

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 24, 1975

1 PRESIDING OFFICER: (SENATOR DONNEWALD).

2 The hour of nine having arrived, the Senate will come to order.
3 The prayer will be by the Father Jerome Feldman, St. Theresa's Parish,
4 Marydale, Illinois.

5 FATHER FELDMAN:

6 (Prayer given by Father Feldman)

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Reading of the Journal.

9 SECRETARY:

10 Wednesday, June the 11th, 1975, Thursday, June the 12th, 1975.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Kosinski.

13 SENATOR KOSINSKI:

14 Mr. ...Mr. President and members of the Senate, I move that further
15 reading of the Journals of Wednesday, June 11 and Thursday, June 12th,
16 1975 be dispensed with and unless some further Senator has corrections
17 to offer. The Journals stand approved or not?

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 You've heard the motion. All those in favor indicate by saying
20 Aye. Those opposed No. The Ayes have it. Senator Kosinski.

21 SENATOR KOSINSKI:

22 Mr. President, I move that reading and the approval of the Journals
23 of Friday, June 13th, 16th, 17th, 18th, 19th, 20th, 21st and 23rd be
24 postponed pending arrival of the printed Journals. I so move, Mr. Pres-
25 ident.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 You heard the motion. All those in favor indicate by saying Aye.
28 Those opposed No. The Ayes have it. Committee reports.

29 SECRETARY:

30 Senator Donnewald, Chairman of Assignment of Bills, assigns the
31 following to Committee:

32 Appropriations - House Bills 289, 995, 2476, 2989; Judiciary -
33 House Bill 3037.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 The Chair wishes to announce that House Bill 3051 was removed
3 from the agreed bill list and that was removed by a vote of the Body.
4 Resolutions.

5 SECRETARY:

6 Senate Resolution 118 introduced by Senators Mitchler, Harris,
7 Graham, Schaffer and all members. It's congratulatory. Oh, no. I'm
8 sorry.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Senator Mitchler.

11 SENATOR MITCHLER:

12 Mr. President, members of the Senate, this is a Death Resolution
13 for Hal Carr who was a Legislative Representative of Aurora Township
14 for many years. Served on the Kane County Board, and I would ask for sus-
15 pension of the rules, immediate consideration and adoption of this
16 resolution for this fine gentleman.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 You've heard the motion. All those in favor indicate by saying Aye.
19 Senator Mitchler now moves for the adoption of the resolution. All
20 those in favor indicate by saying Aye. Resolution is adopted. House
21 Bills on 1st reading. House Bill 3108, Senator Brady.

22 SECRETARY:

23 House Bill 3108.

24 (Secretary reads title of bill)

25 1st reading of the bill.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 House Bill 3109, Senator Brady.

28 SECRETARY:

29 House Bill 3109.

30 (Secretary reads title of bill)

31 1st reading of the bill.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 House Bill 3115, Senator McCarthy and Senator Rock.

1. SECRETARY:
2. House Bill 3115.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. House Bill 3116, Senator McCarthy and Senator Rock.
7. SECRETARY:
8. House Bill 3116.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. House Bill 3097, Senator Buzbee.
13. SECRETARY:
14. House Bill 3097.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. House Bill 3102, Senator Demuzio.
19. SECRETARY:
20. House Bill 3102.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. House Bills on 2nd. House Bill...House Bill 3, Senator Lemke.
25. House Bill 449, Senator Dougherty. House Bill 587, Senator Wooten.
26. House Bills on 2nd reading. Read the bill.
27. SECRETARY:
28. House Bill 587.
29. (Secretary reads title of bill)
30. 2nd reading of the bill. The Committee on Appropriations offers one
31. amendment.
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. Senator Wooten moves to adopt Amendment No. 1 to House Bill 587.

1 All those...in favor indicate by saying Aye. Those opposed No. The
2 Ayes have it. Are there further...Senator Wooten.

3 SENATOR WOOTEN:

4 Is...I guess there's not a second amendment in form. I'd like
5 to move this to 3rd with the assurance that I will not call the bill
6 for final passage before amending it to state that the county must
7 take over the road if the State carries out these improvements.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 That is understood.

10 SENATOR WOOTEN:

11 Right.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 3rd reading. House Bill 596, Senator Weaver. House Bill 697,
14 Senator Savickas. House Bill 734, Senator Mitchler. Move the bill.
15 We're moving this on the condition that we could very well pull them
16 back in the event there is an amendment to be offered, Senator. All
17 right.

18 SECRETARY:

19 House Bill 734.

20 (Secretary reads title of bill)

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

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Are there amendments from the Floor? 3rd reading. House Bill
24 736, Senator Hickey. House Bill 852, Senator Joyce. We'll revert
25 back to House Bill 596, Senator Weaver. Read the bill.

26 SECRETARY:

27 House Bill 596.

28 (Secretary reads title of bill)

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

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 No committee...no committee amendments. Are there amendments from
32 the Floor? 3rd reading. Senator Weaver, what we've been doing is ad-
33 vancing these with the understanding that if anyone wanted to bring them

1 back, they could for the purpose of amendment. House Bill 1149,
2 Senator Vadalabene. House Bill 1314, Senator Joyce. House Bill
3 1399, Senator Savickas. Well, at this time do you wish to move
4 1399? We'll revert back to House Bill 697. Read the bill.

5 SECRETARY:

6 House Bill 697.

7 (Secretary reads title of bill)

8 2nd reading of the bill. No committee amendments.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Are there amendments from the Floor? 3rd reading. House Bill
11 1506, Senator Palmer. House Bill 1552, Senator Egan. Senator Egan,
12 do you wish to move 1552 which is on 2nd reading. It's an appropria-
13 tion. We are moving these with the understanding that they can be
14 brought back for the purpose of...amendments. Read the bill.

15 SECRETARY:

16 House Bill 1502.

17 (Secretary reads title of bill)

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

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Are there amendments from the Floor? 3rd reading. House Bill
21 1588, Senator Shapiro. House Bill 1589, Senator Shapiro. House Bill
22 1662, Senator Schaffer. Read the bill.

23 SECRETARY:

24 House Bill 1662.

25 (Secretary reads title of bill)

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

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Schaffer.

29 SENATOR SCHAFFER:

30 In the Judiciary Committee, Senator Nudelman discussed with the
31 legal representative of the Medical Society an amendment to this bill.
32 I'm not sure whether it's absolutely necessary. I think, I've yet to hear
33 back from them. I'd like to advance it to 3rd with the clear

1 understanding that if Senator Nudelman still wishes the amendment...
2 which I believe he probably still will, that it will be put on on 3rd.
3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 That is the understanding we have at this time, Senator. Are
5 there amendments from the Floor? 3rd reading. We're reverting back
6 to the order of...we will...we will read again. We have read 1552,
7 but for the sake of correcting the record, well, the Clerk will again read
8 ...we'll revert to the order of 2nd reading. We will now read House Bill
9 1552. Read the bill.

10 SECRETARY:

11 House Bill 1552.

12 (Secretary reads title of bill)

13 2nd reading of the bill. No committee amendments.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Are there amendments from the Floor? 3rd reading. House Bill
16 1732, Senator Brady. House Bill 1901, Senator Mitchler - Romano.
17 Read the bill.

18 SECRETARY:

19 House Bill 1901.

20 (Secretary reads title of bill)

21 2nd reading of the bill. The Committee on Appropriations offers one
22 amendment.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Mitchler.

25 SENATOR MITCHLER:

26 The amendment offered by the committee and approved by the
27 committee reduces on Page 1, Line 10 by deleting ten million and
28 insert'ng there...in lieu thereof five million. I move for adoption
29 of the amendment.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 All those in favor of the adoption of Amendment No. 1 to House
32 Bill 1901 indicate by saying Aye. Those opposed No. The Ayes have it.
33 The amendment is adopted. Are there further amendments? 3rd reading.

1 House Bill 2074, Senator McCarthy. Read the bill.

2 SECRETARY:

3 House Bill 2074.

4 (Secretary reads title of bill)

5 2nd reading of the bill. No committee amendments. A Floor amendment
6 offered by Senator McCarthy.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Senator McCarthy.

9 SENATOR MCCARTHY:

10 Mr. Chairman, Amendment No. 1 was defeated and I would like to...
11 I think Senator Savicaks was going to make a motion to reconsider the
12 vote by which that was defeated, but we'll pass on to Amendment No. 2
13 which takes the City of Chicago out. I would move for its adoption.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 The question is shall Amendment No. 2 to House Bill...just a moment.
16 Senator Harris.

17 SENATOR HARRIS:

18 Well, an amendment of this serious consequence certainly merits
19 some consideration and debate by this Body. This amendment, of course,
20 would take the City of Chicago out of this program for collective
21 bargaining and leave this very questionable statutory authorization
22 operative for all the rest of the school districts of the State. If
23 we are going to have a statutorily mandated program like this, it cer-
24 tainly ought to apply State-wide. This amendment should be soundly
25 rejected.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Senator Fawell.

28 SENATOR FAWELL:

29 I...I want to be sure that I procedurally understand what is
30 occurring here. As I understood, what Senator McCarthy said, we have
31 here a motion by, I'm not sure whom, Senator Savickas, I believe, having
32 voted on the prevailing side, is that right? In reference to Amendment
33 No. 1 which was defeated...

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 The Senator...Senator McCarthy is addressing himself to Amend-
3 ment No. 2 and I...I don't think that he was discussing...just a
4 moment. Senator McCarthy.

5 SENATOR MCCARTHY:

6 I...I...so that we can go in order, Senator Savickas is here. If we
7 could go to Amendment No. 1 which was defeated for Senator Savickas,
8 I'd...I'd be happy to keep it in order that way.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Well, we'll have to take amendment...discussion of Amendment 2
11 from the record and revert to the order of Amendment No. 1. Is there
12 leave? All right. Senator McCarthy. Just a moment. Senator Savickas.
13 Senator Savickas, your motion would be having voted on the prevailing
14 side...

15 SENATOR SAVICKAS:

16 Having voted on the prevailing side, I move to reconsider...

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Just a moment. Just a moment.

19 SENATOR SAVICKAS:

20 ...the vote by which Amendment No. 1 was defeated.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 You wish to reconsider the vote. All those in favor indicate
23 by saying Aye. Just a moment. Senator Harris.

24 SENATOR HARRIS:

25 Well, I raise the question of a point of order. No motion was
26 filed by Senator Savickas on this question. He has until the next
27 legislative day to file such a motion, and his motion is not in order.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 The motion, I'm advised, should be to suspend the rules.

30 SENATOR HARRIS:

31 Okay. All right. That's a different...that's a different motion.
32 That's fine.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1 And that does require thirty votes.

2 SENATOR HARRIS:

3 Yeah.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 A majority of those elected.

6 SENATOR HARRIS:

7 Yes.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Senator...Senator Savickas.

10 SENATOR SAVICKAS:

11 I will withdraw my motion at this time.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Senator McCarthy.

14 SENATOR MCCARTHY:

15 Well, then...then if the rule for suspension of the rules is
16 invoked, we'll move this Amendment No. 2 which is the amendment that
17 removes the City of Chicago from the application of the Act.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 That can be considered at this time.

20 SENATOR MCCARTHY:

21 All right.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 The motion is to...

24 SENATOR MCCARTHY:

25 Adopt.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 ...adopt Amendment No. 2 to House Bill 2074. All those in favor
28 indicate...Senator Harris. Senator Fawell.

29 SENATOR FAWELL:

30 Again, I'm...I was talking with someone else or someone else was
31 talking with me. Now, the...the amendment, as I understand it, in
32 Amendment No. 2 is to take the City of Chicago public school district,
33 out from the purview of House Bill 2074 so that when we talk about

1 collective bargaining for our various school districts in the State
2 of Illinois, we will, if an amendment like this were to carry and
3 the bill were ultimately to become law, we would be saying that we
4 authorize the right to strike of our public school teachers, let us
5 say in Cicero or in the communities surrounding Chicago, but when
6 you cross the line and go into the City of Chicago that as far as
7 the public school teachers are concerned there, they do not have the
8 right to strike. I think that our brethern and sisters from Chicago
9 well know that any such...any such legislation, if it is authorized
10 and made lawful in those school districts which border on the City
11 of Chicago, obviously, it is something that is going to occur in Chicago
12 also, and it's going to occur there really in a completely unregulated
13 fashion. I don't think that in all fairness, regardless of how we feel,
14 pro and con in regard to this particular collective bargaining legisla-
15 tion that applies to the higher educational area, as well as to elemen-
16 tary and secondary schools, that in all candor we can say that we are
17 being responsible legislators if we will say that this shall pertain
18 to downstate but it shall not pertain to the City of Chicago. So, I
19 implore all of...all of us here on both sides of this aisle certainly
20 to not adopt this Amendment No. 2. It...it has absolutely nothing to
21 defend it. It is a defenseless presentation, if ever I saw one, and
22 I hope we will very resolutely say No.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Glass.

25 SENATOR GLASS:

26 Thank you, Mr. President. I also rise to oppose the amendment
27 to House Bill 2074 which would eliminate Chicago from the application
28 of the bill. I make no bones about being in opposition to this bill,
29 because it is a bill for collective bargaining for teachers only, and
30 in my judgement there are many things wrong with the bill, but if we're
31 going to address collective bargaining in the public sector, it ought
32 to be across the board including all public employees. But, I think
33 carry...carrying it to the ridiculous, this particular bill not only

1 doesn't treat all teachers in the State, but if this amendment is
2 added would...would eliminate Chicago. So, I think all of us know
3 what's happening. With this amendment on, perhaps it becomes some-
4 what more palatable to possibly some Senators representing the City
5 of Chicago who don't want collective bargaining for Chicago but are
6 willing to accept it for downstate. It is highly discriminatory. I
7 hope all of the Body will recognize that, and help us defeat this amend-
8 ment.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Senator Graham.

11 SENATOR GRAHAM:

12 Mr. President and members of the Senate, some few years ago...the
13 Republicans...

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Lot of noise behind you, Senator.

16 SENATOR GRAHAM:

17 It's a Republican caucus is all it is.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Well, they're...they're plotting.

20 SENATOR GRAHAM:

21 Some...some few years ago, fourteen in fact, we were charged with
22 the responsibility of initiating a new Congressional map. The hue and
23 cry in that Session was that the Republicans who were in charge of
24 the Senate and the House were attempting to build a Chinese wall around
25 the City of Chicago. This went on for about eleven months. You know
26 something about it, it was true. But, the courts said we shouldn't do
27 it. They struck down the map and reapportioned Congress to suit them-
28 selves, and since that time, we have sort of condescended and thought...
29 we wanted to think that Chicago was part of the State of Illinois and part
30 of the United States. Now, what we're trying to do here today is to say
31 what was good fourteen years ago isn't worth a darn today. What we're
32 trying to do here today is, in keeping with what Senator Fawell said, if
33 you're within the City of Chicago and you belong to IFT and you have

1 been excluded...

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Noise level is rather high.

4 SENATOR GRAHAM:

5 ...from this map, you are in trouble if you go...across Austin
6 Boulevard. Now, Ladies and Gentlemen of this Senate, this is an un-
7 conscionable thing to attempt. I'm surprised. I am really surprised
8 that Senator McCarthy would be a participant in this kind of a activity.
9 I've learned to respect him. I haven't liked the way he beat the hell
10 out of me this Session, but I've learned to respect that he had the
11 votes to do it. This time on this very sensitive issue, which is
12 wrong, and Senator McCarthy knows it's wrong, I hope I win this one,
13 Senator McCarthy because for the good of the people of the State of
14 Illinois our side and part of your side had better win this fight or
15 we will have turmoil throughout the system in Illinois with regard to
16 teachers...

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Just a moment, Senator. There's noise to my right. There's noise
19 to my left and noise to my rear. That's correct. Would the members
20 please be in their seats?

21 SENATOR GRAHAM:

22 If you get them down there once, will you nail them? How about
23 safety belts? Have we ever attempted, Mr. President.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 The Rules Committee is considering that...

26 SENATOR GRAHAM:

27 ...put safety belts on the chairs and lock them.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 And a gag.

30 SENATOR GRAHAM:

31 That would be good. And Charlie Chew, I can see that red light
32 burning. You get off my back. Thank you, Mr. President.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1 Proceed. Senator Wooten.

2 SENATOR WOOTEN:

3 A question of the sponsor of the amendment.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator McCarthy indicates he will yield.

6 SENATOR WOOTEN:

7 Senator McCarthy, do they not now have collective bargaining
8 in the City of Chicago?

9 SENATOR McCARTHY:

10 That is my understanding.

11 SENATOR WOOTEN:

12 How long have they had that procedure in the City of Chicago?

13 SENATOR McCARTHY:

14 Well, I...the...yeah...the...the legislative memory of this Body
15 to...to the contrary does not...not...the legislative history of this
16 Body does not run to the contrary notwithstanding.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Senator Wooten.

19 SENATOR WOOTEN:

20 I missed that somehow. It's about ten years or so, is it not?
21 Okay fine. I understand the regulations and so on that cover it are
22 in a booklet with about so thick. Is that correct?

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator McCarthy.

25 SENATOR McCARTHY:

26 Yes, your understanding is the same as mine.

27 SENATOR WOOTEN:

28 I believe that almost everything we have relating to schools as
29 well as other things are incorporated in separate statutes, one for
30 Chicago, one for downstate. Is that not correct?

31 SENATOR McCARTHY:

32 That's my understanding, Sir.

33 SENATOR WOOTEN:

1 Can you tell me then what is so revolutionary in this amendment
2 that goes contrary to the action of the legislature for lo these
3 many years passed?

4 SENATOR McCARTHY:

5 I don't know that there's anything revolutionary that runs con-
6 trary to the actions of this Body for the many years, in fact, it's
7 consistent with this Body in an earlier treatment of a bill where the...
8 this similar amendment, or an identical amendment, was adopted.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Senator Wooten.

11 SENATOR WOOTEN:

12 Oh, he said in surprise. I would have gathered from what had gone
13 before that what we are attempting to do by this amendment is something
14 revolutionary and radical, but instead, as has been clearly brought out
15 in this little dialogue, it is entirely consistent with what we have
16 done in the past, and I cannot understand the passion that this amend-
17 ment has engendered.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Senator Bruce.

20 SENATOR BRUCE:

21 Well, I thank you, Mr. President, members of the Senate, I joined
22 your party late this morning, but I understand we're on the amendment
23 that would remove the City of Chicago from coverage of 2074. In my
24 own mind, there is no real controversy involved. Since whether this
25 is adopted or not, collective bargaining will continue in Chicago. Mr.
26 President, could I have just a semblance of order, not order, but just
27 a semblance thereof.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 We've been trying for a little bit, and getting none. Now, let's
30 try for a lot. Proceed.

31 SENATOR BRUCE:

32 Well, my point is that when this amendment is adopted, there will
33 be, in fact, collective bargaining in Chicago. Those of the other party

1 that absolutely abhor the idea of collective bargaining being mixed
2 in with teachers and education will not be able to prohibit it. It
3 will continue. What we are saying by the Amendment No. 2 to 2074 is
4 that when you have two parties who have entered into a mature...
5 collective bargaining relationship, why disturb that by new rules
6 until you find out how the new rules operate. We are going to have
7 enough difficulty and enough to do with managing collective bargaining
8 in the other regions of the State of Illinois without including...
9 without including the City of Chicago. The City happens to have the
10 largest school district in the State of Illinois. They already have
11 difficulties and problems. Seems to me they've developed their collective
12 bargaining relationship. They have a union. They meet. Their contract
13 that I have read, I think runs in a small booklet about sixty or eighty
14 pages in length, grievance procedures, arbitration of issues, the way
15 they hire and fire all set forth in contract, lay-offs, reductions in
16 staff, are all handled by contract. It seems to me only appropriate since
17 they've already developed such a mature relationship that we allow them
18 to continue, and we allow the downstate schools who have not developed
19 this maturity their first step, and we exclude Chicago from coverage
20 in the beginning. Thank you.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Senator Mitchler.

