesting by virtue of this amendment, is that the Secretary
4. of State, in fact, send notice to those people who are required to
5. file with his office and the county clerks, respectively, of the
6. hundred and two counties, send notices to those people who are required
7. to file with the county clerk. It does not, it seems to me, make any
8. sense to have the Secretary sending notices to everybody, because,
9. in fact, all the filings do not come to him. Some are local filing,
10. some are State filing, and all I am saying is that that officer in
11. which office these filings is to repose, should send notice as concerns
12. those...those statements. And I would move the adoption of Amendment
13. No. 1.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Glass.

16. SENATOR GLASS:

17. Well, Mr. President, I oppose the amendment. Unlike Senator
18. Roe, who spoke...excuse me, unlike Senator Schaffer who spoke about
19. his bill a little while ago, I don't think this would...would ruin
20. the bill, but it is not the shape the House sponsor would like it in.
21. He would like the bill be voted on in its present shape, in which the
22. Secretary of State will mail out notices of the required ethic filings
23. unless a county clerk in a given county wishes to make that notification
24. and in Cook County we're advised that Stanley Kuser is interested in
25. doing that. But, in the smaller counties the cost of so doing to
26. these clerks...

~~27. PRESIDING OFFICER: (SENATOR DONNEWALD)~~

28. Proceed.

29. SENATOR GLASS:

30. Thank you, Mr. President. The cost of so doing to these clerks
31. is such that they do not want this added responsibility, and I would
32. point out that we earlier today passed Senator Egan's bill of which
33. no longer would require the sending out of forms, campaign disclosure

1. forms to all candidates, simply because of the cost involved. So, I
2. oppose the amendment, and would like to make this optional with the
3. county clerks rather than mandatory upon them. If they don't do it
4. the notices will come from the Secretary of State.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Rock moves for the adoption
7. of Amendment No. 1 to House Bill 121. All those in favor indicate
8. by saying Aye. Those opposed. The Ayes have it. A roll call is
9. requested. A roll call is requested, and my ear is not too bad. All
10. those in favor of adopting Amendment No. 1 indicate by voting Aye.
11. Those opposed vote No. The voting is open. Have all those voted
12. who wish? Take the record. On that question the Ayes are 25, the
13. Nays are 25. The Amendment No. 1 to House Bill 121 fails. Are there
14. further amendments? 3rd reading. Now, as to House Bill 2538, I've
15. been advised by the Secretary that there are now two identical
16. amendments to that bill. Senator Johns, which amendment do you wish
17. to Table? We'll have to recall it, having voted on the prevailing side.
18. Which one do you wish to Table? Senator Johns.

19. SENATOR JOHNS:

20. Mr. President, if you will remember, when you called me earlier
21. today I looked startled, because I wasn't prepared to put this amend-
22. ment on because I thought I had already done it and I had. This is...
23. this is Amendment No. 4 which is identical to No. 3 which I already
24. placed on the bill. So, I now move to Table...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. No, you move to reconsider the vote by which Amendment No. 4
27. ~~is adopted. All those in favor say Aye. Those opposed No. The Ayes~~
28. have it. The...we are now reconsidering Amendment No. 4. You now
29. move to Table Amendment No. 4. All those in favor say Aye. Those
30. opposed No. The Ayes have it. Amendment No. 4 is Tabled. Are there
31. further amendments? 3rd reading. That bill was recalled to 2nd
32. reading. We had leave for that. 3rd reading. House Bills on 3rd
33. reading. House Bill 647, Senator Berning. Read the bill.

1. SECRETARY:

2. House Bill 647.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President. House Bill 647 says just this - if
9. the child resident of any district because of his handicap attends
10. a residential facility within the State of Illinois for blind or deaf
11. children, the resident district shall provide any necessary transporta-
12. tion not to exceed one hundred dollars per year and shall be eligible
13. for the transportation reimbursement provided in section fourteen,
14. three dash one. Mr. President, this is simply to aid in a small way
15. those blind and deaf handicapped children. Now, I'll be glad to
16. expand on the reasoning if necessary. I know of no real opposition.
17. We are providing an additional transportation allowance, which the
18. State will reimburse the school districts for. I would appreciate
19. a favorable roll call.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Senator Fawell indicates there may
22. be real opposition. Senator Fawell.

23. SENATOR FAWELL:

24. Well, Mr. President, this is a very difficult...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Just a moment. Could we break up all of the conferences upon
27. ~~the right backside of the aisle. I will continue when the conferences~~

28. are completed, or removed. Senator Howard Mohr, are you finished?
29. Senator Nudelman, Senator Philip, Senator Savickas, we'd like to
30. continue. Let's have some order. Senator Hall, objection has been
31. made to the noise. Proceed.

32. SENATOR FAWELL:

33. Well, Mr. President, I was about to say that it's a very difficult

1. bill to say anything in a negative character about, but this is a
2. cost to local districts. It's rather small because we're dealing
3. only with the blind and the deaf, but there are many other handicapped
4. children that's attending all types of residential schools and, of
5. course, if we do grant this type of transportation costs for the
6. children who are attending the blind and deaf schools then we, of
7. course, are going to be faced with the understandable request from
8. parents of children emotionally disturbed or any type of physical or
9. mental handicap who will be expecting the same thing. I guess I
10. don't have enough courage to say - no, I'm going to vote Present,
11. but I think its something we ought to give some thought to. It's
12. an area the State hasn't gotten into in the past. The cost for the
13. residential care, educational facilities are quite great, and I would
14. suggest that this is legislation that understandably will open the
15. doors to the parents of all of our handicapped children who are in
16. residential facilities where any type of education is being granted
17. to the children, which really ought to be the case, that we will also
18. have and rightly so, similar expenses in all of those cases.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further debate? Senator Berning wishes to close the
21. debate. Proceed.

22. SENATOR BERNING:

23. Let me point out to the members of the Senate this is only for
24. those handicapped children who are attending a residential facility.
25. Now, there are such facilities in Jacksonville, Chicago, Springfield,
26. Litchfield and Dixon. A total of approximately fourteen hundred

27. ~~students at an average appropriation then of a hundred dollars that~~
28. would be a hundred forty thousand dollars, yes. But, I submit that
29. another handicapped child is already eligible for transportation re-
30. imbursement. Now, if because of his handicap the special education
31. program of a school district is unable to meet the needs of a child
32. and a child attends a nonpublic school, the school district must pro-
33. vide any necessary transportation. However, transportation cannot

1. be provided to a residential school. And that is what House Bill 647
2. seeks to correct. It's to bring these children into parity with the
3. others. This expands on this responsibility to provide transportation
4. for handicapped children to include transportation to and from resi-
5. dential facilities. In order to qualify for reimbursement the Super-
6. intendent must determine in advance that the child requires such
7. transportation to take advantage of special education programs. Trans-
8. portation for the handicapped child through a residential facility
9. is no less essential than transportation to any other special educa-
10. tion class or school. I submit this is fair legislation in order to
11. bring equity to this small segment of the handicapped school popula-
12. tion. And I would urge a favorable vote.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. The question is shall House Bill 647 pass. Those in favor vote
15. Aye. Those opposed No. The voting is open. Have all those voted
16. who wish? Take the record. On that question the Ayes are 46, the
17. Nays are 4. 5 Voting Present. House Bill 647 having received the
18. constitutional majority is declared passed. House...oh, Senator
19. Bruce.

20. SENATOR BRUCE:

21. Yes, Mr. President and members of the Senate. For those that
22. wanted to record as voting in the negative on the Agreed Bill List
23. I would point out that it is about seven minutes till two and I be-
24. lieve the Chair established a deadline of two p.m. on getting those
25. lists in. I was the one that asked for the extension for some of the
26. members last time. I would want not to be put in that position again.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. The suggestion is well taken. There will be no extension. You
29. have seven minutes, members of the Senate. Senator Bruce indicates
30. he will not be late. House Bill 655, Senator Lemke. Read the bill.

31. ACTING SECRETARY: (MR. FERNANDES)

32. House Bill 655.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Lemke.

4. SENATOR LEMKE:

5. This bill extends the State Group Life Insurance benefits to
6. employees who retire before 1966. It has an amendment on it which
7. requires submission of evidence of insurability for employees to
8. obtain dependent coverage. This amendment helps solve the problem
9. of the huge cost of the program.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Is there further discussion? Senator Harris.

12. SENATOR HARRIS:

13. Well, I would just point out in this day of dual budget requests
14. by the Chief Executive and asking for six percent cost reduction of
15. what he originally asked for, this certainly comes under the category
16. of a new program and will add at least seven hundred fifty thousand
17. dollars out of General Revenue funds commitment. It's retroactive
18. inclusion of persons who are not covered at the time we began the
19. original group benefits program at that particular period of time.
20. I just...of course, everybody wants to be helpful to everybody. But,
21. the cost of this program is quite significant and the membership
22. should be aware of it. My calculations are that it would be somewhere
23. in the neighborhood of seven hundred fifty thousand dollars a year.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Lemke may close the debate.

26. SENATOR LEMKE:

~~27. Now, I only asked for a favorable vote. My projections is that this~~
28. thing will cost a hundred thousand dollars annually and I think it's
29. a favorable vote to take care of those people that have worked hard
30. for the State and have been retired, and I think its only our duty
31. here to protect them. And we're the only person to speak for them.
32. One of these days we're going to be in that category and we're going
33. to come back to the Legislature for benefits that were denied us, and

1. I think this is only fair to pass this bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. The question is shall House Bill 655 pass. Those in favor vote

4. Aye. Opposed No. The voting is open. Have all those voted who

5. wish? Have all those voted who wish? Take the record. On that

6. question the Ayes are 26, the Nays are 18. 3 Voting Present. House

7. Bill 655 not having received the constitutional majority is declared

8. lost. House Bill 663, Senator Rock. House Bill 665. We'll skip

9. it. House Bill 679, Senator Carroll. House Bill 704, Senator Howard

10. R. Mohr. Read the bill.

11. ACTING SECRETARY: (MR. FERNANDES)

12. House Bill 704.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Howard Mohr.

17. SENATOR MOHR:

18. Yes, Mr. President, this bill provides for the adequate bonding

19. of municipal treasures who act as the custodian of library funds. I

20. know of no opposition, and would ask for a favorable roll call. Is

21. there further discussion? The question is shall House Bill 704 pass.

22. Those in favor vote Aye. Those opposed No. The voting is open.

23. Have all those voted who wish? Would you vote me, please, somebody.

24. The right way. Take the record. On that question the Ayes are 55,

25. the Nays are none. 1 Voting Present. House Bill 704 having received

26. a constitutional majority is declared passed. Senator Carroll, I

27. inadvertently skipped over your bill 679. Is it your desire...hold

28. it. 707. Senator McCarthy, that's the airplane bill. Read the bill.