23 SENATOR MITCHLER:

24 Mr. President and members of the Senate, there was a dialogue
25 between Senator Wooten and Senator McCarthy about what the collective
26 bargaining agreement is with the appointed school board for the City
27 of Chicago and the employees in the Chicago school board system. I'd
28 like to ask Senator McCarthy, and you can answer this yes or no, Senator,
29 does that little book referred to about being so thick, or whatever it
30 is, does that provide for the right of employees in the Chicago Board
31 of Education jurisdiction and teachers the right to strike?

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Senator McCarthy, you can answer yes or no.

1 SENATOR MCCARTHY:

2 Yes, I...I haven't committed...I haven't committed to rote the
3 contents of that book because by this amendment, I hope to make that
4 question of yours mute. By adoption of this amendment, you can read
5 that book and determine the answer to that question, Sir.

6 SENATOR MITCHLER:

7 Well, in my understanding, the answer to the question would be no,
8 that the...there is no agreement. Unless somebody can correct me on
9 this and challenge my statement, there's no agreement between the Chicago
10 Board of Education. It is appointed by the Mayor of the City of Chicago,
11 and the school teachers in the Chicago Board of Education system pro-
12 viding for the right to strike of the teachers. And, therefore, this
13 legislation, that we're considering, House Bill 2074, which does, in
14 fact, provide for a right to strike would be excluding the Chicago Board
15 of Education teachers from that right, and if we believe in the ultimate
16 decision on the action of House Bill 2074 that teachers do have the
17 right to strike, the exclusion of that right and privilege for the
18 teachers who are part of the Chicago Board of Education system, it
19 would be wrong to exclude them from that right and give that right to
20 downstate teachers outside of the City of Chicago. And that point
21 alone should call for the defeat of the amendment that you propose
22 to House Bill 2074, Senator McCarthy, because if those that ultimately
23 vote for a right to strike for teachers is now contained in House Bill
24 2074 believe in that right, that right should not be excluded from the
25 teachers in the Chicago Board of Education school system, and therefore
26 on that basis, the amendment that's proposed by Senator McCarthy to
27 House Bill 2074 should be soundly defeated.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator Soper.

30 SENATOR SOPER:

31 Thank you, Mr. President. Senator McCarthy, as Senator Mitchler
32 stated, and it's really true what he did say, that under the...under
33 the contracts in the City of Chicago teachers do not have a right to

1 strike. Now, you propose this amendment and Senator Bruce states that
2 because of the fact that all of the...all of the elements in your bill
3 are contained in a contract between the teachers and the Board of Educa-
4 tion of the City of Chicago that this amendment...is necessary because
5 of the fact that it's not necessary to include the City of Chicago. Now
6 you know, many times you coming from southern Illinois, you stated what's
7 good for southern Illinois is good for Cook County. Many times when
8 Cook County or the City of Chicago is eliminated from a bill the hue
9 and cry was to the effect that if this is good for the hundred and one
10 counties why isn't it good for the other county? Now, it seems to me
11 that by eliminating the City of Chicago you're either trying to accom-
12 plish one of two things. You're either trying to pass a bad bill and
13 bind elected school boards in every city and every community in the
14 State of Illinois except the City of Chicago where they have an appoint-
15 ed school board. Now, you know and I know that if you're going to have
16 a system that's going to work, it must accommodate the school teachers
17 through the whole State. It must accommodate the school boards through
18 the whole State. It must accommodate the school boards, because the
19 school boards represent the people. The people in the various districts
20 elect the school boards and they give them the authority to bargain and
21 to set salaries and do various things that you want to eliminate. Now,
22 if you're going to eliminate those in a hundred and one counties and
23 the suburban area, the County of Cook, what's so wrong with eliminating
24 them in the biggest school district in the State that has more pupils
25 in that school district than all the other school districts combined in
26 the State of Illinois. I say what's good for the hundred and one count-
27 ies and the townships outside the City of Chicago should be good for
28 the City of Chicago. And I think that my colleagues from the City of
29 Chicago will agree to that. Why should...why should Oak Park, why
30 should Riverside and Senator Welsh, Senator Welsh from Oak Park, you
31 see I talked to Senator Welsh and all of a sudden I get the red light
32 from...where did you come from, Breese from...Senator...

33 SENATOR WELSH:

1. The original windy city...

2. SENATOR SOPER:

3. ...the original windy city - Breese we call it. I see Senator

4. Knuppel here from Petersburg - Virginia...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator, your time is about expired, in fact, it has expired.

7. SENATOR SOPER:

8. I wanted...I wanted to have that question answered by Senator

9. McCarthy.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator McCarthy. Proceed.

12. SENATOR McCARTHY:

13. Well, I...I...the question...the precise question may have escaped

14. me, but I think I got the general implication of...of the Senator's...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Just a moment...just a moment. Senator Soper, for what purpose

17. do you arise?

18. SENATOR SOPER:

19. Well, Mr. President, if the precise question has escaped him. I'll

20. repeat it.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Your time has expired, Senator.

23. SENATOR SOPER:

24. I... I know, but I'm entitled to an answer to my question. Am I

25. not, Mr. President?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Oh, indeed.

28. SENATOR SOPER:

29. All right. I'd like to have an answer to the question. You

30. can't answer this one yes or no.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator, I'm going to break the rules a little bit. What was the

33. question?

1 SENATOR SOPER:

2 I'll repeat it. Thank you very much. Now, Senator, ...

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 This time it won't.

5 SENATOR SOPER:

6 Senator...Senator Donnewald, Mr. President, I say this that the
7 City of Chicago, the school districts there, comprises as many school
8 children, as many pupils, as the hundred and one counties and the
9 territory outside the City of Chicago. I say that if in the past you
10 have...advocate of what's good for the hundred and one counties is
11 good for Cook County. What's good for the towns and cities throughout
12 the State of Illinois is good for the City of Chicago, and I want to
13 know what your philosophy is at this time and if Senator Netsch wants
14 to get in the program, I don't think...I don't think that my friend
15 McCarthy is...Senator McCarthy has four ears. He can't listen to me
16 and listen to the Senator. I don't want to go through this again and
17 repeat it.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 I don't want you to either, Senator.

20 SENATOR SOPER:

21 ...I'll start from...I'll start from the beginning, if I can get
22 some attention here.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 I think the question is clear to him now. Senator McCarthy, you
25 understand the question. So you may respond.

26 SENATOR MCCARTHY:

27 Yes, the answer is yes.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator Nimrod. Senator Nimrod, you're next.

30 SENATOR NIMROD:

31 Mr. President and fellow Senators, I would like to ask a question
32 of the sponsor.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1. He indicates he will yield. If he can hear.

2. SENATOR NIMROD:

3. Senator...Senator McCarthy, are you aware of any other school
4. board which has a similar guidelines that they have passed for purpose
5. of collective bargaining?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator McCarthy.

8. SENATOR McCARTHY:

9. No.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. I might call to your attention that there are probably several
14. hundred school boards that have both formal and informal written
15. guidelines for collective bargaining with the school boards in the
16. State of Illinois. Can you tell...since you're unaware of any other
17. school boards, I'm just wondering if you might have the information
18. there to tell me what is different about the guidelines for collective
19. bargaining that the City of Chicago has that the other school boards
20. downstate have?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator McCarthy.

23. SENATOR McCARTHY:

24. Yes, I think Senator Nimrod is really added a great contribution
25. to this dialogue here. He has set forth before the Chamber the fact
26. that there are several hundred other school boards that have guidelines,
27. but it is a fact, I believe, that those guidelines are different, so
28. that you have several hundred different school boards in the State of
29. Illinois outside of the...the City of Chicago operating under different
30. guidelines. And so what this legislation attempts to do is to number
31. one, remove the City of Chicago which does not have several hundred
32. guidelines, but only one set of guidelines, and to set up a State
33. authority so that there should be some uniformity throughout the other

1 part of the State of Illinois.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Nimrod.

4 SENATOR NIMROD:

5 Then, Senator McCarthy, what you are proposing is to have one
6 set of rules for downstate and a rule that's made by their own board.
7 In other words, the rule that's going to be made for downstate schools
8 which have several hundred of them that have guidelines, what you are
9 proposing is to make a State law out of it, but you want to exempt
10 the City of Chicago from having a State law for the same kind of school
11 board. It seems to me that your logic is inconsistent.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Senator McCarthy.

14 SENATOR McCARTHY:

15 The answer to your question is yes, and I can't really get into
16 a dialogue as to whether or not my inference is logical or yours
17 is logical. I think perhaps that's the ultimate question that will be
18 put to the Body.

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Senator Nimrod.

21 SENATOR NIMROD:

22 Just...just one final statement, Mr. President. I would say that,
23 and Senator McCarthy certainly has made it very plain, that what he is
24 proposing by this amendment is to have the downstate counties including
25 suburban Cook County under a State law and remove the City of Chicago
26 so that at their own discretion they may by their own school board rules
27 and regulations decide what kind of collective bargaining procedure
28 there would be. This is highly inconsistent. I say that there ought
29 to be one system for all of the school children, for all of the school
30 boards, and either none of them ought to come under the rule, in order
31 to be representative, which I believe by their own elected officials, or
32 there ought to be one for the entire State.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1 Is there further discussion? The question is shall Amendment
2 No. 2 to House Bill 2074 be adopted. Those in favor vote Aye. Those
3 opposed No. The voting is open. Have all those voted who wish? Take
4 the record. On that question, the Ayes are 29, the Nays are 23, none
5 Voting Present. House...the Amendment No. 2 to House Bill 2074 is a-
6 dopted. Are there further amendments? Amendment No. 3, Senator
7 McCarthy.

8 SENATOR MCCARTHY:

9 Yes, Amendment No. 3 is a three line omission in the printed
10 bill which I seek to attach to make it gramatically correct. I represent
11 that...or I mean...not only gramatically correct but it's actually a tech-
12 nical amendment where there were three lines that were left out of the
13 bill, and I would move that those three lines be put in by the motion
14 to adopt Amendment No. 3.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Is there further discussion? Senator Fawell.

17 SENATOR FAWELL:

18 I'm sorry, Senator, but is there a copy of the amendment here?
19 I...

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Harris.

22 SENATOR HARRIS:

23 Well, Senator McCarthy, I think in all fairness, this amendment
24 does have some very significant impact. Does it not provide for the
25 promulgation of rules and regulations, which in this very sensitive,
26 very complex field, ought to have more explanation than the fact that
27 it adds three lines?

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator McCarthy.

30 SENATOR MCCARTHY:

31 Well, that's part of the bill as it was ordered drafted. Now...
32 yeah they left out three lines is what it is. It's a technical
33 amendment. It provides for rule making power, but I think that's the

1 question Senator Harris that perhaps you really could, you know,
2 get to on the order of 3rd reading on the bill itself.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Well, Senator McCarthy, is it your desire to proceed with Amend-
5 ment No. 3?

6 SENATOR McCARTHY:

7 Unless there's substantial argument against it. I'd like to
8 move its adoption.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 The motion is to adopt Amendment No. 3. All those in favor
11 indicate by saying Aye. Those opposed No. The...Senator Fawell.
12 You wish a roll call?

13 SENATOR FAWELL:

14 I...I...Mr. President, I haven't even had time to try to fit
15 this wording in. I don't... it may be a very innocuous amendment,
16 as the Senator...could I have just a few minutes where I can try
17 to put the two together?

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Senator McCarthy.

20 SENATOR McCARTHY:

21 Let me offer this to Senator Fawell. Let's adopt the amendment.
22 Well, let's do this. If he wants to wait for a minute until he...until he
23 fits it in, that's all right. I want...I want to dispose of this on 2nd
24 reading. I think there's been a couple of things that have been accom-
25 plished here this morning. One is we've adopted the amendment excluding
26 the City of Chicago, number two, you seem to have a lot of members
27 of the Body here ready to go on to other items of business, and...

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Very true, Senator.

30 SENATOR McCARTHY:

31 So rather than stall out the other business, I don't want to fore-
32 close Senator Fawell, except to say that amendment has been laying on
33 that desk up there for, since last Wednesday.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Well it is your desire to advance the bill and then bring it
3. back to...

4. SENATOR McCARTHY:

5. Well, I...it's...Senator Fawell...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Fawell indicates that he might be ready. Senator Fawell.

8. SENATOR FAWELL:

9. Well, I gather, this simply says you have rule making power the
10. State Board has, and I think it's rather vague, but I...I suppose it
11. ...it isn't going to change. The bill is catastrophic enough as it
12. is, and it isn't going to make much of a change here at all.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Then Senator McCarthy moves that Amendment No. 3 be adopted. All
15. those in favor indicate by saying Aye. Those opposed No. The Ayes
16. have it. The amendment is adopted. Are there further amendments?
17. 3rd reading. House Bill, on the order of 2nd reading, House Bill
18. 2099, Senator Latherow. Read the bill.

19. SECRETARY:

20. House Bill 2099.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator...are there amendments? Just a moment. Senator Latherow.

25. SENATOR LATHEROW:

26. Well, Mr. President, I'd like to call Senator Netsch's attention.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Netsch.

29. SENATOR LATHEROW:

30. This bill passed out of committee on the agreed list with the
31. possibility...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Just a moment.

1 SENATOR LATHEROW:

2 ...with the possibility...

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Can we please have order? Proceed.

5 SENATOR LATHEROW:

6 ...with the possibility of an amendment to be offered to it, and
7 it calls for nine percent on the hospital...county hospital bonds...
8 revenue bonds, and there was a possible amendment to...of eight percent.
9 Now, I don't know whether anyone wants to offer that or not, Mr. Presi-
10 dent. I...

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator, we can move it to 3rd, if there are no other amendments,
13 we can move it to 3rd with the understanding that we can bring it back
14 for the purpose of amendment. Are there further amendments to House
15 Bill 2099? Senator Fawell. 3rd reading. Senator McCarthy.

16 SENATOR MCCARTHY:

17 Yes, Mr. President, to the subject of 2074, there still remain
18 unresolved the fact that Amendment No. 1 had heretofore been defeated.
19 Now, as I understand it, it takes a majority, constitutional majority
20 in order to suspend the rules to reconsider that.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 That is correct.

23 SENATOR MCCARTHY:

24 So, now, the House Bill 2074 is on 3rd reading, I'd like to
25 suspend the rules to bring it back again to 2nd reading for the
26 purpose of deferring to Senator Savickas to suspend the rules to
27 reconsider the amendment by which...to reconsider the vote by which
28 Amendment No. 1 was adopted.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Well, first, Senator, do you ask leave to bring the back to the
31 order of 2nd reading?

32 SENATOR MCCARTHY:

33 Yes, I asked...

1 PRESIDING OFFICER: (SENATOR DONNEWALD)
2 Is there leave...
3 SENATOR McCARTHY:
4 ... to suspend the rules for that purpose.
5 PRESIDING OFFICER: (SENATOR DONNEWALD)
6 No. You don't...
7 SENATOR McCARTHY:
8 All right.
9 PRESIDING OFFICER: (SENATOR DONNEWALD)
10 Is there leave to bring the bill back to the order of 2nd reading?
11 Leave is granted. Now, Senator Savickas, the bill is now on the order of
12 2nd reading. Senator Savickas. Senator...
13 SENATOR SAVICKAS:
14 Yes, ...
15 PRESIDING OFFICER: (SENATOR DONNEWALD)
16 ...Savickas moves to suspend the rules...
17 SENATOR SAVICKAS:
18 ...the rules...
19 PRESIDING OFFICER: (SENATOR DONNEWALD)
20 ...for the...for the purpose of reconsidering the vote by which...
21 SENATOR SAVICKAS:
22 ...by which Amendment No. 1 failed.
23 PRESIDING OFFICER: (SENATOR DONNEWALD)
24 ...Amendment No. 1 was defeated.
25 SENATOR SAVICKAS:
26 Right.
27 PRESIDING OFFICER: (SENATOR DONNEWALD)
28 All those in...all those in favor...
29 SENATOR SAVICKAS:
30 Aye.
31 PRESIDING OFFICER: (SENATOR DONNEWALD)
32 ...of suspending the rules vote Aye. Those opposed No. The
33 voting is open. The motion is to suspend the rules. Senator...

1 Senator Graham, there is a caucus immediately behind you, and I...I
2 can appreciate the fact that you cannot hear. I can't either. For
3 what purpose does Senator Bruce arise?

4 SENATOR BRUCE:

5 Well, aren't we suspending the rules to go back to pick up
6 Senator Fawell's amendment that he proposed that we put on?

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 No.

9 SENATOR BRUCE:

10 Well, I think that if you check your record, it's the one
11 that he drafted and proposed be added to the bill, and we took it
12 and added it on, it was a mistake in the adoption. I think that's
13 what we're under...what is under consideration.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 We are considering Amendment No. 1 which was defeated.

16 SENATOR BRUCE:

17 I believe if you would check, that was the content of Senator
18 Fawell's amendment that we drafted and introduced.

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Well, I...

21 SENATOR BRUCE:

22 I just thought we ought to make it clear.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 I think you're a little ahead of yourself, Senator. What we're
25 trying to do...

26 SENATOR BRUCE:

27 I...I know I am, Mr. President.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 I'm try...the motion...the motion is to suspend the rules. I've
30 asked for a roll call vote. All those in favor of suspending the rules
31 indicate by voting Aye. Those opposed No. The voting is open. This
32 requires thirty votes. Have all those voted who wish? Take the record.
33 On that question, the Ayes are 33, the Nays are 17, 1 Voting Present.

1 The rules are suspended. Senator Savickas moves, having voted on
2 the prevailing side of Amendment No. 1 to House Bill 2074, moves
3 to reconsider the vote by which that was defeated. All those in
4 favor indicate by saying Aye. Those opposed No. The Ayes have it.
5 The matter is...reconsidered. Senator Savickas...Senator McCarthy,
6 I'm sorry.

7 SENATOR MCCARTHY:

8 Yes, Mr. President, I now move for the adoption of Amendment
9 No. 1.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Bruce.

12 SENATOR BRUCE:

13 Yes, if I might just briefly explain the amendment. It was an
14 amendment that was brought to me by Senator Fawell and developed by
15 the Illinois Association of School Boards. They pointed out in the
16 Section on elections that the language was unclear in the event that
17 the choice "no representative" received the majority vote. It
18 was unclear - the next sentence says - there will be a run-off between
19 the two labor representatives receiving the most votes. Obviously,
20 if the choice no representative got a majority vote, there should not
21 be a run-off between the two highest labor representatives. What the
22 amendment, proposed by Senator Fawell, and I believe it's a good amend-
23 ment, clarifies that in the event the choice of no representative re-
24 ceives a majority vote, there will not, in fact, be a run-off election
25 between any two labor representatives receiving the next highest vote.
26 It's an excellent amendment, and I think it clarifies the language.
27 No one ever assumed it would be used that way, but I think it's good.
28 It's very perceptive on the part of Senator Fawell to catch that. It
29 ought to be adopted.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Is there further discussion? The question is shall Amendment No. 1
32 ...just a moment. Senator Fawell. Will the members please be in their
33 seat and quiet. Senator Fawell, proceed.

1. SENATOR FAWELL:

2. I don't...I don't where I got credit for this amendment, but
3. Senator Bruce apparently is under the illusion that I...I did create
4. it. I don't recall that...I do think though that the amendment is
5. not a bad amendment. The...I gather that this is a...this is so, and
6. personally I don't have any objection to the wording here. Just wanted
7. to make that clear.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. The question is shall Amendment No. 1 be adopted. Those in favor
10. indicate by saying Aye. Those opposed No. The Ayes have it. The
11. amendment is adopted. Are there further amendments? 3rd reading.
12. Senator Fawell. Senator Fawell, if we could have some order, I could
13. hear you and everybody else could.

14. SENATOR FAWELL:

15. Well, just as a matter of personal privilege. I...I don't...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. State your point.

18. SENATOR FAWELL:

19. I don't want to take the time of the Body. I have a number of
20. amendments. I simply for the record would like it to show that I...
21. I would...I have asked the sponsors of this legislation for their
22. attitude in regard to the elimination of the Agency Shop Provisions
23. which would make it clear that...that no teacher could be forced to
24. join a union or be forced to have involuntarily their dues taken away,
25. and also my amendments that deal with the right of a court to enjoin
26. a strike when it is clear and convincing evidence that it is contrary
27. to the public health and welfare and safety. Sponsor of the legislation,
28. I think will concur that they have said that they will resist these
29. amendments as they did before, and I see no reason at this point there-
30. fore to again present them. But for the record, I want the record to
31. show that this is still my very resolute view that these types of amend-
32. ments plus many others that others have to present ought to go in, but
33. in the...in the interest of time, I am not going to present them. Thank

1 you, Mr. President.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 The record will so show. 2160, Senator Brady. You wish to move
4 it? Move the bill.

5 SECRETARY:

6 House Bill 2160.

7 (Secretary reads title of bill)

8 2nd reading of the bill. No committee amendments. One Floor amend-
9 ment offered by Senator Brady.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Brady.

12 SENATOR BRADY:

13 Yes, Mr. Chairman, fellow Senators, there's a Floor amendment
14 offered. It was distributed this morning. Since House Bill 2160
15 eliminates the Board of...Vocational Educational and Rehabilitation,
16 the amendment is necessary if the administration of Vocational Rehabili-
17 tation is to be re-established at the State level. I'll answer any
18 questions.

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Is there further discussion? Senator Howard Mohr.

21 SENATOR MOHR:

22 I wonder if the sponsor would be good enough to hold that for
23 just a few minutes, if we could get back to it.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 He indicates he will. Take it from the record. House Bill 2204,
26 Senator Vadalabene. You wish it advanced? Read the bill.

27 SECRETARY:

28 House Bill 2204.

29 (Secretary reads title of bill)

30 2nd reading of the bill. The Committee on Appropriations offers one
31 amendment.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Senator Vadalabene.

1 SENATOR VADALABENE:

2 I move for the adoption of the committee amendment.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Is there further discussion? The question is shall Amendment No.
5 1 to House Bill 2204 be adopted. All those in favor indicate by saying
6 Aye. Those opposed No. The Ayes have it. The amendment is adopted.
7 Are there further amendments? 3rd reading. House Bill 2263, Senator
8 Vadalabene.

9 SECRETARY:

10 House Bill 2263.

11 (Secretary reads title of bill)

12 2nd reading of the bill. No committee amendments.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Are there amendments from the Floor? 3rd reading. House Bill
15 3...2355, Senator Netsch. Read the bill.

16 SECRETARY:

17 House Bill 2355.

18 (Secretary reads title of bill)

19 2nd reading of the bill. The Committee on Insurance and Licensed
20 Activities offers one amendment.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Senator Netsch.

23 SENATOR NETSCH:

24 Mr. President, as the bill now exists, it has two basic purposes.
25 One is a name change of the Department of Registration and Education
26 to the Department of Consumer Affairs and Licensing. The second has
27 to do with adding some additional public members to the Nursing Home
28 Administrators Board so that we do not jeopardize some ninety-two
29 million dollars in Federal Funds. The committee amendment relates to
30 the first objective and it adds a number of references to the creation

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 Could we break up all the conferences on both sides of the aisle
33 and be in our seats? Proceed.

1 SENATOR NETSCH:

2 When the Reference Bureau initially drafted the amendment, they
3 just simply left out a huge number of references to that department
4 that would also have to be changed in connection with a name change.
5 So the committee amendment relates to that aspect of it. There is
6 one additional thing that had to do with, I think it was the veteri-
7 narian licensing board that the Reference Bureau said was redundant
8 and they took the opportunity to make that correction. That, as far
9 as any of us understand, has no substantive in-put. I would move
10 the adoption of the committee amendment.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Is there further...Senator Harris.

13 SENATOR HARRIS:

14 Yes, I very much want to debate this amendment. The effect of
15 this amendment, if adopted, and ultimately passed, would provide a
16 sham and nothing more. I have Amendment No. 2 on the Secretary's
17 Desk which would, in fact, cure the two problems that Senator Netsch
18 has alluded to. And those two problems are quite correctly our
19 requirement under the pressure of big brother to put a public member
20 on the Nursing Home Administrators Advisory Board, a public member.
21 Fine. No problem with that, and I would agree that clarification of
22 that Section in the Veterinarians Licensing Act of representatives
23 of a specific veterinary school properly should be deleted from that
24 Act. Fine. But the rest of this amendment proceeds to name this
25 department as the Department of Consumer Affairs and Licensing, and
26 I suggest to the membership that that is a...a sham and a facade. This
27 department has the responsibility to administer regulation and licens-
28 ing and that's what it's all about. And to name it, the Department of
29 Consumer Affairs is phoney. Now, there is a very minimal provision in
30 the budget for a Section or Division in this department for a consumer
31 advocate. Okay. For that very minimal amount of money, I would sug-
32 gest that it is ridiculous to go to the business of reprinting every
33 bit of identification of this department in a new name which is really

1 meaningless. So I would urge the membership to Table Amendment No.
2 1, which motion I will make when there has been an opportunity for
3 everyone to respond to this, and then I will offer Amendment No. 2
4 which then will qualify us, if adopted, for the ninety-two million
5 in Medicaid payments and the language curing of the Veterinary
6 Registration Act. I do intend to move to Table Committee Amendment
7 No. 1, and will withhold that motion until those who want to debate
8 this question have an opportunity to do so.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Is there further debate? Senator Nudelman.

11 SENATOR NUDELMAN:

12 Thank you, Mr. President. I would most heartily support Senator
13 Harris' motion, and I would also ask for a little quiet around here
14 so I can hear myself.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 I'm going to ask a lot quiet and I wish that the conferences
17 would break up. They just broke up on that side. Now the rest of
18 them in the back of the aisle. Would the Sergeant-at-Arms clear the
19 aisle in the immediate back of the Chamber? You may proceed.

20 SENATOR NUDELMAN:

21 Thank you, Mr. President. As Senator Harris has said, there may
22 be some need for the change in the structure of one of these committees
23 or commissions by adding a person from the outside of government, and
24 we are all agreed that should be done and it poses no problem. But
25 I think the rest of the purport of this legislation is a sham and I
26 think we should watch for it. The purpose of the...of the Department
27 of Registration and Education is just what the title says. It regis-
28 ters, licenses and educates in various areas. It sets rules. It sets
29 regulations in specific areas, tree-trimmers, physicians, accountants,
30 funeral directors and whatnot and whatnot and whatnot, each a specific
31 profession and each profession regulated and licensed by the Department.
32 To call this department a Department of Consumer Affairs would be a
33 complete misnomer and I would suggest to you, Ladies and Gentlemen, that

1 someday, and hopefully soon, this...this State will have a real
2 Department of Consumer Affairs and we won't be able to call it that.
3 To call this department the Department of Consumer Affairs is going
4 to confuse the public, is going to create problems for the department,
5 because people will be sending them problems and questions which they
6 are not qualified to cope with, and they will have to...refer them to
7 other departments of Government. I strongly urge the defeat of the
8 Netsch Amendment and the support of the Harris Amendment will do just
9 what should be done in this area. Thank you.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

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

12 SENATOR NETSCH:

13 Mr. President, the issue is fairly simple. It is whether the
14 name of the Department of Registration and Education will be changed
15 to the Department of Consumer Affairs and Licensing. There is no
16 question that its present name is also a sham because while it does
17 do a good deal of registering, it certainly does no educating at all.
18 I would suggest to Senator Harris and those who take a contrary view
19 that the most important thing perhaps about changing the name of this
20 department to the Department of Consumer Affairs is to try to make the
21 point to the department, as well as to all of us, that the whole purpose
22 of licensing should be with the good of the consumer in mind. I, as
23 many of you have heard me say over and over again, and I am sure will...
24 I will continue to say it, licensing has come to be primarily a matter
25 economic self-protectionism for the occupation, business, industry,
26 whatever that is licensed. That is a complete abuse of the important
27 police power of the State to license and regulate. There is only one
28 justification for licensing and that is the protection of the consumer.
29 I think it's about time that we...that the people in this State and
30 the department itself should accept the fact that the only purpose for
31 its being, the only purpose that it has in, and the only objective it
32 should have, in administering all of the licensing statutes that it has
33 is protection of the consumer. This name change will drive that point

1. home sharply, clearly, and hopefully for all times.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Well, the motion is to adopt Amendment No. 1, and Senator Harris,
4. your motion is to...to Table Amendment No. 1. Of course, I think that's
5. an effort in futility, but we'll go with you. All right. The...the
6. question is shall Amendment No. 1 be Tabled. Those in favor vote Aye.
7. Those opposed No. The voting is open. Have all those voted who wish?
8. Take the record. On that question, the Ayes are 40, the Nays are 12.
9. The amendment is Tabled. Amendment No. 2, Senator Harris.

10. SENATOR HARRIS:

11. Now, Mr. President, I move the adoption of Amendment No. 2 which
12. strikes all the language in the bill which would change the name of
13. the department, but it does add the public representative to the Nursing
14. Home Administrators Licensing Act, and deletes that language in the
15. Veterinary Registration Act that the department wishes to have deleted.
16. I move the adoption of Amendment No. 2.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? The question is shall Amendment No.
19. 2 be adopted. All those in favor say Aye. All those opposed. The
20. Ayes have it. The amendment is adopted. Are there further amendments?
21. 3rd reading. House Bill 2559, Senator Hynes. Read the bill.

22. SECRETARY:

23. House Bill 2559.

24. (Secretary reads title of bill)

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

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Hynes.

29. SENATOR HYNES:

30. The amendment...the amendment reduces the appropriation to one
31. hundred thousand dollars, and I'd move its adoption.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? The question is shall Amendment No. 1

1. be adopted. All those in favor indicate by saying Aye. Those opposed
2. No. The Ayes have it. The amendment is adopted. Are there further
3. amendments? 3rd reading. House Bill 2576, Senator Davidson. Read
4. the bill.

5. SECRETARY:

6. House Bill 2576.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. The Committee on Finance and Credit Regulations
9. offers one amendment.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Davidson.

12. SENATOR DAVIDSON:

13. Move...move the adoption of committee amendment, and the committee
14. amendment is at the request of the Real Estate Association of the State
15. of Illinois and the Home Builders Association says that the interest
16. would be paid at the time and the return of the security deposit rather
17. than each year.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? The question is shall Amendment No.
20. 1 to House Bill 2576 be adopted. Those in favor indicate by saying Aye.
21. Those opposed No. The Ayes have it. The amendment is adopted. Are
22. there further amendments? 3rd reading. House Bill 2784, Senator Egan.
23. Read the bill.

24. SECRETARY:

25. House Bill 2784.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. No committee amendments.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Berning.

30. SENATOR BERNING:

31. Mr. President, we are attempting to develop a corrective amend-
32. ment for this, which we will discuss with the sponsor, if it is moved
33. to 3rd, I'd like to have the assurance that we can recall it for the

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1 purpose of considering this amendment.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Egan. Senator Harris.

4 SENATOR HARRIS:

5 Yes, we...we have an understanding. I discussed it with Senator
6 Egan. He is...he wants to move the bill, but he will recall it tomorrow
7 when we have a combined amendment to take care of two problems, and
8 we'll give her a run tomorrow.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Are there further amendments? 3rd reading. House Bill 3035,
11 Senator Vadalabene. Read the bill.

12 SECRETARY:

13 House Bill 3035.

14 (Secretary reads title of bill)

15 2nd reading of the bill. No committee amendments.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Are there amendments form the Floor? 3rd reading. House Bill 34...
18 3047, Senator Knuppel. You wish to move it? Read the bill.

19 SECRETARY:

20 House Bill 3047.

21 (Secretary reads title of bill)

22 2nd reading of the bill. No committee amendments.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Knuppel.

25 SENATOR KNUPPEL:

26 It's my understanding that Ben Palmer has an amendment which he
27 distributed and wants put on this bill. Is that right, Senator Palmer?

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Mr. Secretary, is there an amendment filed by Senator Palmer or
30 anyone else? There is. Senator Palmer.

31 SENATOR PALMER:

32 House Bill 3047 provides for hearing for...principals in case
33 of discharge for principals...outside the Chicago area. What this

1 amendment does is provide the same principles of...provisions of
2 House Bill 347 to the principals of the City of Chicago Board of
3 Education, and I ask for the adoption of the amendment.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Glass.

6 SENATOR GLASS:

7 Well, thank you, Mr. President. I must oppose this amendment
8 in it's present form. We discussed this in committee and I certainly
9 agree with Senator Palmer that the bill can be amended so that...it
10 will apply to the downstate principals and the Chicago principals on the
11 same basis. But the amendment he is offering does not do that, and
12 it provides some different procedures which are substantive, and so
13 I've talked to him, and I would appreciate it if he'd hold this bill
14 long enough so that we can resolve the differences and put the down-
15 state and Chicago principals in the same categories. And we will have
16 the amendment ready shortly.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Is it your desire to hold the bill, Senator Knuppel? You are
19 the principal sponsor.

20 SENATOR KNUPEL:

21 Well, it's Senator Palmer's amendment. Now, if he's willing
22 to hold the amendment, I'd like to advance it to 3rd with the explicit
23 understanding that it will be brought back to 2nd reading.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Senator Palmer, is that agreeable with you? Senator ParTEE, for
26 what purpose do you arise?

27 SENATOR PARTEE:

28 Well, not to help Senator Palmer make his decision, but certainly
29 to advise everybody that Thursday is the final day for getting House
30 Bills off this Calendar, and if you keep holding and holding, you're
31 going to find yourselves with a bill that's unpassable. We're going
32 to work, while I'm on my feet, let me say we're going to work tonight,
33 tomorrow night, and Thursday night, because the House Bills have to be

1. cleared off the Calendar by Thursday.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Palmer.

4. SENATOR PALMER:

5. Mr. ...Mr. President, members of the Senate, the...staff has
6. put a great deal of in-put on this amendment to do exactly what I
7. have expressed the amendment to do. I do not find anywhere in the
8. amendment the objections set forth by Senator Glass, however, I will
9. give him this promise that if he does prove to myself and the staff
10. that there are some...his objections are proper that I will bring it
11. back or...or I think Senator Knuppel will agree to bring it back to...
12. to change the amendment. We will do that.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. You...you are...

15. SENATOR PALMER:

16. I do not see it now, and I ask that this amendment be adopted.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. All right. The motion is to adopt Amendment No. 1 to House Bill
19. 3047. All those in favor indicate by saying Aye. Those opposed No.
20. The Ayes have it. Roll call is requested. All those in favor vote...
21. indicate by voting Aye. Those opposed No. The voting is open. Have
22. all those voted who wish? Take the record. On that question, the Ayes
23. are 31, the Nays are 17. Amendment No. 1 is adopted. Are there further
24. amendments? 3rd reading. House Bill 3049, Senator Carroll. Move
25. the bill.

26. SECRETARY:

27. House Bill 3049.

28. (Secretary reads title of bill)

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

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Are there amendments from the Floor? 3rd reading. Now, we're
32. going to go back to the...just a moment. House Bill 3050, Senator
33. Bruce. House Bill 3087, Senator Shapiro. Read the bill.

1 SECRETARY:

2 House Bill 3087.

3 (Secretary reads title of bill)

4 2nd reading of the bill. No committee amendments.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Are there amendments from the Floor? 3rd reading. House Bill
7 3098, Senator Romano. Just a moment. Read the bill. Senator Romano
8 indicates that he will bring the bill back if someone requests that
9 he do so for the purpose of amendment.

10 SECRETARY:

11 House Bill 3098.

12 (Secretary reads title of bill)

13 2nd reading of the bill. No committee amendments.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Will the Sergeant-at-Arms clear the aisles, and will the members
16 please be in their seats? I want the side aisles cleared and the aisles
17 within the Chamber, within the bar cleared. Will the members please
18 be in their seats and eliminate all the caucuses, or if you want to
19 continue them, take them to the rotunda. Are there amendments from
20 the Floor? 3rd reading. House Bill 3050, Senator Bruce. Read the
21 bill.

22 SECRETARY:

23 House Bill 3050.

24 (Secretary reads title of bill)

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

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Are there amendments from the Floor? 3rd reading. We're going to
28 revert to the House Bills on 2nd reading going through the list again
29 there are several...several of the members were not present. They were
30 in committee. House Bill 3, Senator Lemke. House Bill 449, Senator
31 Dougherty. House...House Bill 736, Senator Hickey. Read the bill.

32 SECRETARY:

33 House Bill 736.

1 (Secretary reads title of bill)

2 2nd reading of the bill. No committee amendments. One Floor amendment
3 offered by Senator Schaffer.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Schaffer. Senator Schaffer, you're recognized.

6 SENATOR SCHAFFER:

7 Well, I think this is a particularly bad piece of legislation,
8 in my opinion. I think I'm going to bow to the wishes of the sponsor
9 and let her put it in the shape she wants it in which is in the shape
10 I want it in. It...that shape is not passable.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 The motion is to adopt Amendment No. 1...just a moment. Senator
13 Netsch. He, Senator, he has withdrawn the...

14 SENATOR SCHAFFER:

15 I am withdrawing that amendment which would put the bill in
16 passable shape.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Are there amendments...Senator Netsch.

19 SENATOR NETSCH:

20 There is a...an amendment which would now be Amendment No. 1
21 on that...

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 That is correct.

24 SENATOR NETSCH:

25 ...on the Secretary's Desk. This is the amendment to which Senator
26 Schaffer just referred that will help to put the bill in the form in
27 which the sponsor of the bill wants. I should briefly explain that
28 there was another bill which dealt with the same subject matter of
29 disclosure of...of shareholdings by nursing homes. Senate...I'm sorry,
30 House Bill 824 which had passed the House and come to the Senate. Rather
31 than bringing out a separate bill dealing essentially the same subject
32 matter with the agreement of all of the original sponsors and Senator
33 Hickey, we incorporated the key part of House Bill 824 into this

1 amendment which we now offer to House Bill 736. What it does briefly
2 is to add to the disclosure of shareholders, which is the heart of
3 House Bill 736, a requirement that there be a disclosure of those who
4 may, in fact, be the operators of the nursing home by contract, and
5 a second requirement that the fact...

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Will...let's break up the conferences please. Proceed.

8 SENATOR NETSCH:

9 ...and the second point is the fact of chain store operation
10 would also be part of the disclosure, so that in a sense it elaborates
11 on that the basic requirement of House Bill 736 as it is. If the
12 amendment is agreeable to the Senate sponsor of the bill, Senator
13 Hickey, to the House sponsor of the bill, and now in a sense to Senator
14 Schaffer, I would move its adoption.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Is there further discussion? The question is shall Amendment No.
17 1 to House Bill 736 be adopted. Those in favor indicate by saying Aye.
18 Those opposed No. The Ayes have it. The amendment is adopted. Are
19 there further amendments? 3rd reading. House Bill 852, Senator Joyce.
20 House Bill 1149, Senator Vadalabene. Read the bill.

21 SECRETARY:

22 House Bill 1149.

23 (Secretary reads title of bill)

24 2nd reading of the bill. The Committee on Appropriations offers one
25 amendment.

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Senator Vadalabene.

28 SENATOR VADALABENE:

29 Yes, thank you, Mr. President and members of the Senate. Committee
30 Amendment No. 1 to House Bill 1149 is an amendment to the Secretary
31 of State, Michael J. Howlett, who reduced his appropriation from the
32 General Revenue Fund by the...by six percent, and I move for its adop-
33 tion.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Is there further discussion? The question is shall Amendment No.
3 1 to House Bill 1149 be adopted. Those in favor indicate by saying
4 Aye. Those opposed No. The Ayes have it. The amendment is adopted.
5 Senator Vadalabene.

6 SENATOR VADALABENE:

7 Yes, Mr. President and members of the Senate, I have an Amendment No.
8 2 to be offered at this time also.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Just a moment. Senator Buzbee, for what purpose do you arise?

11 SENATOR BUZBEE:

12 Mr. President, I'm sorry. I was trying to get your attention
13 before the vote on Amendment No. 1. I wanted to ask Senator Vadalabene
14 a question on that, if I may? As I understand...