29. SECRETARY:

30. House Bill 707.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator McCarthy.

2. SENATOR McCARTHY:

3. Yes, Mr. President and members of the Body. Senate Bill...House
4. Bill 707 as amended does this, it provides that on the tax on the
5. first forty thousand dollars of taxable wages for each employer in
6. each quarter that the maximum rate of tax shall be two point seven
7. percent. The present law provides that this two point seven percent
8. limitation shall apply only on the first twenty thousand dollars of
9. wages of each quarter, so this is a bill, I think, I believe is desir-
10. able to all of the members of the Body inasmuch as it affects
11. directly the small employer. It gives him a benefit. A small employer
12. who has wages of less than a hundred and sixty thousand dollars would
13. benefit in that there would be an absolute maximum limitation of
14. two point seven percent of the tax on his contributions into this
15. fund. Subject to any questions, I'd be happy to answer any and would
16. solicit the favorable consideration of all the members of this Body,
17. because I think this is a bill that does benefit the small employer.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Graham.

20. SENATOR GRAHAM:

21. Mr. President, as usual as Senator McCarthy explained the bill
22. exactly as it is, and my only observation is that the huge increase
23. which was provided for in Senate Bill 285, would indicate to me that
24. the number of people that would be helped by this bill are very mini-
25. mum. But, it was certainly explained correctly by the sponsor.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

~~27. Is there further discussion? The question is shall House Bill~~
28. 707 pass. All those in favor vote Aye. Those opposed No. The voting
29. is open. Have all voted who wish? Take the record. On that question
30. the Ayes are 44, the Nays are 11. House Bill 707 flew...House Bill
31. 707 declared passed...having received the constitutional majority is
32. declared passed. House Bill 723, Senator Carroll. Read the bill.

33. SECRETARY:

1. House Bill 723.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President and members of the Senate. House Bill
8. 723 deals with the posting and personal service requirements in a
9. forceable entry and detainer. What we have said is that where a
10. landlord sues for both possession and back due rent, he can under this
11. bill proceed for his action on possession by posting, but if he wants
12. some action for back rent there must be personal service. If he has
13. not gotten personal service he can still proceed to judgement for
14. possession on the posting alone and then if he ever does get personal
15. service go back in and get judgement on that. Under present law if
16. he posts and has not personally served then he must amend his com-
17. plaint and take out the request for a money judgement before he can
18. proceed, even though he has paid court costs. This appears to be fair
19. to both sides. It allows the landlord to proceed, but still allows
20. that no money judgement can be entered against the tenant unless he
21. has been personally served. I would move for a favorable roll call.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? The question is...oh, Senator
24. Nudelman.

25. SENATOR NUDELMAN:

26. Would the sponsor yield for a question?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. He says no. Yes, he indicates he will.

29. SENATOR NUDELMAN:

30. What happens, Senator Carroll, if you post and this defendant
31. in fact, files an appearance or otherwise shows up in court?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Carroll.

1. SENATOR CARROLL:

2. If he files an appearance, he is then subject to the jurisdiction
3. of the court and money judgement can be entered. I'm sorry. It did
4. say either service or filing an appearance.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? The question is shall House Bill
7. 723 pass. Those in favor vote Aye. Those opposed No. The voting
8. is open. Have all those voted who wish? Take the record. On that
9. question the Ayes are 56, the Nays are none. House Bill 723 having
10. received the constitutional majority is declared passed. House Bill
11. 741, Senator Brady... Dona... Moore... Lane. Read the bill.

12. SECRETARY:

13. House Bill 741.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Brady.

18. SENATOR BRADY:

19. Yes, House Bill 741 amends the Illinois Public Aid Code to
20. provide that the claim of the State against the estate of a recipient
21. for benefits paid, shall not apply to a homestead occupied prior to
22. the death by the recipient.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? The question... Senator Schaffer.

25. SENATOR SCHAFFER:

26. Well, I'd like to get a few comments in on this bill. I will
27. say that the amendments on the bill improves the bill considerably.
28. What I'd like to explain what this bill does. If I'm a millionaire
29. and I don't feel like taking care of my parents, I can have them put,
30. when they reach a certain point, into a county nursing home and the
31. State though the Department of Public Aid will pick up the tab and
32. then I don't have to pay for them and I can go down to Acapulco and
33. go water-skiing. And then when my parents die, if they have an estate

1. under twenty-five thousand, I can show up and pick it up. I call this
2. the vulture bill. And, you know, this is the kind of situation where,
3. I feel, that if somebody advocates the responsibility, or frankly can't
4. financially swing it I certainly don't...that doesn't bother me. When
5. they advocate the care of their parents, that's fine, and we as the State
6. pick up the care of the parents and pick up the tab, that's perfectly
7. alright. But, you can't have your cake and eat it as far as I'm con-
8. cerned. If you don't...if you don't take care of your parents, I
9. think that when they do pass on that the...any estate that's left...
10. that the bill that has been run up by the Department of Public Aid
11. to support them should come out of the estate, rather than going to
12. the heirs of the estate. This doesn't do anything for anybody who's
13. poor. This is for the heirs. And my opinion is, as I said, this is
14. a vulture bill and if this bill passes we should consider changing
15. the State bird from the Cardinal to the Vulture.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Don A. Moore.

18. SENATOR MOORE:

19. Thank you, Mr. President and members of the Senate. I speak
20. in favor of this bill. The only category in Public Aid where there
21. is a medical lien that exists today is on the aged, blind and dis-
22. abled. Now, I have in my district and I'm sure you have in your
23. district, old people that do own their homes, that have paid off
24. their mortgage, that have paid taxes for thirty, or forty, or fifty
25. years before they retired. Now, all of a sudden if they're in need
26. of medical assistance, a lien attaches. It doesn't attach on an
27. ~~ADC case, it doesn't attach on a CA case, but it does with the aged,~~
28. blind and disabled. Now, Senator Schaffer raised the same argument
29. in committee. The bill is amended to exclude the first twenty-five
30. thousand dollars of homestead. In my opinion, it should be eliminated
31. altogether like we have for the other categories. I think this is a
32. good bill for the senior citizens of this State. I know in many cases
33. where a lien is placed on their home, it is impossible for them to

1. sell the house even though they might want to move someplace else.
2. They're stuck there. I think this is a good bill, Mr. President,
3. and I urge the support of all the members of the Senate.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further debate? Senator Glass.

6. SENATOR GLASS:

7. A question of the sponsor, Mr. President?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. He indicates he will respond.

10. SENATOR GLASS:

11. Could you explain the amendment? Senator Moore alluded to it.
12. The...there is an exemption for the first twenty-five thousand of the
13. in value of the homestead. Now, does that mean that the lien...if the
14. property, let's say, is worth forty thousand does the lien attached to
15. only that portion over twenty-five thousand, or is it attached to
16. the first twenty-five thousand?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Brady.

19. SENATOR BRADY:

20. Over the twenty-five thousand, Senator Glass.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Glass.

23. SENATOR GLASS:

24. So, that the only portion that is insulated from the lien, then,
25. is the first twenty-five thousand. Alright. Thank you.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. He indicates yes. Is there further discussion? The question
28. is shall House Bill 741 pass. All those in favor vote Aye. Those
29. opposed No. The voting is open. Have all those voted who wish?
30. Take the record. On that question the Ayes are 42, the Nays are 11.
31. 1 Voting Present. House Bill 741 having received the constitutional
32. majority is declared passed. Senator Buzbee, for what purpose do
33. you arise?

1. SENATOR BUZBEE:

2. A point of personal privilege, Mr. President.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. State your point, Sir.

5. SENATOR BUZBEE:

6. I just wondered if Senator Schaffer is going to get that...make
7. that vulture bill a committee bill, or if he's going to introduce
8. that separately?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. The Senate doesn't...is not going to have any more committee bills
11. this Session. House Bill 752. Senator Berning. Read the bill.

12. SECRETARY:

13. House Bill 752.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Berning.

18. SENATOR BERNING:

19. Mr. President, I tried to get your attention. I'd like leave
20. of the Body to bring this bill back to 2nd reading for the purpose
21. of considering an amendment.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there leave? Leave is granted. You are now on 2nd reading,
24. Senator Berning. I'm sorry you didn't get my attention. Proceed.

25. SENATOR BERNING:

26. This is Amendment No. 1 to House...Senate Amendment No. 1 to

27. ~~House Bill 752, which will put it back into the condition in which~~

28. it was when it was introduced by the sponsor. It was amended in
29. Committee by Representative Katz, contrary to the wishes of the sponsor
30. himself. What the amendment does was apply...indicate that this Act
31. would not apply to mobile homes in counties with populations exceeding
32. two million inhabitants and Amendment No. 1 which I offer strikes
33. those lines twenty-seven and twenty-eight. I would move for the

1. adoption, Mr. President.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? The question is shall Amendment
4. No. 1 be adopted. All those in favor indicate by saying Aye. Those
5. opposed. The Ayes have it. The amendment is adopted. Are there
6. further amendments? 3rd reading. House Bill 757, Senator Bruce.
7. House Bill 765, Senator Savickas. Read the bill.

8. SECRETARY:

9. House Bill 765.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Savickas.

14. SENATOR SAVICKAS:

15. Yes, Mr. President and members of the Senate. Senate Bill 765
16. just requires the State to pay for maintenance of state highways
17. that are maintained by counties or municipalities and it authorizes
18. the municipalities and counties to use local funds to maintain high-
19. ways not under their jurisdiction. I would appreciate a favorable
20. roll call.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? The question is shall House Bill
23. 765 pass. Those in favor vote Aye. Those opposed No. The voting
24. is open. Have all voted who wish? Take the record. On that question
25. the Ayes are 55, the Nays are none. 2 Voting Present. House Bill
26. 765 having received a constitutional majority is declared passed.

27. House Bill 768, Senator Weaver. Read the bill.

28. SECRETARY:

29. House Bill 768.

30. (Secretary reads title of bill).

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Weaver.

1. SENATOR WEAVER:

2. Thank you, Mr. President. This bill does just as the Calendar
3. states. It's what I refer to as a newspaperman's double dipping bill
4. and I'd appreciate a favorable roll call.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Partee.

7. SENATOR PARTEE:

8. Well, Senator Weaver knows that he and I are together most of
9. the time, but I rise in opposition to this bill. The newspaper
10. people have been kept off of juries for years and years and years,
11. and I don't know anything that has changed that should make them
12. come back on. They exert an inordinate amount of influence. They would,
13. in some instances, cause normal jurors to be appalled and upset be-
14. cause of what they might print after the deliberation. There's been
15. a good reason for it. Certainly they are good citizens, but because
16. of their weight and influence, it occurs to me, that they should not
17. be serving on juries. I know of no reason that have changed since
18. the first exclusion came along. Exclusions included lawyers and
19. policemen and firemen and other people of that nature and newspaper
20. people. Now, I know of nothing that should...has changed that ought
21. to put them back on juries. And I'd be opposed to this bill and I
22. would hope that this bill would be defeated.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Senator Weaver, you wish to close?
25. The question is shall House Bill 768 pass. Those in favor vote Aye.
26. Those opposed No. The voting is open. Have all those voted who wish?
27. Have all those voted who wish? Take the record. On that question the

28. Ayes are 4, the Nays are 45. 2 Voting Present. House Bill 768 not
29. having received the constitutional majority is declared lost. House
30. Bill...House Bill 777, Senator Lucky Egan. Senator Latherow, for
31. what purpose do you arise?

32. SENATOR LATHEROW:

33. Well, I'd just like to explain my vote on that last bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. We'll let you do that at 4:15.