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 It's already been adopted, but we'll allow it. Go ahead.

17 SENATOR BUZBEE:

18 As I understand it, House Bill 1149 is the ordinary and contingent
19 expenses for the Office of Secretary of State, Michael J. Howlett.

20 Is that not right?

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 Senator Vadalabene.

23 SENATOR VADALABENE:

24 Yes. Yes, that's...yes, that is correct.

25 SENATOR BUZBEE:

26 I understand the amendment you just put on to Secretary of State
27 Howlett's budget decreased the General Revenue...rather the General
28 Revenue Appropriation amount by six percent. Is that right?

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Senator Vadalabene.

31 SENATOR VADALABENE:

32 Yes. I just stated that. That is exactly what it does.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1 Senator Buzbee.

2 SENATOR BUZBEE:

3 I see. Thank you very much, Senator Vadalabene.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Now that that's over with, Amendment No. 2. Senator Vadalabene.

6 SENATOR VADALABENE:

7 I might say in that respect that the Secretary of State offered
8 that amendment himself. Now, Amendment No. 2 that's on the Secretary's
9 Desk is the sum of four million dollars. It comes from the Capital
10 Development Fund, it does not say so in Section 18, and I would move
11 for its adoption.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Is there further discussion? Question is shall Amendment No. 2
14 be adopted. Those in favor indicate by saying Aye. Those opposed No.
15 The Ayes have it. The amendment is adopted. Are there further amend-
16 ments? 3rd reading. Senator Mitchler, for what purpose do you arise?

17 SENATOR MITCHLER:

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

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 State your point.

21 SENATOR MITCHLER:

22 In the Gallery, at the west end, is a group of students from Oswego
23 led by Tom Fletcher a teacher in the Oswego community school district.
24 I might say that Tom is also the Chairman of the Kendall County Bicen-
25 tennial Commission and doing an excellent job. These students are
26 in Springfield today visiting the House and Senate and the various
27 Capitol complex. I would like to have them please rise and be acknow-
28 ledged and introduced to the Senate.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Please rise and be recognized. House Bill 1314, Senator Joyce.
31 House Bill 1399, Senator Savickas. House Bill 1506, Senator Palmer.
32 House Bill 1588, Senator Shapiro. Read the bill.

33 SECRETARY:

1 House Bill 1588.

2 (Secretary reads title of bill)

3 2nd reading of the bill. No committee amendments. One Floor amend-
4 ment offered by Senator Shapiro.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Senator Shapiro.

7 SENATOR SHAPIRO:

8 Mr. President and Ladies and Gentlemen of the Senate, Amendment
9 No. 1 to House Bill 1588 merely changes the source of funds from
10 General Revenue to the State Boating Act Fund to implement this par-
11 ticular bill. I would urge its adoption.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Is there further discussion? The motion is to adopt Amendment
14 No. 1 to House Bill 1588. All those...all those in favor indicate
15 by saying Aye. All those opposed No. The Ayes have it. The amend-
16 ment is adopted. Are there further amendments? 3rd reading. House
17 Bill 1589, Senator Shapiro. House Bill 1732, Senator Brady. Read
18 the bill.

19 SECRETARY:

20 House Bill 1732.

21 (Secretary reads title of bill)

22 2nd reading of the bill. No committee amendments. One Floor amend-
23 ment offered by Senator Brady.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Senator Brady.

26 SENATOR BRADY:

27 Yes, Mr. President, fellow Senators. The amendment to this bill,
28 in esq^unce, is the basis of the committee bill that came across, as
29 committee bill 3109, in fact, almost replacing the language in the
30 existing bill, House Bill 1732. As you know, as we talked about before,
31 House Bill 1732 came out of committee a narrow majority. It was felt
32 by many of the members that there were some provisions which were ques-
33 tionable as to whether there was constitutionality there. The amendment

1 states simply that the only thing that would be provided in this
2 bill now is textbooks. Textbooks will be provided for every student
3 in the State of Illinois across the board. The premise for this bill
4 is that as we state in the Constitution of the State of Illinois a
5 fundamental goal of the people of the State is the educational develop-
6 ment of all persons to the limit of their capacity. Certainly one
7 way to ascertain this to the fullest of their capacity is to educate
8 them is to make sure that they have the basic tools to do this. This
9 bill would provide that. This bill specifically states that secular
10 textbooks are to be provided to all students in the State of Illinois
11 in grades kindergarten through grade twelve. This will be administered
12 through the Illinois Office of Education, and they will make up the list
13 of available books. I'll answer any questions on this..

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Glass.

16 SENATOR GLASS:

17 Thank you, Mr. President, I rise in support of this amendment.
18 As I think the membership heard, this creates a new bill, and it
19 deletes from the bill what in my judgement was clearly unconstitu-
20 tional under the Supreme Court Decisions of the United States, the so-
21 called voucher system where the State would pay directly to the parents
22 of children who attend nonpublic schools grants from the State. And
23 since that's clearly unconstitutional; I'm glad to see Senator Brady
24 putting into his bill a provision which is...

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Will the Sergeant-at-Arms clear the aisles, break up the caucuses,
27 have the members be in their seats please? Proceed, Senator Glass.

28 SENATOR GLASS:

29 Thank you, Mr. President. So that as...if this amendment is added,
30 and I urge the membership to support it, we will have a bill that at least
31 will be constitutional. The fiscal impact of which is very significant,
32 but that can be weighed separately, and I would suggest that it can be
33 discussed in terms of the other State aid to schools and considered in

1 other context, but I would hope that we would get this amendment on
2 the bill because I think it makes it a far better bill, and certainly
3 a constitutional one.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Berning. Just a moment.

6 SENATOR BERNING:

7 One question...

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 I can barely hear with the microphone.

10 SENATOR BERNING:

11 On question of the sponsor please. Is the thrust of this amend-
12 ment mandating the compulsory use of the same textbooks in all schools
13 or will there still be an option and who determines that, if there is?

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Brady.

16 SENATOR BRADY:

17 Well, Senator Berning, right now in the public schools in the
18 State of Illinois, the Illinois Office of Education provides them
19 with a list of books which are available, quite a lengthy list, I
20 might add, and they choose from that list. This list will just include
21 anybody who wants to participate in this program, does not mandate that
22 people participate in it, but it does provide that they are able to.
23 And what it...what it does say is that to participate in it, they must
24 be in compliance with the compulsory attendance laws of the State, and
25 they must use the list of the Office of Education regarding the text-
26 books that they have on their list.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Is there further debate? The question is shall Amendment No. 1
29 to House Bill 1732 pass. All those in favor indicate by saying Aye.
30 Those opposed No. The Ayes have it. The amendment is adopted. Are
31 there further amendments? 3rd reading. I've been advised that House
32 Bill 1149 did have one further amendment and the Chair recognizes Senator
33 Vadalabene.

1 SENATOR VADALABENE:

2 Yes, thank you, Mr. President, members of the Senate, I over-
3 looked Amendment No. 3 to House Bill 1149...

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Just a moment. Do we have leave to return to the order of 2nd
6 reading? Leave is granted.

7 SENATOR VADALABENE:

8 Yes.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Proceed.

11 SENATOR VADALABENE:

12 This amendment writes into the bill a figure the Secretary of
13 State supplied us as how he wants his electronic data processing line
14 item broken up into standard accounts like personal services and so
15 forth, and there is no dollar change, and I move for its adoption.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Is there further debate? Question is shall Amendment No. 3 be
18 adopted. Those in favor indicate by saying Aye. Those opposed No.
19 The Ayes have it. The amendment is adopted. Are there further amend-
20 ments? 3rd reading. Senator Partee, it's now twenty minutes till,
21 we may proceed with House Bills on 3rd reading. Senator Buzbee, for
22 what purpose do you arise?

23 SENATOR BUZBEE:

24 Well, Mr. President, before you go to that, we have one bill that
25 we do need to move today with an amendment on 1506. Could we do that
26 still on 2nd?

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Palmer's bill. Senator Palmer, House Bill, we are still
29 on the order of 2nd reading. Senator Palmer, House Bill 1506.

30 SENATOR PALMER:

31 Mr. President, I yield to Senator Buzbee who worked on this in
32 the subcommittee.

33 SECRETARY:

1 House Bill 1506.

2 (Secretary reads title of bill)

3 2nd reading of the bill. No committee amendments. One Floor amendment
4 offered by Senator Buzbee.

5 PRESIDENT:

6 Senator Buzbee.

7 SENATOR BUZBEE:

8 Mr. President, this is the subcommittee...the result of the sub-
9 committee's workings and so forth. We've worked out what we think is
10 an equitable change to the school aid formula. Allows use of either
11 the 1973, '74 Title I count or a computation of Title I students based
12 on '74, amendments to the Federal Elementary and Secondary Education
13 Act. This gets at the specific problems. It allows the City of Chicago
14 to use the count that will give them the highest State aid. It allows
15 the City of Springfield to use the count which will give them the
16 highest State aid. We think this is an equitable solution to the Title
17 I problem. Increases the amount of guaranteed assessed valuation placed
18 behind each weighted student in elementary and unit districts, and allows
19 a corresponding reduction in the maximum local tax rates in these dis-
20 tricts needed to receive the maximum funding under the formula. It allows
21 the inclusion of the transportation tax rate and operating tax rate
22 used to compute State aid for a period of two years. It deletes the
23 existing provisions of the formula calling for a rollback of local
24 tax rates where districts are above the maximum rates prescribed in
25 existing law. It allows a single increase in taxes and unit school
26 districts by board resolution subject to a backdoor referendum of
27 five cents in the education and building and maintenance funds com-
28 bined. It allows an increase in the percentage you add on for school
29 aid computed in those two hundred odd districts still under the Strayer-
30 Haig option of the formula. It corrects errors in the language as the
31 bill was drawn in the House, and it provides for more adequate notice
32 of the intention of unit districts to increase taxes pursuant to back-
33 door referendum. And I would move its adoption.

1 PRESIDENT:

2 Any discussion? Senator Nimrod.

3 SENATOR NIMROD:

4 Mr. President, may I ask a question from the sponsor please?

5 PRESIDENT:

6 He indicates he'll yield.

7 SENATOR NIMROD:

8 Do I understand that you are saying then that this will provide for
9 a tax rate increases without a referendum and using a backdoor refer-
10 endum, and what...and what are the provisions of the backdoor referen-
11 dum?

12 PRESIDENT:

13 Senator Buzbee.

14 SENATOR BUZBEE:

15 Yes. This of course was the biggest point of contention in the
16 subcommittee, the point that I was least willing to support, but finally
17 lent my support after it became obvious to me it was the only way we
18 could go, and that is it's a...it's a total of a nickel raise in the
19 education and building and maintenance funds combined, but with provision
20 for a backdoor referendum, it is a stronger provision than most backdoor
21 referendums. There's got to be notice published and then it's thirty
22 days after the notice that the taxpayers have to initiate the petitions
23 to bring about the backdoor referendum.

24 PRESIDENT:

25 Senator Nimrod.

26 SENATOR NIMROD:

27 In...in thirty days, what percentage of people are they have...have
28 on the signatures?

29 PRESIDENT:

30 Senator Buzbee.

31 SENATOR BUZBEE:

32 It is ten percent and fifteen...or fifteen hundred.

33 PRESIDENT:

1 Any further discussion? Any further discussion? Senator Berning.

2 SENATOR BERNING:

3 Thank you, Mr. President. I'm not qualified really to comment
4 on the amendment and its affect on the bill. This is a large again
5 amendment...in a very complex area, but, Mr. President, I would merely
6 like to go on record as here and now recommending that this Body
7 seriously consider the abandonment of the total State aid formula
8 program and our contaminate problems with general assessment equaliza-
9 tion. If we were to go to a flat grant program, we would save ourselves,
10 the taxpayers, and the school districts not only a considerable sum
11 of money but untold hours. Here we are in the throws of the last days
12 of this Session wrestling again with the very complex problems, com-
13 pounded by very complex amendments. In noway can any member of this
14 Body who has not been intimately associated with the development of
15 the amendment and the legislation have any comprehension of what it is
16 we are voting on.

17 PRESIDENT:

18 Senator Shaprio.

19 SENATOR SHAPIRO:

20 Mr. President and Ladies and Gentlemen of the Senate, I think
21 what we have to keep in mind here is that no matter how long we work
22 on an amendment of this type as an addition to the resource equalizer,
23 most of the members of the House and Senate would not understand it
24 unless they are intimately involved with the resource equalizer and
25 State aid to education. The most important thing to consider here is
26 that this is the work product of both sides of the aisle, both sides
27 of the rotunda and the members of that special subcommittee and the
28 Education Committee of the Senate has approved this amendment and I
29 do urge its adoption. The third point I want to make, it's necessary
30 to get this bill amended as several of us are suggesting so it will go
31 into a Conference Committee, and that the final result can be presented
32 to the General Assembly prior to adjournment. It's an important amend-
33 ment, and I would urge its adoption.

1 PRESIDENT:

2 Any further discussion? Senator Buzbee.

3 SENATOR BUZBEE:

4 Mr. President, I might...might add that we're just now passing
5 around a copy of the amendment. It's not the intention of the sub-
6 committee to try to pull the wool over anybody's eyes, and Senator
7 Berning, I...I agree with you entirely that this is an extremely
8 complicated subject to be broached here in the final days. I might
9 add, however, that the subcommittee has been working since about
10 February on this problem and we come up with what we think is an
11 equitable solution. The House disagrees with us, and we've been going
12 back and forth like that. So that's the reason for the offering of
13 this amendment at this late date. And we are, as a matter of fact,
14 not absolutely assured that the House is going to buy this amendment
15 as it is. We'll probably end up in Conference Committee.

16 PRESIDENT:

17 Senator Buzbee moves the adoption of Amendment No. 1 to House
18 Bill 1506. Those in favor will vote Aye. Opposed Nay. The voting
19 is open. All in favor say Aye. Opposed Nay. The amendment is adopt-
20 ed. Any further amendments? 3rd reading. Senator Brady on the Floor?
21 Are you ready with 2160? Senator Brady is recognized.

22 SENATOR BRADY:

23 Mr. President, we had an amendment offered and we would like
24 to take it to 3rd reading and bring it back to 2nd for the amendment,
25 because they cannot decide yet on the agreement of the technical language
26 of it.

27 PRESIDENT:

28 Read the bill a second time.

29 SECRETARY:

30 House Bill 2160.

31 (Secretary reads title of bill)

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

33 PRESIDENT:

*3rd reading
6-24-75*

1 Any amendments from the Floor? Any amendments at this time?
2 3rd reading...with the understanding. House Bills on 3rd reading.
3 House Bill 911, Senator Knuppel. House Bill 940, Senator Lemke.
4 House Bill 955, Senator Johns. I'm sorry. 942, Senator Buzbee.
5 House Bill 960, Senator Egan. Senator Egan.

6 SENATOR EGAN:

7 I would like leave, Mr. President, to return to the order of
8 2nd reading, Senate Bill 9...House Bill 960 for the purpose of
9 amending it.

10 PRESIDENT:

11 Is there leave? Leave is granted. Senator Egan.

12 SENATOR EGAN:

13 Yes, thank you, Mr. President and members of the Senate, I
14 offer Amendment No. 1 to House Bill 960, and this amendment, very briefly,
15 would allow for the money to be spent on capital programs...yeah, I'm
16 sorry...to be taken from bond money rather than General Revenue funding,
17 and I...I move its adoption.

18 PRESIDENT:

19 Any discussion? Senator Egan moves the adoption of Amendment
20 No. 1 to House Bill 960. All in favor will say Aye. Opposed Nay.
21 The amendment is adopted. Any further amendments? 3rd reading.
22 House Bill 964, Senator Lemke - Brady. House Bill 981, Senator Egan.
23 Read the bill.

24 SECRETARY:

25 House Bill 981.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDENT:

29 Senator Egan.

30 SENATOR EGAN:

31 Thank you, Mr. President and members of the Senate, House Bill 981
32 creates the Administrative Procedure Act for agencies of State Govern-
33 ment. It would...make uniform the procedure that...that is followed in

1 the various agencies of State Government. This bill has passed in
2 past Sessions, and there was problems with a few State agencies and
3 as a result of those problems, the bill was vetoed. However, in order
4 to alleviate the problems that arose with a few State agencies, this
5 bill contains a section which requires that the agencies not be covered
6 by the Act unless those agency and powering bills be amended in future
7 legislative Sessions, so that if the Department of Registration and
8 Education for example were to have a complaint about being covered
9 by the Act, they at that time could oppose the inclusion of their
10 agencies within the Administrative Review Act. I...I would urge your
11 favorable support. It passed the committee with only one negative vote.

12 PRESIDENT:

13 Senator Graham.

14 SENATOR GRAHAM:

15 Mr. President and members of the Senate, I, with all due respect
16 to my distinguished colleague from Chicago, I'd like to remind the
17 members of the Senate that for a couple of years, there's been an
18 ongoing committee not too vocal with a low profile, perhaps, working
19 on this very sensitive and important subject matter. We had presented
20 earlier to the Senate Committee on Judiciary the product of two or
21 three years work, some of which have been...was compiled some of the
22 thinking was compiled from the experiences that other states have in this
23 very important field. I feel that the subject matter being dealt
24 with in this is important. I feel that the in-depth search has not
25 been conducted with regard to this. I have a feeling that this enact-
26 ment of this legislation wouldn't do what the sponsors want it to do,
27 wouldn't do what it is intended to do, and certainly could do...not
28 do what is needed to be done. Now, if we at some future time are going
29 to set up legislative review of administrative and departmental decisions
30 then we must be prepared to set up the correct kind of a department. We
31 have to be prepared to set a department with a computer so we can find
32 out what goes on in Springfield when this legislature adjourns. For
33 many years, we have worked our necks off down here for six months only

1 to go home and let some political director, by the virtue of the
2 fact that he can set up some rules and regulations, has completely
3 disregarded the intent of the law and certainly the intent of the
4 legislature. I tried to prevail upon the gentlemen in the committee
5 with regard to this bill. The other bill...the bill that has had
6 a lot of work done on it was sent into a subcommittee of the Senate
7 Committee on Judiciary. I would hope that Senator Egan would seriously
8 consider sending this bill in there too, so the product of the
9 two or three bills, some of which Senator Knuppel has worked on, many
10 of us have worked on many of these bills, and put in a great deal more
11 time than has been put on this, so that we could come out with a pro-
12 ductive good piece of legislation, and if Senator Egan is unwilling
13 to do that, then I would urge a No vote on the passage of this bill.

14 PRESIDENT:

15 Any further discussion? Senator Glass.

16 SENATOR GLASS:

17 Question of the sponsor, Mr. President.

18 PRESIDENT:

19 He indicates he'll yield.

20 SENATOR GLASS:

21 Thank you. Senator Egan, this modifies the Administrative Rules
22 Act, is that correct, or is it the Administrative Review Act?

23 PRESIDENT:

24 Senator Egan.

25 SENATOR EGAN:

26 No, this is brand new Administrative Procedure Act. Currently,
27 we don't have uniform procedures of hearings before State agencies.
28 This would...this would make these agencies amendable to uniformity.
29 They...if...if we enact in future legislation in the empowering legis-
30 lation for State agencies, we can require that they come under this
31 Act. If there are specific agencies which cannot and do voice a leg-
32 itimate opposition, they then would not fall under this Administrative
33 Procedure Act.

1 PRESIDENT:

2 Senator Glass.

3 SENATOR GLASS:

4 In other words, you would let them opt out, in effect. You
5 would give the agency a choice whether it wanted to come under this
6 Act or not?

7 PRESIDENT:

8 Senator Egan.

9 SENATOR EGAN:

10 Yes, in effect, that's...that's correct. They...no one is
11 covered by this Act until they are brought into the Act through amending
12 their empowering legislation.

13 PRESIDENT:

14 Senator Glass.

15 SENATOR GLASS:

16 Well, I...I think the...the intention is good, but I would only
17 defer to Senator Graham's comment that I know he's been on a committee
18 or commission that's been working on a more...