3. SENATOR LATHEROW:

4. Well, I...I wanted you to all know that I contacted Senator
5. Weaver and if he would have allowed the amendment to go on to make them
6. all judges I would have voted for it, but I didn't want them to be
7. on the jury.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. The record will so show. Senator Egan. Read the bill.

10. SECRETARY:

11. Senate Bill 777.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Egan.

16. SENATOR EGAN:

17. Thank you, Mr. President and members of the Senate. Senate...
18. House Bill 777 requires the commission...the industrial...the Commerce
19. Commission to enter its decision of record within ninety days after
20. the hearing on applicants for operation as a common or contract carrier.
21. It's very simple. They don't have to...they can now wait indefinitely.
22. This would require that they do it within ninety days. I know of no
23. opposition. It passed out of the committee unanimously, and I'd ask
24. for your favorable consideration.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? The question is shall House Bill

~~27. 777 pass. Those in favor vote Aye. Those opposed No. The voting is~~

28. open. Have all those voted who wish? Take the record. On that
29. question the Ayes are 51, the Nays are none. 3 Voting Present. House
30. Bill 777 having received the constitutional majority is declared passed.
31. House Bill 789, Senator Harris. House Bill 809, Senator Vadalabene.
32. Read the bill.

33. SECRETARY:

1. House Bill 809.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Vadalabene.

6. SENATOR VADALABENE:

7. Yes, thank you, Mr. President and members of the Senate. House
8. Bill 809 as amended was the amendment that was just adopted a little
9. earlier. It was worked out by the Republican and Democratic Staff,
10. which provides that the Department of Transportation authority to
11. lease right of ways including airspace, over, under and travel ways.
12. Such leases are in existence at the present time principally under
13. overhead structures of the Chicago Expressways and I would appreciate
14. a favorable vote.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Harris.

17. SENATOR HARRIS:

18. I'll yield to Senator Fawell.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Fawell.

21. SENATOR FAWELL:

22. Well, I...it seems to me that this is rather a new policy and it
23. ...now, I stand to be educated and I wasn't in the committee
24. was discussed, but the idea that the department can utilize its land,
25. as I gather it, to really go into the leasing for a commercial enter-
26. prises is something that my inclination, Senator Vadalabene, would be
27. to be against it. The department is supposed to have the right, of
28. course, by eminent domain in otherwise to purchase and acquire land
29. for highway purposes and if they do realize that anytime they may
30. over purchase or purchase some very attractive land and then be able
31. to go into some attractive leases, I think the State of Illinois could
32. be in big business very, very soon. Now, if I'm misconstruing this
33. bill please so advise me. But, as I look at the bill in a very

1. cursory reading I don't believe I could support legislation like
2. this.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there...Senator Harris.

5. SENATOR HARRIS:

6. Well, Mr. President, I just think that the Senate ought to be
7. unmistakably clear about the major implications involved in this
8. piece of legislation. The fact is, and Senator Fawell has stated it,
9. that municipalities in the state and counties townships have been
10. authorized to acquire for highway purposes land for that kind of
11. utilization. Now, this broadens it tremendously and permits the leasing
12. of air rights for other than highway purposes. It's just a major
13. departure. I don't believe that we should take this step at all
14. without a lot more care being given to it than is...than has been
15. given it seems to me, and we are, in fact, embarking upon something
16. that is quite dramatically different from the traditional use of land
17. for highway purposes. I just am not ready to take that kind of a
18. major step and think this bill ought to be rejected summarily.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Howard Mohr.

21. SENATOR MOHR:

22. Yes, Mr. President. I think you boil...it boils down to the
23. fact that the Department of Transportation would be in the real
24. estate business with this bill. If you support that concept or idea,
25. why you support the bill. I don't happen to share that feeling and
26. I would urge my colleagues on this side to vote No on this bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? Senator Nimrod. Just a moment,
29. Senator. Now, we were very, very nice and quiet for a long time.
30. Let's return to that degree of quietness. Senator Nimrod, proceed.

31. SENATOR NIMROD:

32. Thank you, Mr. President, the only other thing I would like to
33. point out to, this deviates from state policy and the fact that

1. General Services was set up to handle leases and these kinds of things
2. and suddenly we find the Department of Transportation involved in
3. another field. And I think that I agree with Senator Harris and
4. Senator Mohr. I just think that we should give this some further
5. thought and look into its ramifications, and I would urge a no vote.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further...Senator Bell.

8. SENATOR BELL:

9. Yes, thank you, Mr. President, it come to my attention that
10. there is a possibility that House Bill 809 has something to do with
11. the retirement of the Chicago Skyway Bonds, and I'd like the sponsor
12. of that bill to address himself to that answer.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Vadalabene, do you wish to respond? Or could you hear
15. the question.

16. SENATOR VADALABENE:

17. I think his question was, does this have anything to do with the
18. retirement of the Skyway Bonds.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. That was the question.

21. SENATOR VADALABENE:

22. It has nothing to do with the retirement of the Skyway Bonds.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further discussion? Do you wish to close the debate,
25. Senator Vadalabene.

26. SENATOR VADALABENE:

27. ~~Yes, I think I feel justified as sponsor of the bill to just~~
28. say a few words, that the public is protected against improper
29. usage of leased right of ways through rigid federal requirements,
30. restricting the usage of right of ways of federally aided highways
31. with the Department of Transportation, which follows it to the letter.
32. And they feel that the State and Federal policies adequately protect
33. the public's investment and the highway facilities. And this bill is

1. necessary to give the Department of Transportation authority to
2. lease highway right of ways that have been approved, and I would
3. appreciate a favorable vote.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. The question is shall House Bill 809 pass. Those in favor vote
6. Aye. Those opposed No. The voting is open. Have all those voted
7. who wish? Have all those voted who wish? One more time. Have all
8. those voted who wish? Take the record. On that question the Ayes
9. are 22, the Nays are 25. 2 Voting Present. Senator Vadalabene, do
10. you wish to postpone consideration? Consideration is postponed.
11. House Bill 826, Senator Fawell. Read the bill.

12. SECRETARY:

13. House Bill 826.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Fawell.

18. SENATOR FAWELL:

19. Mr. President and members of the Senate. This bill has been
20. amended so that it is no longer a mandatory requirement for the lender
21. to compute and to give to the borrower the amount of interest that
22. borrower has paid over the year, but as Senator Carroll pointed out
23. a short time ago when he affixed the amendment on this bill, it is
24. now discretionary with the borrower who can make a request and then
25. the lender will give to the borrower the amount of interest that has
26. been paid by the borrower over the year. On income tax time this is
27. very valuable information, of course, to have. I think in the amended
28. form, now, there is no opposition to the Bill, and I'd appreciate a
29. favorable roll call.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Merritt.

32. SENATOR MERRITT:

33. Well, Mr. President and members of the Senate. I would commend

1. Senator Carroll for having put on that amendment, but with that
2. amendment there is absolutely no use for the bill, because I know
3. of no one today that ask any retail outlet for this information that
4. doesn't get it. And so, therefore, the bill, I feel, is totally
5. unnecessary in its present form.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Senator Graham.

8. SENATOR GRAHAM:

9. I think that Senator Merritt has pretty much explained my position
10. on this bill. The amendment made a bad bill a little more livable,
11. but I agree that the retail industry in the State of Illinois and
12. the consumer could get along very well without it.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Egan.

15. SENATOR EGAN:

16. Senator Fawell, would you answer a question for me, please?
17. It's my understanding that this is mandatory for all retail sale
18. outlets. Is that correct?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Fawell.

21. SENATOR FAWELL:

22. The bill has been amended, Senator, so that it is only upon
23. request of the consumer, upon request of the consumer that the lender
24. do give to the consumer the amount of interest that he has paid over
25. the years. That must be given to him. And I think, really, it is
26. innocuous, now, a consumer bill as one can get to it. If we can't

27. ~~accept a consumer bill like this we just can't accept consumer bills.~~

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Egan.

30. SENATOR EGAN:

31. Well, that...that answers my question. I would definitely support
32. the bill. I think it's a good idea and I...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

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1. Senator Carroll.

2. SENATOR CARROLL:

3. I, too, Mr. President and members of the Senate, rise to support
4. this legislation and, of course, I agree with the amendment that I
5. put on, and I think in its amended version what we've done is we've
6. said - let the retailer, whomever, compute the interest that he's charg-
7. ing to the consumer every year and if the consumer wants to know how
8. much interest he is charging let him have the opportunity to re-
9. quest it and let the retailer provide it, so that he may deduct it
10. for his income tax purposes, or decide that maybe there is a better method
11. of purchasing or a better method of financing. I would hope that the
12. members of the Body would support the legislation.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further debate? Senator Fawell may close the debate.

15. SENATOR FAWELL:

16. Yes. Well, just...just briefly, as it is the only change that we
17. have is that in these instances the lender is obligated to give this
18. type of information to the borrower. I...I can't see anything wrong
19. with it, now, and I would repeat it is a consumer bill that I...I
20. think is something that long ago we should have made it clear that
21. any lender upon request would and should and I think probably ninety
22. percent do and will, but for the ten percent that might not, this merely
23. says - look give this type of information to the man who has borrowed
24. from you so that he might utilize it for Income Tax purposes. And
25. I'd appreciate a favorable roll call.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The question is shall House Bill 826 pass. Those in favor vote
28. Aye. Those opposed No. The voting is open. Have all voted who wish?
29. Take the record. On that question the Ayes are 41, the Nays are 5.
30. House Bill 826 having received the constitutional majority is declared
31. passed. House Bill 827, Senator Fawell. Read the bill.

32. SECRETARY:

33. House Bill 827.

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1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Fawell.

5. SENATOR FAWELL:

6. Mr. President, this is the same as 826 except it affects the
7. Interest Act. 826 affected the Retail Sales Installment Act, and
8. I'd appreciate the same roll call.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Graham. Just a moment,
11. Senator. May...

12. SENATOR GRAHAM:

13. Since my...

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. ...we have order, please. Proceed.

16. SENATOR GRAHAM:

17. ...influential plea on the last bill, was so helpful in its
18. defeat, I make the same on this time and indicate I'm opposed to this
19. one too.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Senator Berning.

22. SENATOR BERNING:

23. Just one question. Is this information of any significance to
24. the borrower insofar as reporting charges or for credit on income,
25. or what purpose does this serve?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. ~~Senator Fawell.~~

28. SENATOR FAWELL:

29. The main reason, Senator, is for Income Tax purposes. By having
30. this in writing often times its difficult for the borrower to be
31. able to be sure as to the amount of interest he has paid over the
32. years time. Especially in revolving charge accounts. So, he has
33. this information. It's supplied to him in writing, and he has it

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1. available for his Income Tax returns. That's one of the most
2. salient parts of the bill, yes.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Berning.