19 PRESIDENT:

20 Continue.

21 SENATOR GLASS:

22 ...a committee that's been working on a more comprehensive program
23 for all administrative agencies, and it seems to me this is premature,
24 in fact, rather than giving these different agencies an option whether
25 they want to come in out, I...I would urge that we...we not be hasty
26 and wait until the work of that committee is...has been completed. I
27 would support him and also point out that my file anyway indicates that
28 the roll call in committee was ten to five on this, and that we should
29 defeat the bill.

30 PRESIDENT:

31 Senator Ozinga.

32 SENATOR OZINGA:

33 Would the sponsor yield to a question?

1 PRESIDENT:

2 He indicates he'll yield.

3 SENATOR OZINGA:

4 Senator, I believe that you just said to Senator Glass that this
5 would give an agency a possibility of opting out if they had an option
6 whether or not they wanted to be under the procedure here, or whether
7 they would refuse to come under the procedure.

8 PRESIDENT:

9 Just a minute. Representative Geo-Karis, would you hold your
10 voice down please. Senator Egan.

11 SENATOR EGAN:

12 Well, it...it is in concept similar to opting out, but this Act,
13 if passed and signed into law, covers no State agency. It will be
14 necessary in order to cover any State agency to amend the empowering
15 legislation creating that agency into the Act. So it's not opting
16 out, it's really opting in.

17 PRESIDENT:

18 Senator Ozinga.

19 SENATOR OZINGA:

20 The same principle only in reverse. However, aren't we creating
21 just a little bit of confusion. We would have more or less of a dual
22 way in which they would operate. I would wonder if it would not be
23 better if this might not be amended, and I thought we had some sort of
24 a...an amendment being prepared that it would make it mandatory that
25 they all get under this Act. That way we would have a standard procedure
26 and everybody would be under the Act. We would then know what procedure
27 would be followed. Now, I would be more inclined to go along with that
28 kind of an Act.

29 PRESIDENT:

30 Any further discussion? Senator Egan.

31 SENATOR EGAN:

32 Well, I understand what Senator Graham is saying, and as Represent-
33 tative Londrigan has expressed to the committee, this bill passed in

1 1971 or 1969 and in the 76th or 7th, I'm not sure. It's had multitudi-
2 nous hours of study and there's been a concentration on the legislation.
3 I...Senator...Representative Londrigan has informed me that it's had
4 the careful scrutiny of the Bars Association and the Governor has
5 approved it. It's been through the...it's been through the mill, and I
6 don't think we ought to wait any longer. We've got to enact further leg-
7 islation to get the agencies in. And I don't think there'll be a
8 problem, but, for example, the...the Industrial Commission should not
9 be governed by this particular bill, but there are several agencies
10 that should. And the time has come, is really what I'm saying Senator.

11 PRESIDENT:

12 The question is shall House Bill 981 pass. Those in favor will
13 vote Aye. Opposed will vote Nay. The voting is open. Have all voted
14 who wish? Take the record. On this question, the Ayes are 34, the
15 Nays are 20 with 1 Voting Present. House Bill 981 having received the
16 constitutional majority is declared passed. Senator Morris.

17 SENATOR MORRIS:

18 Having voted on the prevailing side on the previous issue, I
19 would move to reconsider.

20 PRESIDENT:

21 Senator Hickey moves to Table. All in favor say Aye. Opposed
22 Nay. Motion carries. House Bill 960, Senator Egan. Hold it just
23 a minute, Senator Egan. We'll get back to you as soon as we get through
24 with the agreed list. It is to be called at 11:00. The hour of
25 eleven having arrived, we'll go to the order of bills on the agreed
26 list. Senator Merritt.

27 SENATOR MERRITT:

28 Mr. President, members of the Senate, I rise on a point of person-
29 al privilege.

30 PRESIDENT:

31 State your point, Senator.

32 SENATOR MERRITT:

1 In the balcony...

2 PRESIDENT:

3 Just a moment, Senator.

4 SENATOR MERRITT:

5 In the balcony to the north is the Executive Director of the Space
6 Needs Commission, Herb Boyer and his lovely wife Jane, who incidentally
7 is my cousin. They're from the...Senator Harris' district from Dwight,
8 Illinois. Would they rise and be recognized by the Senate.

9 PRESIDENT:

10 Senator Romano.

11 SENATOR ROMANO:

12 Mr. President, the Insurance meeting for 11:00 o'clock has
13 been canceled.

14 PRESIDENT:

15 The Chair has an announcement. Miss Rachel Stevenson of the
16 International Film Bureau, Incorporated has sought leave to film
17 during the Session both on the Floor and in the Gallery. She's
18 preparing an educational film strip to be shown to eighth graders
19 throughout the State of Illinois. Is there leave? Leave is granted.
20 Senator Harris, for what purpose do you arise?

21 SENATOR HARRIS:

22 Just wanted to know, you are going to proceed, I assume, momentarily
23 with the reading of the agreed bill list?

24 PRESIDENT:

25 That is correct.

26 SENATOR HARRIS:

27 Then, I anticipate your announcement on some additional bills that
28 will come off.

29 PRESIDENT:

30 The request was made by Senator Harris, I think, of House Bill...
31 well, we'll announce all of them coming up. What was the one you men-
32 tioned to me this morning? I have it on a sheet of paper on my desk.
33 The following bills, by virtue either of a request or request of sponsors,

1 or because they received twelve or more negative votes are coming
2 off of the agreed bill list. Some of them, of course, were off
3 yesterday, and they won't be on the list I'm going to read today.
4 But 604 is off, 786 is off, 985 is off, 3051 is off. Taken off
5 prior to today were 2105, 2620, 1070, 1730 and 1739, together with
6 960 and 2617. Any discussion? Senator Weaver...oh, I'm sorry. The
7 next roll call will be on the final passage of the bills to be read
8 by the Secretary. Secretary will read the bills. To answer a question,
9 an anticipated question, yes, Senator Weaver.

10 SENATOR WEAVER:

11 Mr. President, during the reading of these bills on the agreed
12 bill list, there'll be a Republican...

13 PRESIDENT:

14 A Republican concern about what's going on.

15 SENATOR WEAVER:

16 Yes.

17 PRESIDENT:

18 Fine. Very good. A question anticipated is approximately how
19 long it will take to read the bills. There are approximately thirty-
20 five bills. So the period of time to read them will be substantially
21 less than the period employed last week on our first agreed bill list.
22 The judgement of the Chair is that it will take somewhere between four-
23 teen and eighteen minutes to read them. Secretary will read the bills.

24 SECRETARY:

25 House Bill 72.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 House Bill 78.

29 (Secretary reads title of bill)

30 3rd reading of the bill.

31 House Bill 464.

32 (Secretary reads title of bill)

33 3rd reading of the bill.

1. House Bill 574.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. House Bill 583.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. House Bill 603.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. House Bill 611.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. House Bill 635.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. House Bill 681.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. House Bill 682.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. House Bill 696.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. House Bill 705.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. House Bill 737.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. House Bill 756.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

HD 796
3rd Reading
HD 1831
3rd Reading
5-24-17

1. House Bill 779.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. House Bill 796.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. House Bill 939.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. House Bill 965.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. House Bill 978.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. House Bill 1244.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. House Bill 1328.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. House Bill 1432.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. House Bill 1533.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. House Bill 1831.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. House Bill 1937.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

4/6/83
3/22
24-75

1. PRESIDENT:

2. Mr. Secretary, on House Bill 973, I think it was read as 978,
3. but it is 973. Continue with the reading.

4. SECRETARY:

5. House Bill 1939.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. House Bill 2071.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. House Bill 2193.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. House Bill 2832.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. House Bill 2892.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. House Bill 2964.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. House Bill 3021.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. House Bill 3022.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senate will be at ease for a moment. Senate will come to order.
31. Chair has an announcement. With reference to today's schedule, we will
32. work until 5:00 o'clock, break for dinner and return at 7:00. On the
33. agreed bill list, House Bills on 3rd reading. The next roll call will

Handwritten notes and scribbles in the top left corner, including the number '6' and some illegible markings.

1 be on final passage of the bills just read by the Secretary. Is
2 there any discussion? The question is shall this series of bills
3 pass. Those in favor vote Aye. Those opposed Nay. The voting is
4 open. Have all voted who wish? Take the record. On these bills,
5 the Ayes are 58, the Nays are recorded in the Office of the Secretary
6 of the Senate with 1 Voting Present. This series of bills having
7 received a constitutional majority, by record vote, is declared passed.
8 The record vote of the Ayes and Nays for each bill passed shall be
9 entered in the Journal. House Bills on 3rd reading. House Bill 960,
10 Senator Egan.

11 SECRETARY:

12 House Bill 960.

13 (Secretary reads title of bill)

14 3rd reading of the bill.

15 PRESIDENT:

16 Senator Egan.

17 SENATOR EGAN:

18 Thank you, Mr. President and members of the Senate. House Bill
19 960 was on the Consent Calendar, Mr. President, and I took it back
20 to amend it, and the amendment that we just adopted, as I explained,
21 provides that the reimbursements for special education building
22 purposes be paid out of the School Construction Fund rather than
23 from General Revenue. The...the bill basically provides that the...
24 school districts where handicapped children live and which do not
25 have special education programs meeting the particular child's needs
26 pay the special education facility operated by the county, and as I
27 say, it was on the Consent Calendar. The amendment is only a funding
28 amendment, and I would ask for your favorable consideration.

29 PRESIDENT:

30 Any discussion? Senator Fawell.

31 SENATOR FAWELL:

32 I'm...I'm sorry. Is the amendment on our desks, Senator?

33 PRESIDENT:

HB 983-984
3rd Reading
6-24-76

1 Senator Egan.

2 SENATOR EGAN:

3 I don't think so, Senator. Maybe I did, but I have one here,
4 if you'd like it.

5 PRESIDENT:

6 Senator Egan.

7 SENATOR EGAN:

8 It's the Office of Education amendment to the bill to provide
9 that any special facilities that...

10 PRESIDENT:

11 One...one moment, Senator. Belleville is creating a problem
12 for us. I personally called no names. I just alluded to a section
13 of our State. The asparagus capital.

14 SENATOR EGAN:

15 Mr. President, Senator Fawell would like time to read the amend-
16 ment. I would ask if I could to take it out of the record, but could
17 I...

18 PRESIDENT:

19 Take it out of the record.

20 SENATOR EGAN:

21 ...get into it in a few minutes.

22 PRESIDENT:

23 We'll...we'll go back to it after Senator...

24 SENATOR EGAN:

25 Thank you.

26 PRESIDENT:

27 ...Fawell has read it. He's a speed reader. House Bill 983,
28 Senator Brady. Read the bill.

29 SECRETARY:

30 House Bill...983.

31 (Secretary reads title of bill)

32 3rd reading of the bill.

33 PRESIDENT:

1 Senator Brady.

2 SENATOR BRADY:

3 Yes, Mr. President. House Bill 983 is in conjunction with House
4 Bill 984 and...985. It authorizes the Attorney General to investigate
5 and enforce provisions of the facilities for the handicapped. They're
6 asking for this bill because they feel one person should be in charge
7 of enforcing and investigating since now, they feel that as much de-
8 linquency in this area. There is in the Statutes a division for enforce-
9 ment of civil and equal rights set up under the Attorney General's
10 Office which includes race, color, creed or physical or mental handi-
11 capped. That is the reasoning in putting there, and I urge your support
12 of this bill.

13 PRESIDENT:

14 Any further discussion? Senator Howard Mohr.

15 SENATOR MOHR:

16 I assume that the Attorney General is in support of this legisla-
17 tion. Is that correct?

18 PRESIDENT:

19 Senator Brady.

20 SENATOR BRADY:

21 To my knowledge, that is correct.

22 PRESIDENT:

23 Any further discussion? The question is shall House Bill 983
24 pass. Those in favor will vote Aye. Opposed Nay. The voting is
25 open. Have all voted who wish? Take the record. On this question,
26 the Ayes are 53, the Nays are 2 with none Voting Present. House Bill
27 983 having received a constitutional majority is declared passed.
28 House Bill 984, Senator Brady.

29 SECRETARY:

30 House Bill 984.

31 (Secretary reads title of bill)

32 3rd reading of the bill.

33 PRESIDENT:

HB 985
3rd Reading
6-24-75

1 Senator Brady.

2 SENATOR BRADY:

3 Yes, this amends the facilities for the Handicapped Act. It
4 transfers the function of publishing tentative standards of minimum
5 requirements for handicapped persons in public buildings from the
6 Department of General Services to the Capital Development Board. This
7 is an inner department request, both departments have requested that
8 this take place.

9 PRESIDENT:

10 Any further discussion? Question is shall House Bill 984 pass.
11 Those in favor will vote Aye. Opposed Nay. The voting is open. Have
12 all voted who wish? Take the record. On this question, the Ayes are
13 53, the Nays are 2 with none Voting Present. House Bill 984 having
14 received a constitutional majority is declared passed. House Bill 985,
15 Senator Brady.

16 SECRETARY:

17 House Bill 985.

18 (Secretary reads title of bill)

19 3rd reading of the bill.

20 PRESIDENT:

21 Senator Brady.

22 SENATOR BRADY:

23 Yes, Mr. President, fellow Senators, this bill does not show on
24 your Calendar in that position because it's on the agreed bill list
25 in case you're wondering where it was. It was taken off. It amends
26 the facilities for the Handicapped Act to add office buildings to the
27 definitions of public building and public accommodation. There was some
28 question originally after this came out of committee as to when this
29 date would become effective and whether it would be retroactive. So
30 there was an amendment added that it made this after the effective
31 date of this...amendatory Act of 1975 as the effective date of this
32 piece of legislation. I urge your favorable support.

33 PRESIDENT:

1 Senator Wooten.

2 SENATOR WOOTEN:

3 A question of the sponsor.

4 PRESIDENT:

5 He indicates he'll yield.

6 SENATOR WOOTEN:

7 Senator, I think the whole problem is whether or not this would
8 apply after the effective date to factories already in existence or
9 factories or buildings which are to be built. I don't think there's
10 any problem if the language clearly indicates its buildings which
11 are going to be built. But if it is retroactive and applies to all
12 in existence, then I would think you do have a serious problem with
13 the legislation.

14 PRESIDENT: *

15 Senator Brady.

16 SENATOR BRADY:

17 Well, Senator Wooten, I think...I think it says in the bill that
18 it applies...

19 PRESIDENT:

20 Will the Gentleman from Breese...go right ahead, Senator Brady.

21 SENATOR BRADY:

22 It applies to one year after approval of this Act. No building
23 permit or other official authorization for construction of...of public
24 building, and then it is amended to say that it's effective as of this
25 amendatory Act. I don't think that it is retroactive to the existing
26 properties, as I interpret the reading of the bill.

27 PRESIDENT:

28 Any further discussion? Senator Graham.

29 SENATOR GRAHAM:

30 I presume that I should be the last person in this Chamber to
31 question this type of legislation. I feel this could be a real costly
32 bill in terms of construction of office buildings and factory buildings
33 as the amendment would provide, which is now on the bill. Not including

1 the second floor in any two story office building or factory having
2 less than fifteen thousand square feet at the second floor level,
3 nor any occupied levels below grades having less than fifteen thousand
4 square feet unless the building is publicly owned. I think this is
5 a bill that its time has arrived, but I think it is a bill probably
6 that in composition might face a serious challenge legally and is facing a
7 more serious challenge economically. In its present form, one who
8 support it, as I should and cannot, and I'm opposed to the bill.

9 PRESIDENT:

10 Any further discussion? Senator Glass.

11 SENATOR GLASS:

12 Thank you, Mr. President, one question of the sponsor, if I may?

13 PRESIDENT:

14 Indicates he'll yield.

15 SENATOR GLASS:

16 Senator Brady, could you give an indication of the estimated cost
17 of the bill?

18 PRESIDENT:

19 Senator Brady.

20 SENATOR BRADY:

21 The...the cost is directly relative, Senator Glass, to any build-
22 ing that's built which is these kind of things are required for, and
23 I don't think that you could give an overall cost. It's going to be a
24 specific different cost of development construction costs for each
25 specific building. I...I would say that anybody who is entering into
26 contracts of lease with the Federal Government comes under...if they
27 come under their lease as provided, comes under the provisions they're
28 looking for in this bill, and I think most new buildings that are
29 attempting to get those kind of leases are building according to
30 similar specifications.

31 PRESIDENT:

32 Any further discussion? Senator Netsch.

33 SENATOR NETSCH:

1 Mr. President, I would like to put in a sound word for the
2 bill also having lived with someone for some years who is very
3 sensitive to the issue of building buildings which can be accessible
4 to the handicapped and has found that it is really not all that diffi-
5 cult and all that expensive. There are public buildings, as we know,
6 that have been built in this State that have already acknowledged that,
7 the... most of the Circle Campus is designed that way, and it is not that
8 much of an addition to cost. As I read the bill, it is applicable only
9 to construction permits issued from the date...the effective date of
10 the Act on so that we are not requiring every existing building to go
11 back and redo itself, every existing office and factory building, which
12 undoubtedly would be something of an expense. But on that basis, it is
13 just as easy and just as inexpensive to build barrier free buildings to
14 begin with as it is to build them in a way that they are not accessible.
15 So it seems to me that it is a good idea, whose time has come, and the
16 bill should be supported.

17 PRESIDENT:

18 Any further discussion? Senator Graham.

19 SENATOR GRAHAM:

20 I know I've spoken once, and I appreciate your indulgence for
21 one moment. In nineteen hundred and seventy, I believe it was, I
22 sponsored and supported and passed the Architectural Barriers Act
23 which came out of the House offered by Representative Katz dealing
24 with this very subject matter. I want you, all of you, to take a
25 look at the...rails that are supposed to be on stairways, the revolv-
26 ing doors that are supposed to be in the public buildings and all those
27 things, and you'll see that they haven't even got that one rolling
28 yet, and we want to impose upon them another piece of legislation that
29 won't be supported...it won't be engineered and adhered to correctly. I
30 still think that we can do better than this, and this bill should not
31 be supported.

32 PRESIDENT:

33 Senator Brady.

1 SENATOR BRADY:

2 Yes, Senator Graham, I appreciate the comments on that, and that
3 was, I think, the reason for the two preceding pieces of legislation,
4 one, which changed the standards to the Capital Development Board who
5 does have the barrier free designed department, and it is now up to them
6 to come up with these designs and standards, and number two, to make it
7 enforceable by the Attorney General, one person who will investigate and
8 enforce the complaints when they are not complied with. I agree with
9 you. It is not presently being complied with, and I think it should,
10 and I think more should be done.

11 PRESIDENT:

12 Any further discussion? Question is, shall House Bill 985 pass.
13 Those in favor will vote Aye. Opposed Nay. The voting is open. Have
14 all voted who wish? Take the record. On this question, the Ayes are
15 38, the Nays are 13 with 2 Voting Present. House Bill 985 having
16 received a constitutional majority is declared passed. Senator Clarke
17 is recognized.

18 SENATOR CLARKE:

19 Mr. President, the next bill, 990, I talked to Mrs. Hickey and
20 others who have amendments, and I told them that I would, if I could
21 have leave to have time tomorrow morning we can bring this back and
22 you and the others that have amendments can offer their amendments, and
23 then we all know that it's coming up, so I give you notice. If it's
24 agreeable with you, Mr. President?

25 PRESIDENT:

26 Is there leave? Leave is granted. House Bill 997, Senator Wooten.

27 SECRETARY:

28 House Bill 997.

29 (Secretary reads title of bill).

30 3rd reading of the bill.

31 PRESIDENT:

32 Senator Wooten.

33 SENATOR WOOTEN:

1 Thank you, Mr. President and colleagues. House Bill 997 requires
2 that all doctors in our mental institutions have training in psycho-
3 pharmacology. All U. S. trained doctors have this and those who are
4 trained in psychiatry have this. However, there are many doctors who
5 speciality is not psychiatry and do not have a background in psycho-
6 pharmacology. Since this is a fundamental...a fundamental of treatment
7 today, it is felt that this ought to be required and...there's a legis-
8 lative mandate so ordering this. This requires that the department will
9 hold seminars and further requires that doctors who do not have this
10 training must attend them. I'll answer any questions, and ask for a
11 favorable roll call.