5. SENATOR BERNING:

6. Is not this information furnished on a monthly basis now?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Fawell.

9. SENATOR FAWELL:

10. Some...some lenders undoubtedly do. I think most of your banks
11. will give this information. In fact, the banks were not in opposing
12. it whatsoever. A noted banker, Senator Ozinga, voted for this bill
13. in committee, and pointed out it was something the banks do want to
14. live up to anyway.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Fawell, do you wish a roll
17. call? The question is shall House Bill 827 pass. Those in favor vote
18. Aye. Those opposed No. The voting is open. Have all those voted
19. who wish? Take the record. On that question the Ayes are 40, the
20. Nays are 6. 2 Voting Present. House Bill 827 having received the
21. constitutional majority is declared passed. House Bill 829, Senator
22. Don A. Moore - Chew. Read the bill.

23. SECRETARY:

24. House Bill 829.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Don Moore.

29. SENATOR MOORE:

30. Thank you, Mr. President and members of the Senate. We discussed
31. this bill at quite some length last week. Now, it was dicovered that
32. there was an error in the mill, and quiet, Soper will you.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Soper, your neighbor requests that you maintain some
2. semblance of order.

3. SENATOR MOORE:

4. And the bill was amended. The front plate will have the General
5. Assembly Senate official plate, the back plate will have the district
6. number for the Senate, the seniority number for the House, and will
7. be marked House and Senate the same as they are now. I request a
8. favorable roll call.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there...Senator Howard Mohr.

11. SENATOR MOHR:

12. I wish Senator Chew should be on the Floor, Mr. President, when
13. this bill is called.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. It is very difficult for him to be on the Floor.

16. SENATOR MOHR:

17. Well, I would say that there should be some opposition to this.
18. They put numbers on the front license plates of every other license
19. on the...every other vehicle, or truck that's required to have a plate,
20. and I see no reason why the General Assembly should have a front
21. special plate. The number on the front of the plate is put there
22. for a purpose. They stated previously on this bill that if they took
23. it off the back they probably get an overwhelming amount of support.
24. In my opinion for police reasons and other reasons, why I would say
25. that the numbers should appear on the front plate as well as the back,
26. and I would oppose this bill.

~~27. PRESIDING OFFICER: (SENATOR DONNEWALD)~~

28. Is there further...Senator Graham.

29. SENATOR GRAHAM:

30. If some of the things they say are true about the Legislators,
31. it's hard enough to find out who they are and where they're going
32. anyway and with the expense involved possibly in this I'm glad to
33. join with the Mayor of Forest Park in opposition of this bill.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Senator Knuppel.

3. SENATOR KNUPPEL:

4. If they...if we drive as fast as they say we do they'll never
5. read that front plate anyway. All we need is the back plate.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Senator Moore, do you wish to close
8. the debate?

9. SENATOR MOORE:

10. The only thing I want to say, Mr. President and members of the
11. Senate. Apparently the House of Representatives feels very strongly
12. towards this matter. It was their bill, it wasn't mine. I see no
13. harm in this. We have plates without numbers on it now that was
14. brought out by Senator Chew at the last meeting. I think the Minority
15. Leader has one and the President of the Senate and Speaker has one
16. without any numbers on it, and they want distinctive front license plates
17. I surely have no objection, and I'd request a favorable roll call.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. The question is shall House Bill 829 pass. All in favor vote
20. Aye. All those opposed No. The voting is open. Have all those
21. voted who wish? Have all those voted who wish? Take the record.
22. On that question the Ayes...Consideration Postponed requested by
23. Senator Moore. Consideration is postponed. House Bill 833, Senator
24. Knuppel. Read the bill.

25. SECRETARY:

26. House Bill 833.

27. ~~(Secretary reads title of bill)~~

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. House Bill 833 is designed to provide the compensation to be
33. paid attorneys who represent indigent defendants. What it does it

1. provides for thirty dollars per hour on this with a maximum of two
2. hundred and fifty dollars for a felony up to two hundred and fifty
3. dollars for...from two hundred and fifty dollars to a thousand dollars
4. for a felony and brings this in line with...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Just a moment, Senator. The noise level is quite high. Could
7. we please have order and the members be in their seats. Proceed.

8. SENATOR KNUPPTEL:

9. It changes the limit from two hundred and fifty to one thousand
10. dollars for felony cases and limits the amount to one hundred and
11. fifty dollars for misdemeanor cases. Now, the compensation could run
12. from twenty to thirty dollars an hour present prevailing legal charges
13. are roughly forty to fifty dollars per hour. But, it does insure
14. something in the sense that if...if the court appoints a practicing
15. lawyer of experience and ability that he would be willing to accept
16. it rather than to have to have indigent defendants generally repre-
17. sented by...by people who have a lack of experience. This gives
18. the indigent defendant the same type of legal representation that
19. exists for those who are wealthy enough to purchase it.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Bell.

22. SENATOR BELL:

23. Yes, thank you, Mr. President. I'd like to ask Senator Knuppel
24. a question or two.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. He indicates he will yield. Senator.

27. SENATOR BELL:

28. Yes, Senator Knuppel...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Proceed.

31. SENATOR BELL:

32. ...Thank you, Mr. President. Senator Knuppel, what is the pre-
33. vailing rate, now, that's paid?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. The prevailing rate for a experienced attorney would be approximate-
5. ly fifty dollars per hour.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Bell.

8. SENATOR BELL:

9. I'm sorry. That's not what I meant. I meant in terms of fitting
10. into this particular type of legislation. What is being paid right
11. now?

12. SENATOR KNUPPEL:

13. Well, there is no...there is no rate. It says that the court
14. will affix a reasonable fee for the services at the present time.
15. This puts a minimum of twenty and a maximum of thirty on those kind
16. of services.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Bell.

19. SENATOR BELL:

20. Yes, just one final question. Who pays...who pays for this, the
21. county or the State?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Well, I'm not...I'm not that well advised, but I think the State
26. pays a part of it.

~~27. PRESIDING OFFICER: (SENATOR DONNEWALD)~~

28. Senator Bell.

29. SENATOR BELL:

30. Well, one...one final point. Thank you, Mr. President. Senator
31. Knuppel, my...you may be right. There may be some recent changes on
32. this, but from my previous experience on the county board and that
33. was through 1971, the counties had to pay...have to pay these particular

1. costs, and the reason I rise up in reference to this bill is because
2. I know up in Will County we've had...we've had some problems along
3. this line and my county is very concerned about getting these additional
4. costs that we mandate on a state level passed down to them on the county
5. level, and, darn it, they're just kind of fed up with this kind of
6. thing and I can sympathize with what you're trying to do here. But,
7. I just don't think we ought to on the part of the State pass on more
8. of these kind of expenses to the county. Thank you.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Glass.

11. SENATOR GLASS:

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

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. He indicates he'll yield.

15. SENATOR GLASS:

16. Senator Knuppel, I think this is a cost to the county, but I
17. do have a further question. Am I correct that if an indigent defendant
18. does not wish to be represented by the public defender he may request
19. outside counsel?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Well, most of your counties downstate don't even have the public
24. defender, I mean as such. And, of course, you come from an area where
25. they have a public defender. It's my understanding, yes, if he has
26. good reasons not to be represented by the public defender in your area
27. he can...he can refuse him, and this is the basis by which...by which

28. he would have...the attorney whom represented him would be paid. But,
29. most of the counties downstate that I come from don't have a public
30. defender.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Glass.

33. SENATOR GLASS:

1. Well, I know my concern with this bill is that where the public
2. defenders do exist it seems to me you would have a lot of requests
3. for outside counsel, which would greatly increase the cost to the
4. taxpayer and in the other counties, why not let the lawyers defend
5. indigents as part of their duty. I don't know...I don't know that the
6. compensation should be increased and I'm afraid they say of the cost
7. that this could involve in future years.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Egan.

10. SENATOR EGAN:

11. Well, yes, Mr. President, thank you, but the need for the people
12. available and the morey to spend on them is a result of the Supreme
13. Court imposition of the need for counsel in, especially, felony cases.
14. And either we're going to have a massive public defender program in
15. Illinois, or we're going to allow the court itself that actually hears
16. the testimony in the evidence to make a determination on indigents,
17. and having made that determination on the ability of the public defen-
18. der vis-a-vis any antagonism by the defendent himself and if we don't
19. allow for private counsel I think it's going to cost us a lot more
20. money in the end. But, I do have a question, Senator Knuppel. I have
21. two bills that are similar to this to amend the Code of Criminal Pro-
22. cedure. I'm wondering if this does the same thing, and if there's...
23. and I...what does yours amend?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Knuppel.

26. SENATOR KNUPEL:

27. ~~I'm not familiar with your bills, and I don't really know that~~
28. I understand the question. Would you repeat it?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Just a moment. Now, members, Senator Knuppel is one of our more
31. quiet members. Would we please reciprocate.

32. SENATOR EGAN:

33. Mine are 1572 and 1573. They amend the Code of Criminal Procedure,

1. and I'm just curious if yours does the same thing. I don't have a
2. copy of the bill in front of me, and which sections does it amend.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. It amends the Code of Criminal Procedures, sections 113-3. Now,
7. that's what it amends. I don't know if that's what your bills do, or
8. not. But, I do agree with your comments, particularly in downstate
9. Illinois.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Soper.

12. SENATOR SOPER:

13. Thank you, Mr. President. I think I was heard. I just wanted
14. to alert the Senate that I was about to reciprocate for Senator Knuppel.
15. But, we had this in committee. It came to my mind and we spoke about
16. this thing. I think the court does a very good job in small communities.
17. The court can decide what the...what the lawyer's time is worth and
18. if it happens they usually have a list and they go down on the list
19. and they say - John, or Joe it's your turn and I think they give a
20. defendant a fair...a fair trial and they give them a good attorney.
21. But, to put a thousand dollars on this thing and then...and then...
22. and then it would be all the judges' cousins that would get the job,
23. I feel, and I think that just let the court decide what the fees are
24. in each of these cases without putting a mandatory thousand dollars
25. on a felony case, and I think when we spent in the public defenders,
26. I think there is a fellow by the name of Speck, he went through all
27. of his appeals and I think it cost Cook County about a little over a
28. quarter of a million dollars, and if that isn't fair enough for any-
29. body that was involved in his kind of a felony. Well, I think that
30. we really should allow the judges to make the determination. I think
31. the small counties don't have to have this imposition put on their
32. county treasury.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

34. Senator Netsch.

1. SENATOR NETSCH:

2. Mr. President, I think there still is probably some confusion in
3. the minds of a lot of us about the possible impact of this apart from
4. the fee levels themselves. And I'm going to try to restate as best I
5. understand it and then if I am incorrect I wish the sponsor of the bill,
6. or someone else would...would correct me. In Cook County the statute
7. reads, incidentally if there is no public defender in the county, or
8. if the defendant requests counsel other than the public defender, the
9. court may appoint as counsel a licensed Attorney at Law in this State
10. except that in a county having a population of one million or more, the
11. public defender shall be appointed as counsel in all misdemeanor cases
12. where the defendant is indigent and desires counsel, and then it goes
13. on to have one exception there in case of multiple defendants. Now,
14. as I read that, in Cook County in all misdemeanor cases the defendant
15. must be represented by the public defender. Because, felonies are not
16. specifically mentioned here, I gather that the judge still has some
17. discretion with respect to felony cases, as to whether he will compel
18. the defendant to be represented by the public defender, or permit out-
19. side counsel to be appointed. We were told in committee that Cook
20. County has a total of about one hundred cases per year where outside
21. counsel is appointed. I must admit that came as a surprise to me. I
22. thought it would have been a much higher number than that, but that is
23. the figure that we were given. So, that I think what we're talking about
24. is the...in felony cases only in Cook County and there the judge still
25. has some discretion as to whether or not he will appoint outside counsel
26. when the defendant says that he does not want the public defender.

27. ~~Downstate. I gather that that choice is always there, and I do not know~~

28. what the fiscal impact might be downstate. Now, is that your under-
29. standing, Senator Knuppel?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. That's absolutely my understanding that in Cook County it's as

you say.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further debate? Senator Knuppel may close the debate.

3. Do you wish a roll call?

4. SENATOR KNUPPEL:

5. No, I would like to just say two or three things.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Proceed.

8. SENATOR KNUPPEL:

9. I...I didn't hear the name of the case that Senator Soper referred
10. to, but I assume it was the Speck Case. I don't know.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. It was.

13. SENATOR KNUPPEL:

14. But, in that particular case it was an entirely different situation.
15. As I understand, they did use the public defender whom was Getty, and
16. the cost of that is something that has nothing...no relationship what-
17. soever to this statute. And I...they do do it in the manner in which
18. Senator Soper indicated downstate. They keep a list, but the answer is
19. that everybody...it always ends up that if you're a defendant and you're
20. indigent, you get the youngest lawyer practicing in that community. I
21. know of very, very few cases that indigent defendant. There is always
22. some excuse that the experienced lawyer has to pass it up, and the
23. judge puts it on the youngest lawyer, the most inexperienced lawyer in
24. the community. Now, ultimately, something's going to be done about this
25. constitutionally and otherwise. Secondly, in downstate we don't keep
26. a public defender and this statute doesn't really apply to those counties
27. that have public defenders. Oh, it can if a guy petitions, but I think
28. generally he will accept, as he does in Cook County, the public defender.
29. There were only a few cases where they didn't. But for those smaller
30. counties this insures adequate compensation and by doing so increases
31. and enhances the chances of an indigent defendant getting a competent
32. attorney. And I submit, Gentlemen, that...that this is a necessary
33. cost if we're not going to have an overburdened public defender program
34. in every downstate county and in other places. That this is good

1. legislation and it ought to receive a favorable roll call. Thank you.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. The question is shall House Bill 833 pass. Those in favor vote
4. Aye. Those opposed No. The voting is open. Have all those voted who
5. wish? Take the record. On that question the Ayes are 42, the Nays are
6. 12. 1 Voting Present. House Bill 833 having received a constitutional
7. majority is declared passed. House Bill 854, Senator Morris. Senator
8. Morris. Read the bill.

9. SECRETARY:

10. House Bill 854.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Morris.

15. SENATOR MORRIS:

16. This is a bill that follows up on the bills that Senator Vadalabene
17. guided through this Chamber a year ago on bicycle trails. It gives the
18. authority to the Department of Transportation to begin purchasing the
19. right of way as they do highway work in the State of Illinois. There
20. was one objection filed by Senator Mitchler and that has been corrected
21. through amendment, and that was through the funds that would be used
22. to purchase this. We've taken out that they could use any funds avail-
23. able and left it up to the DOT funds. That was Senator Mitchler's ob-
24. jection. It's a good bill. It's really just to allow them to begin
25. purchasing right of way if, in fact, they have the money. And I'd
26. appreciate a favorable roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion or debate? The question is shall
29. House Bill 854 pass. Those in favor vote Aye. Those opposed No. The
30. voting is open. Have all those voted who wish? Take the record. On
31. that question the Ayes are 47, the Nays are 3. House Bill 854 having
32. received a constitutional majority is declared passed. House Bill 856,
33. Senator Knuppel. Read the bill.

1. SECRETARY:

2. House Bill 856.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. All this bill does is statutorily implement the provisions of
9. Section three of Article four of the Constitution, which provides that
10. in elections for representatives including those for nominations. Each
11. elector may cast three votes for one candidate, or distribute them
12. equally among no more than three candidates. This is merely a legis-
13. lative implementation of that constitutional mandate. There are some
14. problems about it and I've dealt with these, both with...talked about
15. them both with Senator Rock and with Senator Nimrod and I've asked if
16. there was any way that the problem could be cured, but there seems to
17. be no way that the problem can be fixed, because I've been willing to
18. accept an amendment if one could be made. But, what it does is conform
19. the statutory language to the constitutional provision.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Nimrod.

22. SENATOR NIMROD:

23. Yes, Mr. President. Senator Knuppel was correct. I just want
24. to call attention to one thing that there's a problem with this. The
25. problem is very simple and that is that there's a possibility and I've
26. already drafted a letter to go to the State Board of Election. There
27. ~~is a possibility that these ballots which are cast downstate for~~
28. voting on State Representatives could be questionable and could cost
29. some elections in the future. And I did check with Stanley Kusper,
30. the County Clerk, because we do it on a three basis, a three box basis,
31. and I just call our attention to it that this could be a questionable
32. thing for the next election. And I'm asking the State Board of Elections
33. to rule on this, because there still exist the possibility that under

1. this ruling, and this bill doesn't change it any, that a person casting
2. one vote there is no way that the judges of election can know that
3. person intended it to be one vote, one and a half, or three votes, and
4. I think that what we're doing is mandating that a person's ballot, total
5. number of votes be used, and there's no question about that whole thing.
6. So, I will send that copy of the letter to the State Board of Elections,
7. but this bill cannot affect or change it, as Senator Knuppel has said.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Philip.

10. SENATOR PHILIP:

11. Will the sponsor yield for a question?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. He indicates he will.

14. SENATOR PHILIP:

15. What happens under your bill when a person would vote straight
16. Republican then go over to the Democratic side and put an X in say Repre-
17. sentative Redmond's box. How would you score it?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Well, I've always understood that when you do this you're casting
22. three for the person you've marked for.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Philip.

25. SENATOR PHILIP:

26. Is that the way your bill stands right now? Well, let me...let

27. ~~me just tell you something. I've been a committeeman and I've been~~

28. in many, many elections, and what the intent of that voter is is to
29. cast a vote for each one of those Republicans and one vote for the
30. Democrat. Now, if you haven't straightened that out, I don't see any
31. reason for your bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. It isn't a question of my bill it's a question of the ballot,
3. as Senator Nimrod has said. My bill corresponds to the Constitution.
4. That's the way if you had an election contest it would have to be
5. anyway. Now, as...as far...used to be under the old law if you wanted
6. to vote two for and one for another one you could. All this says is
7. that you can vote three for one, one and a half for each, or you can
8. vote one for each, but you can't vote one and two. Now, how the ballot's
9. made up and what the instructions are from the Board of Elections, is
10. entirely up to them. All this does is implement the constitutional
11. language.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? The question is...Senator Knuppel,
14. do you wish to close the debate? Or do you want a roll call?

15. SENATOR KNUPPEL:

16. I don't see any reason to argue it further. All it does and if
17. somebody has a quarrel with the Constitution they ought to introduce
18. a resolution to amend the Constitution. That's all it does.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. The question is shall House Bill 856 pass. Those in favor will
21. vote Aye. Those opposed No. The voting is open. Have all those voted
22. who wish? Take the record. On that question the Ayes are 45, the Nays
23. are 3. 1 Voting Present. House Bill 856 having received a constitutional
24. majority is declared passed. House Bill 859, Senator Carroll. Read
25. the bill.

26. SECRETARY:

27. House Bill 859.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Carroll.

32. SENATOR CARROLL:

33. Thank you, Mr. President. House Bill 859 is a way of stabilizing

1. the property tax of the senior citizens of our State. I don't know
2. if they're waving for any particular purpose.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. They want attention after you're finished I think...

5. SENATOR CARROLL:

6. Thank you, Mr. President.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. ...with your preliminary remarks, Senator.

9. SENATOR CARROLL:

10. What this bill does is that if someone is eligible under the
11. Circuit Breaker meaning they have ten thousand of income or less then
12. their taxes will be stabilized at its present dollar value, and any
13. future increases in the real estate taxes the burden will be borne by
14. the State. It will replace lost units...units of the Government's
15. lost revenue. What the net effect of this will actually do, however,
16. in addition to stabilizing those on a fixed income it will end up
17. to the benefit of the State of Illinois, because as social security
18. benefits raise and as taxes would also raise, this keeps the Circuit
19. Breaker Tax reimbursement figure at a lower level. So, by stabilizing
20. it at present day dollars the State in the long run also gets a benefit.
21. But, more importantly those members of our society who are on fixed
22. incomes and who are of the senior citizen bracket and eligible for
23. the Circuit Breaker would be able to budget themselves accordingly and
24. live within the budget of the fixed income from past dollars they have
25. received. I would ask for a favorable roll call.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

~~27. SENATOR REGNER:~~

28. SENATOR REGNER:

29. A question of the sponsor.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. He indicates he'll yield.

32. SENATOR REGNER:

33. What will this cost the State in lost revenues or in rebates or

1. whichever way it goes, Senator Carroll?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Carroll.

4. SENATOR CARROLL:

5. The fiscal note that was filed in the House indicates that the
6. revenue loss would be eleven million.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Regner.

9. SENATOR REGNER:

10. Well, the only question I have is can the State afford this new
11. program and this loss in revenue, and I hope everyone takes that into
12. consideration prior to voting.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Glass.

15. SENATOR GLASS:

16. Well, J...I would like to echo Senator Regner's comments. My
17. file indicates that the fiscal note is 10.7 million with estimates
18. running as high as 15 from the Department of Revenue and I would point
19. out to the membership that this is only the first year of the bill and as
20. much as...as attractive as this bill is, it benefits for senior citizens
21. I really question whether, with all the pressure we're under on holding
22. down expenditures, whether we can afford the loss of this, I'll say,
23. ten to fifteen million dollars this year and much more next year, and
24. for that reason I would oppose the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Yes, Mr. President. This is an entirely new program and I would
29. say that this does discriminate against those who are only getting...
30. have less than ten thousand income...I mean over ten thousand income,
31. and I would say that this is not the time for us to be adding on this
32. additional expense on to the State.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further debate? Senator Wooten.

2. SENATOR WOOTEN:

3. Just a question of the sponsor.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. He indicates he will yield.

6. SENATOR WOOTEN:

7. Do I understand then from your explanation of what I have on the
8. Calendar is not correct?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Carroll.

11. SENATOR CARROLL:

12. That is correct, but it does more than that. One of the provisions
13. of the bill is that if you turn 65 during the year you are eligible
14. for the Circuit Breaker. The Calendar is incorrect. And that was not
15. a major thrust to the bill. That was part of, I believe, a House Amend-
16. ment to the bill in line with other legislation that is passed. It
17. allows you to claim your eligibility during the year you turn 65. The
18. Calendar, apparently, is not complete in its explanation.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Well, then the fiscal note involves in the two programs, what are
23. in effect the two programs. Somewhere from eleven to fifteen million.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Carroll.

26. SENATOR CARROLL:

27. Yes, and I did not mean to exaggerate the amounts that might be
28. expended. Senator Glass correctly pointed out it was 10.7 million and
29. that would be if all of those who would be eligible, in fact, did apply,
30. and as we know the experience factor is that they have not all applied.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Wooten. Is there further debate? Senator Carroll may
33. close.