12 PRESIDENT:

13 Any further discussion? The question is shall House Bill 997 pass.
14 Those in favor will vote Aye. Opposed Nay. The voting is open. Have
15 all voted who wish? Take the record. On this question, the Ayes are 39,
16 the Nays are 3 with 5 Voting Present. House Bill 997 having received a
17 constitutional majority is declared passed. House Bill 1053, Senator
18 Lemke. House Bill 1056, Senator Kosinski. House Bill 1070, Senator
19 Savickas. House Bill 1079, Senator Palmer. House Bill 1089, Senator
20 Dougherty. Senator Dougherty, you care to call 1089? House Bill 1094,
21 Senator Buzbee. Read the bill.

22 SECRETARY:

23 House Bill 1094.

24 (Secretary reads title of bill)

25 3rd reading of the bill.

26 PRESIDENT:

27 Senator Buzbee.

28 SENATOR BUZBEE:

29 Mr. President, this amends the Private Sewage Disposal Licensing
30 Act. It exempts the person applying for a private sewage disposal con-
31 tractor license from payment of the fifty dollar annual license fee, if
32 that person holds a currently valid plumbing license. The Private Sewage
33 Disposal Licensing Act requires that all persons engaged in the business

1 of designing, constructing, installing, maintaining and cleaning such
2 systems be licensed. Thus, sewage disposal contractors and plumbers
3 must obtain a license from the department. However, plumbers are already
4 licensed by the department in accordance with the Plumbing Licensing
5 Law. These plumbers must obtain two separate licenses. House Bill 1094
6 proposes to exempt licensed plumbers from the license and fee require-
7 ments of this Act but who shall be otherwise subject to the other pro-
8 visions of the Act. I would ask for a favorable roll call, and yes, I'll
9 answer your question, Senator.

10 PRESIDENT:

11 Senator Schaffer.

12 SENATOR SCHAFFER:

13 Well, we're talking about honey dippers, and it's my understanding
14 that the licensing fee for the honey dippers is to provide for the licens-
15 ing and regulating of the...of their operations. Now, I happen to know
16 the difference between a plumber and a honey dipper, and I suspect that
17 most of us in this room, if we had the inclination, have the intelligence
18 and probably the physical stamina to become honey dippers. I don't think
19 that we necessarily...that that's the same thing as a plumber. I think...
20 I...I can see that a person being licensed to practice or to sell real
21 estate saying then I should be exempted from getting a license to sell
22 insurance, but the two things are related but they aren't that closely
23 related that I think an automatic exemption should come forth, and I
24 think that the purpose of licensing a honey dipper is still necessary
25 even though that person might have a degree in law or be a plumber or
26 various other things. I don't think that this automatic exemption is
27 necessarily a very good thing.

28 PRESIDENT:

29 Senator Mitchler.

30 SENATOR MITCHLER:

31 Mr. President and members of the Senate, Senate Schaffer is absolu-
32 tely correct. The Private Sewage Disposal Licensing Act was created so
33 that the Department of Public Health could have a very close control over

1 the installation, the repair, the cleaning and the equipment used
2 by those engaged in the sewage disposal activities, as referred to
3 by Senator Schaffer as the honey dippers. Now, just because they...
4 an individual has a valid plumbing license should not, as contained
5 in the bill, be exempt from obtaining a license as prescribed under
6 this Act and this Section. Yes, they should, because if they're going
7 to be engaged in the installation, the repair, the cleaning and use
8 equipment including a truck, that should come under the purview of the
9 Act, the Private Sewage Disposal Licensing Act. And unless, Senator
10 Buzbee, you can convince me otherwise, this bill should not be approved
11 by this Body, and I would ask the sponsor, does this have the approval
12 of the Department of Public Health?

13 PRESIDENT:

14 Senator Buzbee.

15 SENATOR BUZBEE:

16 Not only the approval, Senator, but I have a memo from the Depart-
17 ment of Public Health asking that we pass this bill, because the depart-
18 ment does not believe in dual licensing, and they say that since the
19 enactment of the Private Sewage Disposal Licensing Act, only seventy
20 of the potential twenty-five hundred and fifty plumbing firms in Illinois
21 have obtained a license under the Act. And they said we don't believe
22 in dual licensing. Passage of House Bill 1094 will not affect the depart-
23 ment's relative position of regulation and authority concerning the
24 installation and maintenance of private sewage disposal systems, or to
25 protect the health of the public.

26 PRESIDENT:

27 Senator Mitchler.

28 SENATOR MITCHLER:

29 Well, I certainly wish I'd have known about that, and I'm going to
30 have some good words with Verdun Randolph over there, because I was
31 instrumental in developing this Act and spent a lot of time with them. Now,
32 if they're just want to get out of the problem of licensing these plumbers
33 and want to use this type...this bill is still wrong. The department

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1 over there should license everyone who is engaged in the Private
2 Sewage Disposal Licensing Act, and to exempt plumbers or electricians
3 or anybody else just because they have a license in another field is
4 wrong. I don't think that you'd want to let someone who's licensed
5 as a private sewage disposal individual to do plumbing. The two are
6 separate, and the equipment used by a plumber must be inspected under
7 this Act or you're going to have that honey dipping stuff strewn all over
8 the street as we had before we created this Act. Now, I do not approve
9 this bill. It's a bad bill to extend that licensing to them.

10 PRESIDENT:

11 Any further discussion? Question is...Senator Berning.

12 SENATOR BERNING:

13 I'm sorry to add to the time drag, but I want to emphasize that
14 there may be little concern for this problem in some areas, but some
15 such as in the suburban areas where I come from, those who operate
16 sewage septic tank cleaning operations are in need of close control,
17 and I just absolutely cannot see how we can license plumbers and
18 thereby eliminate the control over the sewage pumping operations that
19 are a serious health hazard up in areas such as I come from and I think
20 the Acts ought to be kept separate.

21 PRESIDENT:

22 The question is shall House Bill 1094 pass. Those in favor will
23 vote Aye. Opposed will vote Nay. The voting is open. Have all voted
24 who wish? Take the record. Senator Buzbee.

25 SENATOR BUZBEE:

26 Postpone.

27 PRESIDENT:

28 Postponed with Consideration has been requested. House Bill 1103,
29 Senator Netsch. Senator Netsch is recognized.

30 SENATOR NETSCH:

31 I would seek leave to return House Bill 1103 to the order of 2nd
32 reading for the purpose of numerous amendments.

33 PRESIDENT:

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1 Is leave granted? Leave is granted. House Bill 1103 is now
2 on the order of 2nd reading. Senator Netsch is recognized.

3 SENATOR NETSCH:

4 There...I'm not quite sure how many amendments there are on the
5 Speaker's Table. I would guess about eight or so, and I do not have...I
6 don't know what order they are in so I would appreciate it as they are
7 called if the Secretary could identify what amendments we are talking
8 about so we can put it into context. I should explain that the...this is
9 the Red-Lining Disclosure Bill.

10 PRESIDENT:

11 Amendment No. 1, Mr. Secretary. Amendment No. 2, Mr. Secretary.

12 SECRETARY:

13 Amendment No. 2 by Senator Carroll. It's a very short amendment.

14 PRESIDENT:

15 Does Senator Carroll have more than one amendment?

16 PRESIDENT:

17 Would you identify the language of this amendment for Senator
18 Carroll's edification.

19 SECRETARY:

20 1103...amend House Bill 1103 on Page 1, Line 12 by deleting credit
21 unions.

22 PRESIDENT:

23 Senator Carroll.

24 SENATOR CARROLL:

25 Thank you, Mr. President. This is an amendment that excludes from
26 the Act the credit unions. The reason for this is that the purpose of
27 the Act is to determine where the deposits come from and where the money
28 is being spent by way of mortgages. With the credit union, the partici-
29 pation is limited to the members of that unit whether it's a plant or a
30 labor union, and the loans therefore go back to those people who deposit
31 there anyway and only to them. So, it's felt that was not needed
32 to be covered under the Anti-Red-Lining Act. I would move the adoption
33 of the amendment.

1 PRESIDENT:

2 Any discussion? Senator Netsch.

3 SENATOR NETSCH:

4 I don't really object to the amendment. I think the situation
5 is as Senator Carroll described it, and the information that would
6 be added by the inclusion of credit unions is really not that criti-
7 cal and does not add that much.

8 PRESIDENT:

9 Senator Carroll moves the adoption of Amendment No. 2 to House
10 Bill 1103. All in favor will say Aye. Opposed Nay. Amendment No. 2
11 is adopted. Amendment No. 3.

12 SECRETARY:

13 Amendment No. 3, by Senator Carroll. It...amend House Bill 1103
14 by deleting on Page 1...by deleting subsection A of Section C.

15 PRESIDENT:

16 Senator Carroll.

17 SENATOR CARROLL:

18 Thank you, Mr. President and members of the Senate. This amend-
19 ment would change the office that it's to oversee to the Department of
20 Finance Institutions. The purpose is that we have within the ambit of the
21 Act the savings and loans, the banks and other finance institutions each
22 of which is under a different department, either under banks, savings
23 and loans, or the insurance companies that are under R and E. The
24 original parent organization with some expertise, in all of the areas
25 of financial management, is the Department of Financial Institutions.
26 So, rather than have a department that has a specific interest in any
27 one of the three major areas of mortgage money, we have chosen a fourth
28 department that is a little more aloof from each of the three, but yet
29 has the expertise in them all, and I would move the adoption of the
30 amendment.

31 PRESIDENT:

32 Any discussion? Senator Netsch.

33 SENATOR NETSCH:

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1 Well, I...I have no objection to the amendment either. I think,
2 as...as I've discussed with Senator Carroll before, the reason why the
3 drafters of the bill put it in the...this admittedly somewhat remote of-
4 fice was because there is no single agency which has jurisdiction over all
5 of the financial institutions we're talking about, and this seem like a
6 good central place. But, it is a somewhat more...somewhat lesser known
7 office, and I think it is perfectly acceptable to put it in the Depart-
8 ment of Financial Institutions.

9 PRESIDENT:

10 Senator Graham.

11 SENATOR GRAHAM:

12 Now, Mr. President, I'm not objecting certainly to anyone Senator
13 having the right to offer amendments. I'm only stating this, that very
14 committee in this Senate has a...a chairman, vice-chairman and a minority
15 spokesman. I happen to have Labor and Commerce. Senator Savickas and
16 Senator Daley and others who are interested over there in that type of
17 legislation, without fail, present to me an amendment or anything that
18 would affect the bill to that nature. Now, on these amendments, just
19 recently our staff men were scrambling around trying to get the amend-
20 ments to present them to Senator Merritt who is the Vice-chairman of
21 that committee and I think that's unfortunate...or minority spokesman,
22 I think it's unfortunate. I don't think perhaps they have to go to
23 every member of the Senate, but I think a minority member of the Senate
24 committee that would be most interested in any of these amendments should
25 at least have an opportunity to see them before they're adopted.

26 PRESIDENT:

27 Senator Carroll.

28 SENATOR CARROLL:

29 I would only mention, I do agree with Senator Graham, and if
30 Senator Merritt did not get a copy, I'm sending them over now, I
31 apologize except...

32 PRESIDENT:

33 He has one now, Senator.

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1 SENATOR CARROLL:

2 ...that these were discussed...these were discussed in the
3 committee hearings, and I said at that time that I would draft these
4 amendments and present them on the Floor. We discussed the contents
5 of this, Senator Graham, although not the specific language while we
6 were debating the bill in committee.

7 PRESIDENT:

8 Senator Merritt.

9 SENATOR MERRITT:

10 Yes, Mr. President, members of the Senate, this...this amendment
11 I think is exactly what was discussed in committee, Senator Carroll,
12 and I think that it's the right solution to a sort of a shady problem
13 otherwise. I would...I would join you in the support of the amendment.

14 PRESIDENT:

15 Senator Carroll moves the adoption of Amendment No. 3...this is
16 Amendment No. 3 to House Bill 1103. All in favor of the adoption of
17 the amendment say Aye. Opposed Nay. Amendment No. 3 is adopted. Amend-
18 ment No. 4.

19 SECRETARY:

20 Amendment No. 4 by Senator Carroll, and Senator Carroll, I have
21 two amendments not quite identical but doing the same thing from you
22 on this on Amendment No. 4.

23 PRESIDENT:

24 Well, there's probably a keen line of differentiation Senator
25 Merritt.

26 SENATOR MERRITT:

27 Trying to keep track under most difficult circumstance here. Could
28 the Secretary at least identify the Amendment 4.

29 PRESIDENT:

30 Well, that's what we've been doing, Senator. Would you read...do
31 you know which it is? Fine. Senator Carroll.

32 SENATOR CARROLL:

33 Thank you, Mr. President, members of the Senate, this is the one
that would add Section 7 on Page 2 immediately after Section 6 the

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1 following, and what this is it this deals with the area of confidentially
2 of the individual savings account or the individual mortgage, and what
3 we say here is - to protect the confidentiality of the individual's
4 financial status, no institution nor the department can demand, nor
5 can anyone see any individual account for the purposes of determining
6 whether or not there has been red-lining. What we have done also though,
7 the departments involved have a legitimate interest in individual folders
8 For other areas in red-lining, the department of banks and savings
9 and loans and R and E do go in and check to see the creditability of
10 a mortgage and other securities about an individual account. So we
11 haven't limited them from their right to go in and inspect for other
12 reasons the individual account, but we have limited them and the institu-
13 tions from divulging any individual financial status as the results in the
14 red-lining issue. I would, therefore, move the adoption of this amendmen
15 which would insure and protect the confidentiality of the individual
16 account.

17 PRESIDENT:

18 Senator Merritt.

19 SENATOR MERRITT:

20 Yes, Senator Carroll, and I would assume that the numbers and
21 amounts would have to be reported. Is that correct in both the loans
22 as well as the deposits?

23 PRESIDENT:

24 Senator Carroll.

25 SENATOR CARROLL:

26 There would be an aggregate by census tract of the loans and of
27 the deposits. The department would have the power to go in and verify
28 those figures, but the department would not have the liberty to divulge
29 Mr. Senator Merritt or Mr. Merritt's account nor to divulge Mr. Merritt's
30 or Senator Merritt's loan, nor could the institution on its on accord
31 or at the request of any particular public or private interest group
32 come in and demand the right to see any individual account or any indi-
33 vidual loan.. But the department would have the right to go in and verif

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1 these census tract figures, but still maintain the confidentiality of
2 the individuals within the census tract.

3 PRESIDENT:

4 Senator Merritt.

5 SENATOR MERRITT:

6 I still feel, while you have gone a long way in cleaning up
7 something with this amendment, I still feel that the department still
8 has the right to go in there, they can identify by name, if they so
9 desire, how are you going to keep it from him if it's on the ledger
10 sheet?

11 PRESIDENT:

12 Senator Carroll.

13 SENATOR CARROLL:

14 Well, as I'm sure Senator Merritt is aware, in other areas other
15 than red-lining, the department has the power and in many instances
16 the responsibility and the duty, as does the Federal Government, to come
17 in and look at individual loans and individual accounts that have been
18 pledged as credit for individual loans. And they do go in today, and
19 they check by name and address, but this is still confidential, and
20 what we want to make sure in this bill is that we have not opened up
21 any of that existing confidentiality. We want to specifically prohibit
22 any divulgence of any individual accounts, and yet not limit the depart-
23 ment from being able to go in like they do in other areas of a bank or
24 of a savings and loan and say that, you know, the totals are correct
25 because the individuals that make up the totals are correct.

26 PRESIDENT:

27 Senator Merritt.

28 SENATOR MERRITT:

29 I only say, Senator Carroll, that you're comparing almost apples
30 to oranges, because in the cases you've cited where the department goes
31 in or any other auditing or examining agency, it is on some type of
32 a regular basis. The institutions are used to it. This is an entirely
33 new concept for a different purpose completely, and while I do commend

1 you for having done something toward clearing it up, I still would
2 oppose this type of invasion in into privacy.

3 PRESIDENT:

4 Any further discussion? Senator Netsch.

5 SENATOR NETSCH:

6 This amendment which I strongly support, I think answers a lot
7 of questions that members of the Senate have raised to me and others
8 about House Bill 1103, the Disclosure Bill. I think it makes it abso-
9 lutely clear that privacy and confidentiality will indeed be thoroughly
10 preserved, and the right of the administering agencies to have access
11 to individual records, it has always existed with respect to their
12 regulatory authority, will continue to exist, but in a sense has given
13 it even higher degree of protection against disclosure. I think it's
14 a good amendment, and I urge its adoption.

15 PRESIDENT:

16 Any further discussion? Senator Carroll moves the adoption of
17 Amendment No. 4 to House Bill 1103. All in favor will say Aye. Opposed
18 Nay. Amendment No. 4 is adopted. Amendment No. 5, Senator Carroll.

19 SECRETARY:

20 Amendment No. 5, Senator Nudelman.

21 PRESIDENT:

22 Senator Nudelman, I'm sorry. Senator Nudelman.

23 SENATOR NUDELMAN:

24 Thank you, Mr. President. Senate Amendment...I'm sorry, I didn't
25 catch the number...

26 PRESIDENT:

27 Five.

28 SENATOR NUDELMAN:

29 ...thank you. Senate Amendment No. 5 is a very simple amendment
30 which would make this, what I consider to be, invasive and reprehensible
31 legislation slightly less reprehensible. Senate Amendment No. 5 would
32 require the State of Illinois to pay, based on a verified statement, pay
33 to the institution making the report required under this bill, the cost

*Amended
Amended
Amended*

1 incurred. And, we have been told in various instances, the costs
2 run from twenty-five to five thousand to seventy-five hundred dollars
3 to pay those costs to the institution making the report. It would be
4 based on a verified statement that would be supplied with the report
5 and I commend this amendment to you, and I think it only fair and
6 equitable that if the State requires a report like this for no obvious
7 reason that the State pay for it. I commend this...amendment to you,
8 and ask for a favorable vote.

9 PRESIDENT:

10 Any further discussion? Senator Wooten.

11 SENATOR WOOTEN:

12 Senator Nudelman, is this the information that savings and loans
13 normally have anyway? We're talking about census tracts?

14 PRESIDENT:

15 Senator Nudelman.

16 SENATOR NUDELMAN:

17 I don't...thank you, Mr. President. I don't know what information
18 they have anyway. I am strictly talking about the cost of making and
19 preparing the report. Now if cost of the report includes information
20 that they don't have, then they would verify that fact and swear to it
21 and that would part of the cost. If it's merely...accumulating data
22 which they have on hand at all time and normally keep, then it would not
23 include that portion of the cost.

24 PRESIDENT:

25 Any further...Senator...Senator Wooten.

26 SENATOR WOOTEN:

27 Thank you. I simply wanted that because I'm sure they do have this,
28 and if it's the cost of making...simply making report then the cost is
29 minimal.

30 PRESIDENT:

31 Senator Netsch.

32 SENATOR NETSCH:

33 Mr. President, I hope that we will defeat this amendment. I know

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1 it sounds, on the surface, like a perfectly logical thing. If the
2 government is to require some work of an agent of an agency or institution
3 that is regulated by it that somehow the government should pay for it.
4 But I think if you stop to think a moment, you'll realize that almost
5 never is that true. In fact, I can't think of an instance right now where
6 it is true. All of these financial institutions are regulated by the
7 government. They are required in connection with countless things...

8 PRESIDENT:

9 There's a den here that just makes it hard to hear.

10 SENATOR NETSCH:

11 Thank you, Mr. President, to keep records, to file reports, in fact,
12 almost every aspect of our life that is involved, and yet the government
13 does not pay for it. I think the problem is that Senator Nudelman's
14 premise is faulty. It premise was, as I understood it, that these
15 reports are being required for no reason at all, therefore, the govern-
16 ment ought to pay for it. I would dispute that. I think that this
17 disclosure information is being required for a very good reason, and
18 that is that the practice which this information relates to is one of
19 the most devastating practices that occurs particularly in urban areas.
20 It has got to be stopped in some way or another, and the first step in
21 that direction is to have the absolutely essential information so that
22 other action can be taken. It seems to me this information is as impor-
23 tant as many other aspects of information that are required of regulated
24 agencies. I would hope that we would not completely reverse the normal
25 course and say that alright government, if you want some essential
26 information, you've got to pay for it. That is not what we do. That
27 should not occur here. I would urge that we oppose this amendment.