1. SENATOR CARROLL:

2. Thank you, Mr. President and members of the Senate. I think this
3. is much needed legislation. I think that the point that has been missed
4. by those who rose to oppose the legislation is one, if it is full par-
5. ticipation we are talking about just under eleven million dollars. We
6. know, however, that we have not had full participation. Two, we are
7. talking about those people most in need, those on fixed incomes below
8. ten thousand dollars annual income, and we are talking about since their
9. income is fixed, we are attempting to fix that amount the Government takes
10. back from those people. Three, we are talking about a situation that in
11. future years, rather than get substantially more costly it will not. It
12. will get less costly, because not only will some come off the roll, but
13. as the income levels of these people rise should they, because of in-
14. flation, start earning more money on their pension income the actual
15. amount of their rebate is less, because as they get triggered over the
16. Circuit Breaker their taxes are still at a lower level. So, this actually
17. in future years works for the benefit of the State under the Circuit
18. Breaker program and keeps its own expenses down while helping those
19. who most need it. I would urge everyone to vote Aye on this legislation.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. The question is shall House Bill 859 pass. Those in favor vote
22. Aye. Those opposed vote Nay. The voting is open. Have all voted who
23. wish? Take the record. On that question the Ayes are 30, the Nays are
24. 14. 1 Voting Present. House Bill 859 having received a constitutional
25. majority is declared passed. Senator Nimrod has requested a verification
26. Will the Senators please be in their seats and the Secretary will call
27. the names of those who voted in the affirmative.

28. SECRETARY:

29. The following voted in the affirmative: Bloom, Brady, Carroll,
30. Chew, Course, Daley, Davidson, Donnewald, Dougherty, Egan, Kenneth Hall,
31. Hynes, Knuppel, Kosinski, Lane, Lemke, McCarthy, Merritt, Nudelman,
32. Palmer, Philip, Rock, Roe, Romano, Savickas, Schaffer, Smith, Vadalabene,
33. Welsh and Mr. President.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Nimrod; do you question? Is Senator Egan on the Floor?
3. Senator Egan is on the Floor. Senator Chew on the Floor? The Chair
4. does not see the presence of Senator Chew. Remove his name from the
5. roll call. Is Senator Partee on the Floor? Is Senator Partee on the
6. Floor? Remove his name from the roll call. The sponsor has moved to
7. postpone further consideration of House Bill 859. The bill will be
8. placed on the order of Postpone Consideration. House Bill 898, Senator
9. Knuppel. Senator Knuppel.

10. SENATOR KNUPPEL:

11. I'd like...I inadvertently forgot to Table Amendment No. 2. Do
12. I have to return it to 2nd reading to do this? Alright. I'd ask
13. leave to have it returned to the order of 2nd reading so I may Table
14. Amendment No. 2.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there leave? Leave is granted. The bill is on the order of
17. 2nd reading. Senator Knuppel now moves to reconsider the vote by
18. which Amendment No. 2 was adopted. All in favor say Aye. All opposed
19. Nay. The Ayes have it. The motion is reconsidered. Now, Senator
20. Knuppel moves to Table Amendment No. 2 to House Bill 898. All those
21. in favor say Aye. Opposed Nay. The Ayes have it. The amendment is
22. Tabled. 3rd reading. House Bill 911, Senator Knuppel. House Bill 940,
23. Senator Lemke. House Bill 955, Senator Johns and Partee. House Bill
24. 959, Senator Demuzio. Read the bill, Mr. Secretary.

25. SECRETARY:

26. House Bill 959.

27. (Secretary reads title of the bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Demuzio.

31. SENATOR DEMUZIO:

32. Thank you, Mr. President and members of the Senate. House Bill
33. 859 does provide for those 65 years of age and older be exempt from

1. paying the camp and trailer camping fees. Now, the Amendment No. 1
2. extended the application of this Act to both the blind and the handi-
3. capped. These people will be entitled to use the camping units of the
4. Department of Conservation without a fee. I'd be happy to answer any
5. other questions that you may have. Otherwise, I urge a most favorable
6. roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there further debate? The question is shall House Bill 959
9. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
10. is open. Have all voted who wish? Take the record. On that question
11. the Ayes are 46, the Nays are 7, 1 Voting Present. House Bill 959
12. having received a constitutional majority is declared passed. House
13. Bill 898.

14. SECRETARY:

15. House Bill 898.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Mr. Chairman and members of the Body. 898 is a bill designed
22. to create an Agricultural Area Conservation Protection Act. As you
23. know, in the United States today and all over the world, land is going
24. out of production and there is real concern about food in the decades
25. ahead. This bill would allow people who own agricultural land to on
26. a voluntary basis agree to create districts where the land would be
27. set aside for agricultural use exclusively for a period of up to eight
28. years. There's methods provided herein for petitioning the county
29. board for a board in the county to be selected and appointed by the
30. county board and to hear these petitions, to create these districts
31. and also a provision that allows the State to play a roll in the de-
32. termination of these districts. Now, as a result of these districts
33. being formed they will receive the right to be taxed as agricultural

1. areas. The statute does not apply to home rule units. They have been
2. amended out. If they're...if you're in Cook County it does not apply
3. because Cook County is a home rule unit and it already has provisions
4. in the Constitution to allow for classification of land. This allows
5. counties of smaller than this size, in fact I think the statute allows
6. counties of up to two hundred thousand to classify...over two hundred
7. thousand. This allows farmers or owners of agricultural land on a volun-
8. tary basis to achieve some semblance of the same kind of treatment tax
9. wise and to protect these lands from being condemned, used for industrial
10. purposes and otherwise where so much lands going out of cultivation to
11. protect against the declining amount of viable farmland available to
12. produce food. The bill is a complicated bill, I realize, but it's de-
13. signed to protect agricultural areas, particularly in those areas in
14. downstate Illinois where the future so strongly demands and mandates
15. that we protect these lands. I would appreciate a favorable roll call.
16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there debate? Senator Schaffer.

18. SENATOR SCHAFFER:

19. Well, I rise in support of this bill. My area of the State up
20. in the northern part and the northwest suburbs in the last few years
21. I've seen literally hundreds, probably approaching thousands, of acres
22. some of the finest farmland in the world, not in the State, but in the
23. world being dug up and being turned into one sort of development or
24. another. The taxes on this land has, well, certainly been an incentive
25. for the farmers to sell out, because they couldn't afford to farm on
26. them. I think this bill is absolutely essential, literally to the sur-
27. vival of our whole way of life. It's a shame we didn't come up with
28. this concept twenty-five years ago.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Harber Hall.

31. SENATOR HALL:

32. Will the sponsor yield for a question?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. He indicates he will yield.

2. SENATOR HALL:

3. Senator Knuppel, I have an example that I am serious about and
4. I'd like you to answer how it would be affected. In...in the City of
5. Bloomington we have two owners who own thirty acres of ground right in
6. the city limits with fully developed real estate all the way around it.
7. It's right in the heart of the city. In light of your bill here how do
8. you think that would be treated?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. Well, as I understand the bill, the area involved must be at least
13. five hundred acres unless...unless the board hearing the matter in areas
14. of less than five hundred acres, they can create such a district but
15. it would have to be with the approval not only of that board but also
16. the county board and the State board. Now, there would have to be some
17. discretion used in the case of this kind where there is less than five
18. hundred acres. There's a hearing provision provided and so forth. And
19. if they really didn't believe that it was appropriate to have this set
20. aside as agricultural land then the hearing board and the county board
21. would have to agree on that and the State board. And I assume that in
22. the case you have illustrated that it would not be set aside, because
23. of the small nature of the acreage.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further debate? Senator Glass.

26. SENATOR GLASS:

27. I...thank you, Mr. President. I would like to ask the sponsor
28. a question.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. He indicates he will yield.

31. SENATOR GLASS:

32. Senator Knuppel, I...this is the same question I brought up in
33. committee and I still would like to be satisfied on the constitutional

1. question of uniformity. As you know, Article 9, Section 4, paragraph
2. A of the Constitution says - except as otherwise provided in this
3. section taxes upon real property shall be levied uniformly. And I
4. wonder if you're permitting this kind of tax assessment are you, in
5. fact, consistent with that constitutional mandate?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Well, it's my belief and the belief of those people who have re-
10. searched it that this does meet that provision, and it was for the
11. very reason that you raised this question that I placed the severability
12. clause on this bill on 2nd reading. I think that it is a question. I
13. personally am not the person qualified to make that decision. My
14. personal opinion is that we meet this standard. It may require litiga-
15. tion to resolve, but that's true of many...much of the legislation we
16. pass here.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Bell.

19. SENATOR BELL:

20. Thank you, Mr. President, a couple of questions of the sponsor.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. He indicates he will yield.

23. SENATOR BELL:

24. Senator Knuppel, it seems to me that one of the major problems
25. causing the erosion of farmland to become industry, or housing plots,
26. or whatever, is certainly the profit motive that that farmer can...
27. can enjoy by the sale of his land. And I'm wondering, let's say you
28. have five hundred acres, two farms that have come together and met the
29. criteria and the county board has approved it, and then one of the farmers
30. decides well, I've just gotten an offer of four thousand dollars an
31. acre and despite the tax advantages I'm going to take...take advantage
32. of that and I'm going to sell. Now, what's to prevent him from selling
33. other than the fact that he has to go back and pay the back taxes that

1. as I understand he has to go back and there is some penalty clause,
2. but and I'd like an answer to that portion to it, but the second portion
3. of my question, then...ok.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. The one thing to discourage him from doing it is the fact that
8. he has a contract with those people in there. But, if he owned the
9. whole eight hundred acres the only...the only thing to restrain him
10. from doing it, of course, would be the roll back on taxes if he was the
11. sole owner. But he has a contractual arrangement, in my opinion, from
12. having signed a petition and asked with respect to other owners in that
13. area and he might be enjoined from taking advantage of it.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Bell.

16. SENATOR BELL:

17. Well, then he has lost...as a farmer he has lost one of the
18. valuable options of land ownership and that's being able to recognize
19. the increase value of that land. He gives up that particular straw of
20. property ownership it would seem to me. Now, the second question, and
21. really, Senator Knuppel, I think it's an exciting concept but there's
22. a couple of things here that do really distress me. Now, the second one.
23. What happens when he violates the contract then and sells the land.
24. What happens to the...to the whole concept. Because maybe it's down
25. to five hundred acres and all of a sudden it becomes less than five
26. hundred acres, because one farmer sold out.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Knuppel. Could we have some order, please, Gentlemen.
29. Several conferences occurring on the Floor. Would you please take your
30. conferences off the Floor. Senator Knuppel.

31. SENATOR KNUPPEL:

32. I'll try to answer both aspects of this. I assume if you started
33. with eight hundred acres and for some reason and in some manner that an

1. individual was allowed to withdraw, withdraw enough that he fell below
2. the five hundred acres that the district that remains would still be
3. duly constituted. It's...it's in fact a de jure not just a de facto
4. thing. Now, as to the first part of the question that the person's
5. giving up some of his rights to realize a profit. This is true anytime
6. you go into a contract of this nature, whether it's covenant or not, you
7. know, running with the land or something else and it's only for an eight
8. year period. And this individual give this up voluntarily in exchange
9. for getting some benefits and from knowing that somebody won't sell
10. land next to him for a subdivision where his taxes go clear out of
11. sight and so forth, so it's a quid pro quo, it's a bargain and sell.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Yes. Gentlemen, could we break up the conferences in front of
14. Senator Dougherty's desk. If we could just move that off. It seems
15. like it's getting a lot of noise. Senator Soper.

16. SENATOR SOPER:

17. Thank you, Mr. President. Senator Knuppel, I was just wondering,
18. you mentioned covenant running with the land. Now, suppose...suppose this
19. fellow that signed this agreement which as you say becomes a covenant
20. running with the land, and passes away in say a year or two. Now, is this
21. ...is this an agreement that holds against his estate?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Now, it's a complicated bill, I've read it, I've studied it, I
26. see of no...nothing in there that...that allows a person's estate because
27. he has died to take it out of the agreement. Now, it can be passed as
28. agricultural land and get the same tax benefits, but we are allowed
29. everyday to contract beyond our lifetime and I think that's what this
30. would amount to.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Soper.

33. SENATOR SOPER:

Yeah, I'm saying that it would stay in and the agreement would
1. be binding on his heirs. Right. Is that what you said?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. I see no way out. That's the way I construe it. Yes.

6. SENATOR SOPER:

7. All right, now...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Soper.

10. SENATOR SOPER:

11. Now, suppose he sold this land, or say it was foreclosed after
12. he went into this. Now, let's take the latter. Now, he makes an agree-
13. ment. He's got a mortgage, the mortgage is foreclosed, he's in a position
14. where he feels that he wants to...he wants to cause the fellow that
15. loaned him the money a little trouble. So, he goes in this agreement.
16. Does this hold for eight years after he makes that agreement? And is
17. the lender, is he hooked with this agreement?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Well, this...this does provide that the board may promulgate rules
22. and regulation to implement the Act and that in so doing the board shall
23. consider the need for security of land titles, all the potential tax
24. and penalty liabilities in the desirability to searching of titles
25. not be complicated by establishment of new record books. So, I assume
26. that a person might, under that language, petition the county board in
27. the county downstate where this was involved to say that there was a
28. problem with respect to the title and that the title was in some way
29. impaired and could get a release from it.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Soper.

32. SENATOR SOPER:

33. Now, you say that you don't know whether that would hold true.
34. In other words, he would have to go to the county clerk and ask for this

1. to be taken off. The county clerk tells him no and he's stuck with
2. the agreement. Right? Just give me a yes or no.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Knuppel.

5. SENATOR SOPER:

6. He's stuck with the agreement or isn't he?

7. SENATOR KNUPPEL:

8. Well, of course, it doesn't affect Cook County and I don't think
9. what I'm saying is I don't think you can answer with a yes or no. The
10. answer is that each of the different counties may promulgate different
11. rules and regulations, or the State board may promulgate rules and regu-
12. lations which deals with problems such as the one you've raised. If
13. they don't, then it might require litigation to assume. But an eight year
14. period is a short period of time and you have some rights under contract.
15. It's a voluntary agreement if you want to encumber your land with it.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Soper. And I would point out...

18. SENATOR SOPER:

19. Last question...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Right.

22. SENATOR SOPER:

23. What comes to me...my mind is this. Now, the fellow's borrowed
24. some money and all of a sudden they find out that there's oil on this
25. land and they want to sell the leases and so forth, or they want to
26. drill for oil and he's precluded from doing this?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further debate? Senator Nimrod.

29. SENATOR NIMROD:

30. Mr. President, I'd just like to tell Senator Knuppel I don't have
31. any problem with the bill itself or its concept, but I do want to point
32. out a couple of things I think we ought to have for the record and that
33. this does not amend the Revenue Act which it should do because section

1 14, 15, 19 and 20 are other Revenue Acts and this really has no legal
2 impact on the assessment. And I would say that this is going to be a
3 problem that's going to be forced later to be addressed to and we did
4 make an attempt to contact the Agriculture Association to recommend
5 an amendment that I think would have taken care of this problem which
6 is poorly drafted and I think placed in the wrong area. It seems that
7 you're trying to amend the Fawell Green Belt Bill by reference and that's
8 going to contain some problems for you. I'm going to vote Present on
9 the bill and I just wish it would have been cleaned up in the beginning.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Is there further debate? Senator Knuppel may close.

12 SENATOR KNUPPEL:

13 Well, I think there has been some misconstructions on the bill,
14 but I don't think it prevents people from...who are under an agreement
15 such as this from drilling for oil and mineral development at all. Now,
16 it may require some agreement between the people, but certainly if there
17 is oil there, all the people within the thing could agree to it and I
18 don't think it prevents one person from doing it. I say that this is
19 a step in the right direction. It does something that has to be done
20 if we're going to protect the productive land, the productive agricul-
21 tural lands of the world. It will require those people who are sub-
22 dividing and otherwise use lands that are not agricultural in nature.
23 It gives some protection to the landowner who's a farmer from his lands
24 virtually confiscated by increases in taxes. It serves a good purpose.
25 It may be that we'll be back here sometime in the future to amend this
26 Act to make it a better Act. I think it's a good Act the way it is,
27 and I would suggest that those who favor this concept that they support
28 it. It deserves a favorable roll call. Thank you.

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 The question is shall House Bill 898 pass. Those in favor vote
31 Aye. Those opposed vote Nay. The voting is open. Have all voted who
32 wish? Take the record. On that question the Ayes are 51, the Nays are
33 1. 2 Voting Present. House Bill 898 having received a constitutional

1. majority is declared passed. On the order of Motions. There is several
2. Motions set for today. Is there leave to continue those until tomorrow?
3. Leave is granted. Messages from the House.

4. SECRETARY:

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

6. Mr. President - I am directed to inform the Senate that the
7. House of Representatives has concurred with the Senate in the passage
8. of the following bill:

9. Senate Bill 476 with House Amendment No. 1. Senator Shapiro is
10. the chief sponsor.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Secretary's Desk.

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 refused to concur with the Senate in the
17. adoption of Senate Amendment No. 1 to House Bill 600. No, he didn't
18. want this one. House Bill 650. Senator Hickey...with House Amendment
19. No. 2. Senator Hickey is the chief sponsor.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Hickey.

22. SENATOR HICKEY:

23. Can I move to recede from Senate Amendment No. 1 according to the
24. wishes of the sponsor of the bill?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Can you explain the motion...the amendment that we're receding
27. from.

28. SENATOR HICKEY:

29. Well, this is an amendment which we put on it over here, which
30. was originally deleted from the bill in the House and the sponsor, now,
31. I put it on with the permission of the sponsor. The sponsor, now,
32. requests that the Senate do recede from that amendment. And I so
33. move.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Hickey, if you would withdraw your motion the advisement
3. is that all these will go to the Secretary's Desk for review and we
4. will consider them at one time. We have a...we are trying to be out
5. of the Senate by 3:30. Secretary's Desk.

6. SECRETARY:

7. Senate Bill No....House Bill...same message on House Bill 600 with
8. Senate Amendment No. 1. Senator Weaver is the chief sponsor.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Secretary's Desk. For what purpose does Senator Graham arise?

11. SENATOR GRAHAM:

12. What was the disposition on 658?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. It went to the Secretary's Desk. She...Senator Hickey withdrew
15. the motion to recede and we are putting those all on the Secretary's
16. Desk, so that the members will have a chance to see them printed on
17. the Calendar.

18. SECRETARY:

19. Senate Bill No. 600 with Senate Amendments No. 1 and 2. Senator
20. Weaver is the chief sponsor.

21. Senate Bill No. 871 with House Amendment No. 1. Senator Netsch
22. is the chief sponsor.

23. Senate Bill No....House Bill No. 1043 with Senate Amendments No.
24. 2. Senator Lemke is the chief sponsor.

25. Senate Bill...House Bill No. 1146 with Senate Amendment No. 1.
26. Senator Harber Hall is the chief sponsor.

27. House Bill No. 1176 with Senate Amendment No. 1. Senator Vadalaben
28. is the chief sponsor.

29. House Bill No. 1408 with Senate Amendment No. 2. Senator Egan
30. is the chief sponsor.

31. House Bill No. 1518 with House Amendment No....Senate Amendment
32. No. 2. Senator Donnewald is the chief sponsor.

33. House Bill No. 1697 with Senate Amendment No. 1. Senator Glass

1 is the chief sponsor.

2 House Bill No. 1949 with Senate Amendemnt No. 1. Senator Knuppel
3 is the chief sponsor.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 All to the Secretary's Desk. Resolutions.

6 SECRETARY:

7 Senate Resolution 117 introduced by Senator Mitchler. It's
8 congratulatory. No, wait a minute. Yes, it's congratulatory.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Senator Mitchler.

11 SENATOR MITCHLER:

12 Mr. President, this is a congratulatory resolution for Eleanor
13 Plain of the Aurora Public Library. I would ask for suspension of the
14 rules and immediate consideration of the resolution and move for
15 the adoption of the resolution.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Is there leave for suspension of the rules and immediate con-
18 sideration and adoption. Leave is granted. On the motion to adopt by
19 Senator Mitchler. All in favor say Aye. All opposed Nay. The res-
20 olution is adopted. Is there leave...there is one bill on the order
21 of 2nd reading that should be advanced today. Is there leave to go
22 to that order of business? Leave is granted. House Bill 2105, Senator
23 Newhouse. 3105. The Secretary will read the bill a 2nd time.

24 SECRETARY:

25 House Bill 3105.

26 (Secretary reads title of bill)

27 2nd reading of the bill. No committee amendments.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Any amendments from the Floor? 3rd reading. Two sponsors wish
30 to discuss their Motions in Writing. Is there leave to go to the order
31 of Motions? Leave is granted. Senator McCarthy is recognized. The
32 Motion appears on page 27 of the Calendar. House Bill 643, Senator
33 McCarthy.

1 SENATOR MCCARTHY:

2 Yes, Mr. President and members of the committee. I heretofore
3 have discussed this matter with Senator Newhouse, the Chairman of the
4 Committee, where this bill received a unfavorable vote of four to three.
5 I explained to him the circumstances surrounding the bill and he has
6 given his permission for the motion to prevail. I know of no con-
7 troversy on the matter and I would so move.

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 Is there further debate? The motion is that Senator McCarthy is
10 to take from the Table and place on the order of 2nd reading. All in
11 favor say Aye. All opposed Nay. The Ayes have it. The bill is on the
12 order of 2nd reading. For what purpose does Senator McCarthy arise?
13 Senator Harris. Senator Harris.

14 SENATOR HARRIS:

15 Well, it takes thirty votes to take something from the Table and
16 I would think that...

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Are you requesting a roll call?

19 SENATOR HARRIS:

20 ...we're taking some unusual action here.