28 PRESIDENT:

29 Senator Merritt.

30 SENATOR MERRITT:

31 Well, Mr. President and members of the Senate, I certainly rise
32 in support of this amendment, and want commend Senator Nudleman for
33 offering it. You just simply can't have your cake and eat it. Now,

1 if we're going to mandate these financial institutions by the terms
2 of this bill to file this information, then the least the State should
3 do would be pay the cost of it. It's no different than if we're filing
4 anything in a county recorders office where the State pays the fee now.
5 This is good legislation, and I certainly urge members from both sides
6 to support the amendment.

7 PRESIDENT:

8 Senator Nudelman will close the debate on Amendment No. (foreign
9 phrase.)

10 SENATOR NUDELMAN:

11 Thank you, Mr. President. I think Senator Netsch confuses this
12 type of record keeping with other types of record keeping that businesses
13 have to do, and incidentally we all have to do, because other types
14 of...record keeping we make directly to such things as income taxes
15 and other taxes and things which are on-going and statutory or regulatory,
16 et cetera, et cetera. This bill is a bill in a vacuum. They are saying
17 to the people we don't know that you are red-lining. We don't accuse
18 you specifically of red-lining, but here are records we want to keep
19 that will go into a government file to be kept forever, and someday we
20 may use them against you. I think that's reprehensible. I think that's
21 big brother. I think that's...that's the beginning of fascism and con-
22 trols without any direct regulation to any need or necessary of government
23 or of the people, and I think the...expense incurred, if the
24 State doesn't pay it, it's directly borne on the shareholders and the
25 savers in the various institutions. That's unfair, and I commend this
26 ...this amendment to...to all of you.

27 PRESIDENT:

28 Senator...Nudelman moves the adoption of Amendment No. 5. All in
29 favor will say Aye. Opposed Nay. Roll call is indicated. Senator
30 Nudelman moves the adoption of Amendment No. 5. All in favor will vote
31 Aye. Opposed Nay. The voting is open. Have all voted who wish? Take
32 the record. On this question, the Ayes are 24, the Nays are 29. The
33 amendment fails. Amendment No. 6.

ACTING SECRETARY: (MR. FERNANDES)

111103
11/12/55

1 Amendment No. 6 offered by Senator Egan.

2 PRESIDENT:

3 Senator Egan.

4 SENATOR EGAN:

5 Thank you, Mr. President and members of the Senate, Amendment No.
6 6 removes Section 3-A which requires that these institutions report
7 the aggregate dollar amount and the number of savings deposits or pre-
8 miums for insurance other than Class 1 insurance is defined. Now, there
9 ...there are a couple of good reasons why...

10 PRESIDENT:

11 For what purpose does Senator Merritt arise?

12 SENATOR MERRITT:

13 Same thing on many of these...oh, I have it now.

14 PRESIDENT:

15 Fine. Senator Egan may continue.

16 SENATOR EGAN:

17 What...what this requirement does is require that the institutions
18 report the number of savings deposits and the aggregate amount by census
19 tract, which clearly gives competitive disadvantage to certain institu-
20 tions. And it also earmarks for home burglaries and neighborhood thieves
21 those areas of depositors which clearly are the thrifty neighbor types,
22 and I would urge the adoption of the amendment to remove that requirement
23 from the Act.

24 PRESIDENT:

25 Any discussion? Senator Netsch.

26 SENATOR NETSCH:

27 Mr. President, I would urge also opposition to this amendment, and
28 point out a...something that came out, I think particularly during the
29 hearing in the House, and I know has been repeated by some of the in-
30 stitutions which would be subject to this disclosure from time to time
31 and that is if there is to be disclosure for purposes of evaluating red-
32 lining practices, it really is a protection to the banks and the savings
33 and loans and others covered that their savings deposit information be

1 made available also. If you have only the mortgage information dis-
2 closed, then it is possible for that to be badly misinterpreted. For
3 example, if a bank showed no mortgages in a large community which it
4 served, but, in fact, had no deposits or relatively few from people in
5 that area, in other words, it was a bank that was really not a community
6 bank but which was operating on a very different level, without the
7 savings deposit information, the suggestion could be raised that that
8 particular institution was engaged in red-lining and it would not have
9 a public record of..on the basis of which it should protect itself. We
10 have actually found that some banks and some some savings and loans prefer
11 that the deposit information be kept for that very reason. Now, I would
12 not misrepresent and say that all of those banks and savings and loans
13 are supportive of retaining the deposit information, but that argument
14 has been made. It's been made to some of us, and I think before the
15 House Committee. I would like to just respond briefly to one other
16 aspect, and that is the...the fact that the savings deposit information
17 is to be disclosed is in aggregate form, we have already put on the
18 amendment which guarantees the confidentiality of individual records.
19 There is no reason in the world why it's going to be subject to the
20 kinds of harrassment that Senator Egan has suggested. We have, I think,
21 really built into this bill an absolute guarantee against that. This
22 information is very important and I would hope that the amendment would
23 be defeated.

24 PRESIDENT:

25 Any further discussion? Senator Merritt.

26 SENATOR MERRITT:

27 Mr. President, members of the Senate, I rise in support of Senator
28 Egan's Amendment No. 6. It...it's...Amendment No. 6. There's absolutely
29 in my mind no...nothing to be gained by reporting savings accounts. Agai
30 this is just a further invasion upon the privacy of the individual. I
31 don't care how they try to amend it, it's still nothing but that. I
32 rise in support of this amendment and trust that others will join me.

33 PRESIDENT:

1 Any further discussion? Question is shall Amendment No. 6 to
2 House Bill 1103 be adopted. All in favor will say Aye. Opposed Nay.
3 Roll call is requested. Amendment No. 6, shall it be adopted. All
4 in favor will vote Aye. Opposed will vote Nay. The voting is open.
5 Have all voted who wish? Take the record. Senator Netsch. The
6 verification has been requested. Verification has been requested of
7 both the affirmative and the negative votes. Will the members be in
8 their seats. Secretary will call the affirmative votes.

9 ACTING SECRETARY: (MR. FERNANDES)

10 The following voted in the affirmative:

11 Bell, Chew, Course, Davidson, Dougherty, Egan, Graham, Harber Hall,
12 Kenneth Hall, Harris, Kosinski, Latherow, Merritt, Mitchler, Mohr,
13 Newhouse, Nimrod, Nudelman, Palmer, Philip, Regner, Romano, Shapiro,
14 Smith, Vadalabene, Weaver.

15 PRESIDENT:

16 Senator Netsch.

17 SENATOR NETSCH:

18 Senator Bell on the Floor?

19 PRESIDENT:

20 Senator Bell is in his seat.

21 SENATOR NETSCH:

22 Senator Newhouse.

23 PRESIDENT:

24 Senator Newhouse on the Floor? Strike him from the roll. Come
25 over the rail, Senator, if you want to be in here.

26 SENATOR NETSCH:

27 Senator Hall on the Floor, Kenneth Hall?

28 PRESIDENT:

29 Senator Hall is on the Floor.

30 SENATOR NETSCH:

31 Senator Weaver.

32 PRESIDENT:

33 Senator Weaver is on the Floor.

Amended
6/24/75

1 SENATOR NETSCH:

2 Senator Latherow.

3 PRESIDENT:

4 Senator Latherow is on the Floor. The affirmative votes have
5 been verified. Does the request persist for the verification of the
6 negative votes. It would be a nullity. On this question, the roll having
7 been verified, the Ayes are 26, the Nays are 25. The amendment is adopt-
8 ed. Any further amendments?

9 ACTING SECRETARY: (MR. FERNANDES)

10 Amendment No. 7 offered by Senator Egan.

11 PRESIDENT:

12 Senator...Amendment No. 7, Senator Egan.

13 SENATOR EGAN:

14 Yes, Mr. President, I will withdraw Amendment No. 7. It's
15 unnecessary because of the adoption of Amendment No. 6.

16 PRESIDENT:

17 Amendment No. 7 is withdrawn. Any further amendments?

18 ACTING SECRETARY: (MR. FERNANDES)

19 Amendment No. 7 offered by Senator Berning.

20 PRESIDENT:

21 Amendment No. 7, Senator Berning is recognized.

22 SENATOR BERNING:

23 Thank you, Mr. President. Amendment No. 7 strikes Lines 25,26 and
24 27 on Page 1 and 22, 3 and 4 on Page 2. This amendment probably would
25 not have been so crucial had Amendment No. 5 been passed. The cost atten-
26 ed upon attempting to comply with Page 1, Lines 25, 26 and 27 requiring
27 the accumulation of data by census tracts is estimated to cost anywhere
28 up to 7 hundred thousand dollars. Now, why is this so difficult for the
29 financial institutions. Simply this, it would be strictly a manual oper-
30 ation. Legals do not lend themselves to computerization particularly
31 for small institutions. This amendment would help reduce the cost for
32 these firms, a cost they are in no position to really absorb, but if
33 forced to absorb, is just going to result in a loss of profits that are

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1 available for distribution...

2 PRESIDENT:

3 Would the leadership give us a little quiet over there, please.
4 Continue, Senator Berning.

5 SENATOR BERNING:

6 ...earnings that will be unavailable for distribution to the
7 savers. Mr. President, I think the rationalization is self-evident.
8 I would move for the adoption of Amendment No. 7.

9 PRESIDENT:

10 Any further discussion? Senator Savickas.

11 SENATOR SAVICKAS:

12 Well, Mr. President, I rise to disagree with Senator in his analysis
13 of the cost. In our community, we have all of the savings and loan
14 associations, Chicago Savings, Town and Federal Savings, Republic Savings,
15 Marquette Bank, Republic Bank, all of them are now doing this through
16 the census tract method without any...any complaint of any cost to them.
17 They're doing it voluntarily and have indicated that there is no problem
18 at all. I don't see why all of a sudden this great cost production is
19 put on when a community such as ours has already done this without any...
20 any complaint. I think that this is just another smoke screen to...to try
21 to stop what is considered good legislation, needed legislation for all
22 the urban areas in Illinois.

23 PRESIDENT:

24 Any further discuss...have you finished, Senator Savickas? Senator
25 Netsch.

26 SENATOR NETSCH:

27 I join Senator Savickas in opposing the amendment. He is right.
28 This has...is being done right now by numerous institutions in the
29 Chicago area. The cost figures that I have received from Senator
30 Proxmire's committee, because he proposing similar legislation at the
31 Federal level, are not that significant. There is no question that this
32 can be done, and without it, there is not a great deal of utility to the
33 information. Zip codes are much too large. I think all of us who, in fact,

1 I remember Senator Hickey saying yesterday that all of Rockford is
2 one zip code. If you had...or something close to that...if you had
3 disclosure on that basis, you would not have information in a form
4 in which it can be used. This...it is critical to the bill that we
5 do it by census tracts. It is almost certain that within a short
6 period of time there may be Federal legislation, and if it comes, you
7 may be sure it will be by census tract. So that this amendment should
8 be defeated, because without it, the disclosure is not meaningful, and
9 it is not that burdensome.

10 PRESIDENT:

11 Any further discussion? Senator Davidson.

12 SENATOR DAVIDSON:

13 Well, Mr. President, I hadn't planned on speaking in support of
14 this amendment, but the information just reiterated by Senator Netsch
15 is not correct, because, Senator, this Village of Rockford, if that's
16 what she wants to call it, that has one zip code has to be a village.
17 Now, Rockford is bigger than Springfield and Springfield has eight
18 different tract zip code districts. Now the savings and loan people
19 in this area have contacted me in relation to this bill said they can
20 live with the zip code because they already have their computer and
21 their addresses on the zip code basis. It's broken down, broken out
22 with that. But there's no way they have it broken down by a census tract,
23 as you well know, the census tract crosses precinct lines, township
24 lines and et cetera. If any of you dealt with reapportionment on the
25 one man, one vote, will know the census tract is a unique description all
26 by its little self has no relation to any other governmental boundary
27 or precinct boundaries there is, and I urge you to adopt this amendment
28 on a zip code. If you're going to penalize these people, give them
29 something that they can at least work with.

30 PRESIDENT:

31 Senator Hickey.

32 SENATOR HICKEY:

33 I want to make a correction. It was Waukegan that's in one zip

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1 code instead of Rockford. I did say yesterday, though, that I was
2 against the zip code amendment, because one zip code does cover many
3 two...many different kinds of neighborhoods in a very large area, but
4 not the whole city of Rockford. But it does...one...it does cover the
5 whole city of Waukegan.

6 PRESIDENT:

7 Any further discussion? Just a moment, I have a list here. Senator
8 ...Davidson. Senator Nudleman.

9 SENATOR NUDELMAN:

10 Thank you, Mr. President. I think it should be...it should be
11 noted that the requirements under the City of Chicago where the
12 banks and institutions that want city deposits have to...provide
13 certain information were not complied with and they did not seek
14 deposits by two of the four biggest banks in the city, because of
15 the expense of the Northern Trust and the Harris did not comply,
16 did not file, because of the expense and the time involved in getting
17 the information, and the Continental Bank, the largest bank in the
18 city, only complied with the zip code provision because they, too,
19 did not want to be bothered and couldn't afford the time and energy
20 and expense of going by the...the way the proponent is...I would
21 support Senator Berning's amendment.

22 PRESIDENT:

23 Senator Nimrod.

24 SENATOR NIMROD:

25 Yes, Mr. President, I would like to ask the sponsor a question
26 on this...the amendment. The sponsor of the amendment.

27 PRESIDENT:

28 She indicates she'll yield.

29 SENATOR NIMROD:

30 I mean...

31 PRESIDENT:

32 Oh, he indicates he'll yield. Senator Berning.

33 SENATOR NIMROD:

1 One thing is...at the last census when we were talking about
2 reapportionment, it was discovered that census tracts divided blocks
3 and, in fact, even divided a house in the middle of a block, and we
4 had to draw new precinct lines for purposes of getting these things
5 straightened out. Now, what's going happen is every ten years, these
6 census tract lines are going to change. They don't remain constant, and I
7 think what we're doing here is probably adapting ourselves to a system,
8 even though I think we want to further break down that's going to be...
9 one that's going to be constantly changing. Senator Berning, are you
10 aware that census tracts do change at every ten years of the census?
11 PRESIDENT:

12 Senator Berning.

13 SENATOR BERNING:

14 Yes, absolutely, I'm aware of that, and this merely would compound
15 the problem for the institutions. And I want to point out to Senator
16 Savickas that this proposed bill, 1103, does not apply just to Chicago,
17 but applies all counties over a hundred thousand. There is a vast
18 difference between the size and compactness of census districts within
19 the City of Chicago or even the County of Cook than there is between
20 the other counties where a census tract can cover sizable areas, many
21 of which have nothing to do with the...any of the financial institutions,
22 individually. This would be a...impossible burden to be placing on
23 these financial institutions, and I reiterate that this is an amendment
24 that is absolutely necessary.

25 PRESIDENT:

26 Senator Nimrod.

27 SENATOR NIMROD:

28 Well, thank you, Mr. President, I would say then in closing that
29 this...using the census tract that I don't believe accomplishes what
30 the intention is as far as the sponsor of the bill is, and I would
31 think that we ought to attach it to something more permanent and better
32 to be able to better administer it. I have...(Machine cut-off)...

33 SENATOR MERRITT:

1 Yes, Mr. ...Mr. President, members of the Senate, I rise in
2 support of this amendment. I think we've heard many arguments here
3 today on this particular subject. I won't try to repeat them, but
4 I know in the case of Chicago banks who attempted to get this
5 information through the U. S. Bureau of Census have found that they've
6 failed miserably. They've been inaccurate. Now, mind you, those of us
7 who live downstate what you're going to do in those counties over a
8 hundred thousand, where you're going fracture communities, rural areas
9 by these tracts, and then even the financial institution won't know
10 whether they're in compliance or not at any time. It's going to be
11 costly. The Chicago banks have found out it hasn't worked, and I would
12 urge others to support this amendment.

13 PRESIDENT:

14 Any further discussion? Senator Berning moves the adoption of
15 Amendment No. 7. All in favor will say Aye. Opposed Nay. The...a
16 roll call has been requested. All in favor of the adoption of Amend-
17 ment No. 7 will vote Aye. Opposed will vote Nay. The voting is open.
18 Have all voted who wish? Take the record. On this question, the Ayes
19 are 23, the Nays are 32. Amendment No. 7 fails. Are there further
20 amendments? Any further amendments? 3rd reading. House Bill 1122,
21 Senator Savickas. House Bill 1172, Senator Netsch. Senator Netsch.
22 House Bill 1172, Environmental Protection Agency appropriation.
23 Read the bill.

24 SECRETARY:

25 House Bill 1172.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDENT:

29 Just before we go, there's a pair of eyeglasses which have been
30 found. Does anyone...maybe they're Senator Palmer's. Been read.
31 Senator Netsch is recognized.

32 SENATOR NETSCH:

33 Mr. President, this is the regular annual appropriation for the

1 Environmental Protection Agency. The six percent cut has already
2 been applied to operating funds. If there are any questions, I
3 will try to answer them, if not, I would urge that we support it.

4 PRESIDENT:

5 Senator Latherow.

6 SENATOR LATHEROW:

7 Well, thank you, Mr. President, I was just hunting the appropria-
8 tion bill for the Department of Agriculture to show you that one of
9 the biggest industries in the State of Illinois has very, very, little
10 money supporting it comparable to what we're putting into the Environmen-
11 tal Protection Agency. I wasn't able to turn fast enough to get the right
12 ...get the figures and so forth, but I just wanted to bring this to your
13 attention. We created something about four or five years ago that now
14 is one of the biggest industries that we have as far as finances are
15 concerned, yet it's contribution to the State of Illinois, as far as
16 keeping Illinois and the United States Government on somewhat of an
17 equal basis as far as income and outgo, as far as exports and imports
18 are concerned, it's almost nil compared to this.

19 PRESIDENT:

20 Any further discussion? Senator Knuppel.

21 SENATOR KNUPPEL:

22 Well, I just want to underline what Senator Latherow has indicated
23 that largest industry in the State of Illinois, Agriculture, draws just
24 a fraction of what we put into the Environmental Protection Agency, and a
25 far as I'm concerned, it's overloaded with high price engineers and
26 others. I think one engineer in any county could do the job, and they've
27 got three hundred and some last count I had. And I know one engineer
28 could do the job in my county, and do a hell of lot better job than
29 they're doing. I think...I think it's really atrocious the amount of
30 money that goes into this...into this organization, into this agency,
31 as compared with the Department of Agriculture.

32 PRESIDENT:

33 Any further discussion? Senator Mitchler.

1 SENATOR MITCHLER: .

2 I'd like to ask the sponsor a question. What is the total
3 appropriation now with the reduction, Senator Netsch?

4 PRESIDENT:

5 Senator Netsch.

6 SENATOR NETSCH:

7 For operations, I trust you mean.

8 PRESIDENT:

9 Senator Mitchler.

10 SENATOR MITCHLER:

11 For the entire department. The total of the entire appropriation
12 in Senate Bill 1172.

13 SENATOR NETSCH:

14 I am...I'm trying to pull the figure out. I think it is, let's
15 see, for operations - thirteen million, I believe it's seven hundred
16 and five thousand of the reappropriation of bond fund is a hundred
17 and ninety-two million, a hundred and thirty-two thousand dollars...
18 three, well, three hundred and ninety-three. The bulk of the appro-
19 priation, of course, is in the reappropriation of the anti-pollution
20 bond funds.

21 PRESIDENT:

22 Senator Latherow.

23 SENATOR NETSCH:

24 One correction, I'm very sorry. The final amount on appropriation
25 as is ten million, two hundred and sixty thousand, four hundred dollars.
26 That was the figure I gave you before was before the cuts.