21 PRESIDING OFFICER: (SENATOR BRUCE)

22 Do you request a roll call?

23 SENATOR HARRIS:

24 And I just think we ought to know a little bit more about what
25 we're doing. We have had an absolutely oppressive day about the number
26 of different things we have had fly by us here. And I just think that
27 we ought to...when people are saying wait a minute. Senator Berning is
28 one who is involved with this subject matter. He was saying wait a
29 minute. And I just don't think we should be in quite such a hurry.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Is there...the Chair heard no objection. If there is a request
32 for a roll call the Chair will be very happy to give a roll call de-
33 termination on the motion. I heard no objection, and that would be

1 thirty votes obviously. Is there a request for a roll call on the
2 motion? The Chair hears no request for a roll call. There's dis-
3 cussion that the motion is to Table a bill. The motion is to take from
4 the Table and place on the order of 2nd reading, so that we're very
5 clear. On a voice vote the Chair's rule that that has been...the bill
6 resides at the Secretary's Table because of unfavorable or committee
7 action. And I should say committee action that the bill Do Not Pass,
8 and that motion prevailed in committee. Senator Glass, for what
9 purpose do you arise?

10 SENATOR GLASS:

11 Mr. President, Senator McCarthy did indicate that he had talked
12 to the Chairman of the Committee and that the bill was not controversial.
13 Maybe he could explain a little of that backround so we understand
14 what's involved.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Gentlemen, would it be more appropriate to take a roll call on
17 the motion? Senator McCarthy is recognized. Briefly.

18 SENATOR MCCARTHY:

19 Yes, Mr. Chairman. This is a pension bill of limited impact that
20 affected the county treasurer of Macon County. At the time it was
21 heard in committee there was a...almost a lack of a quorum, and there
22 were only seven people who voted on the bill. I talked to the Chair-
23 man of the Committee about this matter and he has indicated that he
24 has no objection to this limited type of a pension bill coming taking...
25 taken from the Table and I can assure the members on that side that
26 Senator Harber Hall voted for the bill in committee and my...I didn't
27 check with the President of the Senate, but I didn't think it in-
28 volved any controversy and I still don't think it does. And...

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 Senator Berning.

31 SENATOR BERNING:

32 Thank you, Mr. President. There were eight members of the
33 Committee present, and there were four...on a Do Pass motion there was
34 3 Ayes, 4 Nays, and 1 Present. The roll call was then reversed. This

1 may not have great impact in itself, but it establishes again a very
2 bad precedent. Everytime we make an exception, even though it's to
3 accommodate one or two people, by opening a door to a new concept
4 within the pension systems we are inviting trouble, and that's exactly
5 what's being done here. The bill sets out a condition whereby credits
6 may be considered that were accumulated under one system while a person
7 is actually in receipt of a pension under another system, and I submit
8 that this is not in good...in keeping with good pension policy. It is
9 contrary to the Pension Laws Commission's position and it ought to be
10 rejected. The action of the committee should be defended.

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 The motion is to take from the Table and place on the order of
13 2nd reading. Those in favor will vote Aye. Those opposed will vote Nay.
14 The voting is open. The motion will require thirty affirmative votes
15 to prevail. Have all voted who wish? Take the record. On that question
16 the Ayes are 31, the Nays are 16, 1 Voting Present. The motion to take
17 from the Table and place on the order of 2nd reading prevails. There
18 has been a request for verification by Senator Berning. Senator Berning,
19 do you persist in your motion to your request for a verification?
20 Senator Berning requests a verification. Senators will be in their seats
21 and the Secretary will call those who voted in the affirmative.

22 SECRETARY:

23 The following voted in the affirmative: Brady, Bruce, Buzbee,
24 Carroll, Chew, Course, Daley, Donnewald, Dougherty, Egan, Kenneth
25 Hall, Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke,
26 McCarthy, Morris, Netsch, Newhouse, Palmer, Philip, Rock, Savickas,
27 Smith, Vadalabene, Welsh and Mr. President.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Senator Berning, do you question anyone on the roll call?

30 SENATOR BERNING:

31 Yes, Mr. President, Senator Wooten.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Is Senator Wooten on the Floor? The Chair notes his presence.

1 SENATOR BERNING:

2 Senator Buzbee.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Is Senator Buzbee on the Floor? Strike his name.

5 SENATOR BERNING:

6 Senator Daley.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Is Senator Daley on the Floor? The Chair notes his presence.

9 SENATOR BERNING:

10 Senator Johns.

11 PRESIDING OFFICER: (SENATOR BRUCE)

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

14 SENATOR BERNING:

15 Senator Hynes.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Is Senator Hynes on the Floor? On that question the Ayes are 29,
18 the Nays are 16, 1 Voting Present. The motion to take from the Table
19 and place on the order of 2nd reading fails. For what purpose does
20 Senator Palmer arise?

21 SENATOR PALMER:

22 To Table only takes a majority of the votes.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 No, Senator Palmer, it requires thirty votes, affirmative votes, to
25 take from the Table. The bill resides on the Secretary's Table and our
26 rules require a vote of thirty affirmative votes. House Bill 2196.
27 Senator McCarthy, you seeking recognition? The Chair cannot distinguish
28 you as commenting back there. Senator McCarthy.

29 SENATOR MCCARTHY:

30 Just an inquiry. Just a parliamentary inquiry. On a motion...on
31 a motion like this when it fails do you put the...and the vote was in
32 the affirmative and where it was declared...declared to be passed.
33 Does the motion stay alive? Or is there such a thing as post-
34 poned consideration on a Motion. I presume by verbalizing audibly

1 I think I've answered my own question. You can always file a new
2 Motion, huh?

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Well,...

5 SENATOR McCARTHY:

6 I'll...I'll make a specific motion here and that is to postpone
7 the consideration on this Written Motion.

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 Well, the roll call was unannounced, but you can ask leave. Is
10 leave granted for the postponed consideration of this motion. Leave
11 is not granted. Senator McCarthy, I...

12 SENATOR McCARTHY:

13 Now, what names were taken off there and I want a verification
14 of the negative.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Well, Senator McCarthy, it would not make any difference since
17 we must bill to thirty votes.

18 SENATOR McCARTHY:

19 What names were taken off?

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Senator Johns and Senator Buzbee.

22 SENATOR McCARTHY:

23 All right.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 I would point out that you could later move to suspend the rules
26 and have the Motion reconsidered. Senator Philip on House Bill 2196.

27 The motion is to discharge from committee and to place on the order of
28 2nd reading. Senator Philip.

29 SENATOR PHILIP:

30 Thank you, Mr. President. With leave I'd like to postpone it
31 until tomorrow.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Is there leave? Is there leave to postpone further consideration

1 of House Bill 2196 in the attendant motion. Leave is granted. Any
2 further business to come before the Senate? Senator Welsh.

3 SENATOR WELSH:

4 Mr. President, there will be a Democratic caucus immediately
5 after adjournment in the President's Office.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Any further announcements? Senator Berning.

8 SENATOR BERNING:

9 Thank you, Mr. President. In the rush of business this morning
10 we voted on House Bill 229 and...

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 Can we have some order, please. The Senate is not adjourned. The
13 Senate is in Session, to remind those that are starting caucuses on the
14 Floor. Senator Berning.

15 SENATOR BERNING:

16 Yes, Mr. President. I merely begged leave to have permission to
17 have my vote recorded or shown as a No vote on House Bill 229, since
18 that is a tax increase without a referendum and I was not informed on
19 the bill when we took the vote this morning.

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 The record will so show. The roll call will not so show. Senator
22 Partee.

23 SENATOR PARTEE:

24 Yes, Mr. President, with reference to Wednesday's schedule...

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 Could we have some order, Gentlemen, please. Senator Partee.

27 SENATOR PARTEE:

28 I like not to wait until the last minute to tell you what the
29 schedule is so that you can make plans in advance. On Wednesday morning
30 we're going to consider conference committees. Neither the House nor
31 the Senate will be in Session for this period. The conference committee
32 schedule as to time, place, subject matter and participants will be
33 ready tomorrow afternoon, and we will work on conference committees

1. between the hours of eight and ten thirty on Wednesday morning. At the
2. same time the Appropriations Committee will be meeting, but there will
3. not be Sessions between those hours of eight and ten thirty on Wednesday.
4. And there will be an extended schedule of conference committee reports.
5. Hopefully during that period we can resolve a number of problems that
6. are in those conference committees. That's Wednesday morning.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Are there further announcements? Senator Netsch.

9. SENATOR NETSCH:

10. Just a question of Senator Partee. Are all bills which are now
11. subject to conference committee covered by that particular time schedule
12. then? All..all conference committees whatever are to meet. One of the
13. things I'm wondering about is if...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Partee.

16. SENATOR PARTEE:

17. Of the ones that are now under consideration, I think at least
18. two of them are solved and in the process of having reports drawn.
19. Is that what you had reference to?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Netsch.

22. SENATOR NETSCH:

23. Yes, that I have one for example where the only reason for the
24. conference committee was a technical mistake. There is no real con-
25. troversy. Secondly, at least...well, I want notice of the hearing,
26. Senator Rock. I also want a copy of the procedures that we're using
27. for conference committees before you leave, Senator Rock. But, the
28. other thing was if you're on several conferences committees how does
29. that get resolved?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Partee.

32. SENATOR PARTEE:

33. Well, I didn't hear her. But, I did hear Senator Nimrod who doesn't

1 have the mike. Would you repeat the question?

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Senator Netsch.

4 SENATOR NETSCH:

5 If you are on several conference committees, how does the
6 question of conflict get resolved, then?

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Senator Partee.

9 SENATOR PARTEE:

10 Well, the first way we will seek to resolve it is to take you
11 off of more than you can handle. So, that the entire membership can
12 be working at the same time. We'll try to solve that problem for you
13 be delimiting the number of conference committees on which each
14 member will serve being reflective, of course, of the entire membership
15 participation in the conference committee report system.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Senator Newhouse.

18 SENATOR NEWHOUSE:

19 Mr. President, I wonder if we can clarify...I wonder if we can
20 clarify one thing. From nine to ten thirty conference committees will
21 be meeting. Does that mean the Session will begin at ten thirty, or
22 at a later time?

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Senator Partee.

25 SENATOR PARTEE:

26 First of all, Senator, the conference committee reports schedule
27 will commence at eight a.m. and they will work until ten thirty p.m.
28 with the Senate and the House each going into Session at ten thirty.

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 Are there further announcements? Senator Nimrod.

31 SENATOR NUMROD:

32 May I make a request to discharge Committee on Appropriations on
33 Senate Bill 768 and Senate Bill 1491 for purpose of Tabling?

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 The motion is to discharge the Committee on Appropriations from
3 further consideration of...would you give the two numbers again.

4 SENATOR NIMROD:

5 768 and 1491. They're Senate Bills.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 The motion to discharge the Senate Appropriations Committee from
8 further consideration of Senate Bills 768 and 1491. All in favor say
9 Aye. Opposed Nay. The motion prevails. Senator Nimrod now moves
10 to Table Senate Bill 768 and Senate Bill 1491. All in favor say Aye.
11 All opposed Nay. The bills are Tabled. Further business. Senator
12 Roe moves that the Senate stand adjourned until 9:00 a.m. tomorrow
13 morning. All in favor say Aye. All opposed Nay. The Ayes have it.
14 The Senate stands adjourned until 9:00 a.m.