27 PRESIDENT:

28 Senator Bloom.

29 SENATOR BLOOM:

30 Thank you very much, Mr. President and fellow Senators, I share
31 Senators Knuppel and Senator Latherow's concern. I going to vote for
32 it, but it's kind of...it's reluctantly, because when I was the special
33 assistant Attorney General and trying to work with these birds at the

1 EPA. My experience has been that if you took a ton of dynamite and
2 blew up the permit section, that thing would operate a little better.
3 Thank you.

4 PRESIDENT:

5 Any further discussion? Senator Latherow, you've spoken on the
6 question. You have...

7 SENATOR LATHEROW:

8 I'd like the privilege to read the Agriculture Department's
9 ordinary and contingent expenses, Mr. President.

10 PRESIDENT:

11 Continue.

12 SENATOR LATHEROW:

13 Twenty million, five hundred, fifty-one thousand, two hundred
14 dollars. Thank you.

15 PRESIDENT:

16 Any further discussion? The question is shall House Bill 1172
17 pass. Those in favor will vote Aye. Opposed Nay. The voting is open.
18 Have all voted who wish? Take the record. On this question, the Ayes
19 are 50, the Nays are 2 with 1 Voting Present. House Bill 1172 having
20 received a constitutional majority is declared passed. House Bill 1103,
21 Senator Netsch. Read the bill.

22 SECRETARY:

23 House Bill 1103.

24 (Secretary reads title of bill)

25 3rd reading of the bill.

26 PRESIDENT:

27 Senator Netsch.

28 SENATOR NETSCH:

29 This is the bill that we just amended in several fairly substantial
30 respects. I think, as it exists now, it can be offensive to no one. It
31 is absolutely critical to facing up to and solving the red-lining problem
32 in Chicago. I urge a favorable roll call.

33 PRESIDENT:

1 The question is shall House Bill 1103 pass. Those...Senator
2 Merritt.

3 SENATOR MERRITT:

4 Mr. President, to oppose the concept of this bill would be like
5 being against motherhood. The concept is...certainly laudable, but I
6 do believe that we've gone much too far down the road in the invasion
7 of what I would consider many of the privacies that our citizens of
8 Illinois should be able to enjoy today. I think many provisions of
9 it make it totally unworkable. Financial institutions in Chicago have
10 found it so, and in fact, I just can't understand why they had to come
11 in the downstate areas with this type of legislation. If they really
12 wanted in it in Cook County, why they should have amended it accordingly.
13 I...I certainly cannot support the bill itself.

14 PRESIDENT:

15 The question is shall House Bill 1103 pass? Those in favor vote
16 Aye. Opposed Nay. The voting is open. Have all voted who wish? Take
17 the record. On this question, the Ayes are 42, the Nays are 11 with
18 1 Voting Present. House Bill 1103 having received the constitutional
19 majority is declared passed. House Bill 1257, Senator Knuppel. House
20 Bill 1274, Senator Demuzio. Read the bill.

21 SECRETARY:

22 House Bill 1274.

23 (Secretary reads title of bill)

24 3rd reading of the bill.

25 PRESIDENT:

26 Senator Demuzio.

27 SENATOR DEMUZIO:

28 Thank you, Mr. President and members of the Senate, House Bill 1274
29 appropriates the ordinary and contingent expenses of the Department of
30 Finance, and I would urge a most favorable roll call and ask...attempt
31 to answer any questions that you may have concerning this appropriation.

32 PRESIDENT:

33 Any discussion? Question is shall House Bill 1274 pass? Those

HB 1354
3:00

1 in favor vote Aye. Opposed Nay. The voting is open. Have all voted
2 who wish? Take the record. On this question, the Ayes are 56, the
3 Nays are none with none Voting Present. House Bill 1274 having received
4 a constitutional majority is declared passed. House Bill 1287, Senator
5 Course. House Bill 1289, Senator Bruce. Read the bill.

6 SECRETARY:

7 House Bill 1289.

8 (Secretary reads title of bill)

9 3rd reading of the bill.

10 PRESIDENT:

11 Senator Bruce.

12 SENATOR BRUCE:

13 Yes, Mr. President and members of the Senate, it's a simple bill
14 that only allows park districts...

15 PRESIDENT:

16 Senator Bruce...Senator Bruce.

17 SENATOR BRUCE:

18 Yes, House Bill 1289 is a simple bill which allows park districts
19 to issue notes instead of bonds and in lieu of bonds for the purchase
20 of property. We presently allow park districts to contract for land
21 purchase and pay it back over a long period of time. This will allow
22 them to issue the notes that's within the statutory limitation. We made
23 that clear by an amendment suggested by Senator Dougherty that it's clear
24 that it's within the present statutory limitation. I would ask for a
25 favorable roll call.

26 PRESIDENT:

27 Any further discussion? Question is shall House Bill 1289 pass?
28 Those in favor vote Aye. Opposed Nay. The voting is open. Have all
29 voted who wish? Take the record. On this question, the Ayes are 53,
30 the Nays are none with 2 Voting Present. House Bill 1289 having
31 received a constitutional majority is declared passed. House Bill 1317,
32 Senator Lemke. House Bill 1343, Senator Palmer. I understand you want
33 to hold this one, Senator. I see. I'm given to understand you desire
34 to hold this. Is that correct? My Calendar indicates that. House Bill

1 1354, Senator Demuzio. Read the bill.

2 SECRETARY:

3 House Bill 1354.

4 (Secretary reads title of bill)

5 3rd reading of the bill.

6 PRESIDENT:

7 Senator Demuzio.

8 SENATOR DEMUZIO:

9 Thank you very much, Mr. President and members of the Senate, this
10 bill is forty-five pages long. House Bill 1354. I'll attempt to
11 describe the major provisions in the bill from the staff digest. It's
12 a general revision of the Savings and Loan Act. with many revisions
13 of the Act governing State chartered Savings and Loan Associations.
14 The major changes are, that it gives the Savings and Loan Associations
15 the following...additional powers - allows the establishment of negotiable
16 orders of withdrawals which are called Now Accounts, a type of checking
17 account subject to the regulations of the commissioner of the S&Ls'.
18 It allows an association to issue Capital notes, debentures and other
19 capitol obligations subject to the regulations of the commissioner. Allows
20 associations to act as a fiscal agent for the State as well as any sub-
21 division, thereof. Allows associations to invest in a series corpora-
22 tion up to a limited determined by...up to a limit determined by the
23 commissioner. It's now limited to two percent of the associations assests
24 Allows associations to make home improvement loans in the amount of up
25 to fifteen thousand dollars, now seventy-five hundred, up to the total
26 amount of the unpaid balances not more than...than a percentage of assets
27 established by regulation of the commissioner, which is now twenty per-
28 cent. As I indicated, it's forty-five pages long, if there are spec-
29 ific questions that the members might have, I...I might be able to attempt
30 to answer them rather than read the entire digest.

31 PRESIDENT:

32 Senator Glass.

33 SENATOR GLASS:

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1 Thank you, Mr. President, I do have a question of Senator
2 Demuzio.

3 PRESIDENT:

4 He indicates he'll yield.

5 SENATOR GLASS:

6 Senator Demuzio, as you have indicated, this is a major bill.
7 It's a complete revision of the Savings and Loan Act in Illinois, and
8 from what you've stated, and from what my outline indicates also, it
9 would give savings and loans the right to have checking accounts and
10 to otherwise do things that only banks can do now. But...but, also
11 I am...I'll wait till you're...

12 PRESIDENT:

13 Yeah. Let's let him...let him...

14 SENATOR GLASS:

15 ...time to finish.

16 PRESIDENT:

17 ...let him give one answer to one question...

18 SENATOR GLASS:

19 Yeah. Let me just get my question out and...also I'm led to
20 believe that there was an...there was a provision in the bill that
21 prohibited branching and that was taken off. Now, it seems to me
22 if you're going then have savings and loans competing more and more
23 with banks, that they ought to compete on the same ground rules,
24 and if you're going to permit them to branch, but not bank, then we've
25 got a problem. So, maybe you could speak to that point.

26 PRESIDENT:

27 Senator Demuzio.

28 SENATOR DEMUZIO:

29 That provision that you address yourself was amended out in the
30 House.

31 PRESIDENT:

32 Any further discussion? Senator Glass.

33 SENATOR GLASS:

1 Yeah. I would like him to comment...so, that...am I correct
2 that there is no prohibition against branching in the bill. Is
3 that correct?
4 PRESIDENT:
5 Senator Demuzio.
6 SENATOR DEMUZIO:
7 Yes, there is. If you want to take this out of the record for
8 about five minutes. No? If...
9 PRESIDENT:
10 ...(Unintelligible)...
11 SENATOR DEMUZIO:
12 If I might be able to answer Senator Glass' questions. It is
13 forty-five pages long. I know it's an unusual situation...
14 PRESIDENT:
15 I think...
16 SENATOR DEMUZIO:
17 I'll be glad to...
18 PRESIDENT:
19 No. Let's...go ahead if you can.
20 SENATOR DEMUZIO:
21 All right.
22 PRESIDENT:
23 The question is what, Senator Glass? Whether or not it permits
24 bank branching.
25 SENATOR GLASS:
26 The question, Mr. President, is this, I understand in the bill
27 originally there was a clause that prohibited branching. Now, is that
28 wrong?
29 PRESIDENT:
30 Senator Demuzio.
31 SENATOR DEMUZIO:
32 It allowed branching, but it was amended out in the House.
33 SENATOR GLASS:

1 So. Oh, I see. So, there's nothing in there now that would
2 allow branching. That is...all right. Thank you. And, am I correct
3 that the bill does allow savings and loans to compete with banks in
4 various new ways?

5 PRESIDENT:

6 Could you...do you understand the question?

7 SENATOR DEMUZIO:

8 To my knowledge, the only competitiveness would be the Now Accounts,
9 which...are quite a bit less than what an ordinary checking account or
10 savings account would be.

11 PRESIDENT:

12 Senator Glass.

13 SENATOR GLASS:

14 Well, I will conclude. All right. At least on that point, savings
15 and loans under this bill are allowed to have checking accounts of some
16 sort but that is a new power that they do not presently have.

17 PRESIDENT:

18 Any further discussion? Senator Merritt.

19 SENATOR MERRITT:

20 I have a, Mr. President and members of the Senate, I have several
21 questions to ask of the sponsor, if he'll yield.

22 PRESIDENT:

23 He indicates he'll yield.

24 SENATOR MERRITT:

25 Senator Demuzio, in one of the...sections...well, first of all,
26 I realize that many of the revisions that are in there are necessary.
27 I don't quarrel with a lot of them, but it's unfortunate that it couldn't
28 have stuck with the revisionary bill that it started out to be and got
29 in so many other areas. For instance, one section, it deleted the statu-
30 tory specification for the commissioner's salary at thirty thousand per
31 year. Well, that raises the question immediately in many of our minds
32 just how is it going to be set. Is it going to be set in with the State
33 officer's salary bill?

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1 PRESIDENT:

2 Senator Demuzio.

3 SENATOR DEMUZIO:

4 Yes, Senator Merritt, that question came up in committee and, it
5 is correct, but it is in another bill and will be set in the usual
6 customary way with the regular State officer's salary.

7 PRESIDENT:

8 Senator Merritt.

9 SENATOR MERRITT:

10 All right, then...then there's another section relating to the
11 examination of the associations, and that's amended to delete the
12 prohibition of a field examiner taking part in two successive examinations.
13 I realize that the thrust of this is that it would give the examiner
14 greater familiarity with the accounts, but it also creates some sus-
15 ceptibility to partiality, I feel. I...I don't believe that any examiner
16 bank or saving and loan should necessarily by deletion be...be permitted
17 to be there year after year. I think it's a bad provision of the bill.

18 PRESIDENT:

19 Senator Demuzio.

20 SENATOR DEMUZIO:

21 Senator Merritt, can you tell me what section you're referring to
22 in this forty-five page bill. I don't seem to come up with it.

23 PRESIDENT:

24 Senator Merritt.

25 SENATOR MERRITT:

26 I think it's Section 7-2.

27 SENATOR DEMUZIO:

28 You're saying that...that the language that was deleted, in no
29 case may any field examiner take part in any examination of any associa-
30 tion if he has partaken in the last examination of that association.
31 Is that...is that your point?

32 PRESIDENT:

33 Senator Merritt.

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1 It...the way that I read it, it deletes that prohibition that's
2 been in existence...prohibiting a field examiner in conducting two
3 successive examinations. And I think that's...that's bad in banking
4 or savings or loan or any financial institution business.

5 PRESIDENT:

6 Senator Demuzio.

7 SENATOR DEMUZIO:

8 The reason I read those lines was because that...that section
9 was deleted, and I was pointing that out. I don't see anything myself
10 wrong, but with that provision being deleted, we just have a difference
11 of opinion concerning that point.

12 PRESIDENT:

13 Senator Merritt.

14 SENATOR MERRITT:

15 I've got grave doubts about any banking or savings and loan examiner
16 being given that access to records on two successive examinations. I...
17 I just think that you're dealing in an area that could create a lot of
18 suspect. I...I'd have to oppose the bill if no other reason on that.
19 Well, I'll go to another one then.

20 PRESIDENT:

21 But Senator...yes, Senator...

22 SENATOR MERRITT:

23 I have another question, Mr. President. Why in Section 7-5 do
24 you delete the requirement that the commissioner's annual report be
25 transmitted to the General Assembly? It would seem to me like we
26 would want to know.

27 PRESIDENT:

28 Senator Demuzio.

29 SENATOR DEMUZIO:

30 I assume you're on Page 41, Section 7-5, the Commissioner's
31 report to the Governor deleting the...the words that the report would
32 be transmitted both to the Governor and to the General Assembly. Is...
33 Is that what you're referring to, Senator Merritt?

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PRESIDENT:

Senator Merritt.

SENATOR DEMUZIO:

Well, I...I would assume that the report would be easily accessible and made available to the members of the General Assembly. If there's a problem with that particular language, I think we could take care of that...well, I see your point. We're...we're in a situation where it is a major bill, it is a long one, I certainly agree with you on this point that the report ought to be sent to the General Assembly. Perhaps we might be able to take care of that next time in the Fall rather than holding up this piece of legislation now. Just for that particular issue.

PRESIDENT:

Senator Merritt.

SENATOR MERRITT:

I'm not trying to be difficult, but the time to do it, I think, is when we've got our two staffs, they could easily prepare it, and we could come back and to it. I would like...how would you feel then in the same amendment of putting back in the prohibition of the examiners being permitted to conduct two successive examinations? I think that's really bad in...in any business where a financial institution is involved.

PRESIDENT:

Senator Demuzio, the Chair would like...

SENATOR DEMUZIO:

I don't see anything wrong with that particular point, Senator Merritt, but I'd be glad to take it out of the record for a few moments and amend that...put back in that the report be provided to the General Assembly.

PRESIDENT:

Senator Demuzio.

SENATOR MERRITT:

And could...and then I think you've at least satisfied part of my

1 requirements if you'll put that in plus the examiners.

2 PRESIDENT:

3 Senator Demuzio. Take it out of the record...

4 SENATOR DEMUZIO:

5 Well, ...

6 PRESIDENT:

7 ...then I'll talk to you. Take it out of the record. House Bill
8 1381, Senator Dougherty.

9 SECRETARY:

10 House Bill 1381.

11 (Secretary reads title of bill)

12 3rd reading of the bill.

13 PRESIDENT:

14 Senator Dougherty.

15 SENATOR DOUGHERTY:

16 Thank you, Mr. President and members of the Senate, House Bill 1381
17 was introduced by Representative Terzich at the request of Director of
18 Financial Institutions. This is an amendment to the old Shirt Act, if
19 you will recall. Provides that any property that has been held unclaimed
20 by any court or any public body, public institution, for a period of
21 seven years shall be sold, and the proceeds of such sales would be...go
22 over to the State Treasurer for a transfer to the State Pension Fund.
23 This bill was passed a number of years ago. Now, what we do by virtue
24 of this, the term usually was in the past has been fourteen years. We're
25 ...fifteen years. We are reducing it to seven years with the exception
26 of those properties by amendment including those properties and funds
27 and...tax for the writers of traveler's checks. This is a good bill.
28 It will provide about four...fifteen million dollars right off the bat
29 for the State Pension Fund and about four million dollars every year
30 thereafter.

31 PRESIDENT:

32 Any further discussion? Question is shall House Bill 1381 pass?
33 Those in favor will vote Aye. Opposed Nay. The voting is open. Have

1 all voted who wish? Take the record. On this question, the Ayes are
2 56, the Nays are none with none Voting Present. House Bill 1381 having
3 received a constitutional majority is declared passed. House Bill 1389,
4 Senator Lemke. Senator Lemke, 1389. Read the bill.

5 SECRETARY:

6 House Bill 1389.

7 (Secretary reads title of bill)

8 3rd reading of the bill.

9 PRESIDENT:

10 Senator Lemke.

11 SENATOR LEMKE:

12 This is exactly what the synopsis says. It raises the minimum and
13 maximum salaries of...of election commissioners, chief clerks and assis-
14 tant chief clerks. I ask for a favorable vote as a saver of Senator
15 Davidson.

16 PRESIDENT:

17 Any discussion? Question is shall House Bill 1389 pass? Those
18 in favor will say...vote Aye. Opposed Nay. The voting is open. Have
19 all voted who wish? Take the record. On this question, the Ayes are
20 54, the Nays are none with none Voting Present. House Bill 1389 having
21 received a constitutional majority is declared passed. House Bill 1396,
22 Senator Glass. Well, we're trying...are you going to Table it. It's
23 the same bill as 1420, House Bill 1420, which has already been passed.

24 SENATOR GLASS:

25 I...I believe I will be asking to do that, Mr. President. I just
26 wanted to see what happened to that bill before.

27 PRESIDENT:

28 Very good. House Bill 1401, Senator Savickas. House Bill 1426,
29 Senator Knuppel-Joyce. Senator Knuppel or Joyce, do you care to...
30 all right. House Bill 1443, Senator Schaffer. Read the bill.

31 SECRETARY:

32 House Bill 1443.

33 (Secretary reads title of bill)

1 3rd reading of the bill.

2 PRESIDENT:

3 Senator Schaffer.

4 SENATOR SCHAFFER:

5 House Bill 1443, as amended in the Senate, merely provides that
6 receipts of expenditures over one hundred dollars that...a list of
7 this information is available in school board offices. We did two
8 things in the Senate with the bill which was designed to make expenditures
9 from schools more readily accessible to the general public. One we
10 deleted the provision for mandatory publication. Two, we eliminated
11 Cook County, at the request of Senator Soper, and I believe those two
12 amendments eliminate all objections. I've talked to the representative
13 of the Illinois School Boards Association. He indicates that he can
14 support the bill in this shape, and I believe Senator Soper's concerns
15 have been addressed, and be happy to answer any questions. Appreciate
16 a favorable roll call.

17 PRESIDENT:

18 Any discussion? Question is shall House Bill 1443 pass. Those in
19 favor vote Aye. Opposed Nay. The voting is open. Have all voted who
20 wish? Take the record. On this question, the Ayes are 45, the Nays are
21 none with none Voting Present. House Bill 1443 having received a consti-
22 tutional majority is declared passed. House Bill 1453, Senator Harber
23 Hall.

24 SECRETARY:

25 House Bill 1453.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDENT:

29 Senator Harber Hall.

30 SENATOR HALL:

31 This bill is one of a series, the last one of a series, affecting
32 district trustees...removing the appointment of the trustees from the
33 members of the General Assembly to the County Boards.

1 PRESIDENT:

2 Any further discussion?

3 SENATOR HALL:

4 I urge your support.

5 PRESIDENT:

6 Question is shall House Bill 1453 pass. Those in favor vote
7 Aye. Opposed Nay. The voting is open. Have all voted who wish?
8 Take the record. On this question, the Ayes are 41, the Nays are
9 8 with 3 Voting Present. House Bill 1453 having received a consti-
10 tutional majority is declared passed. House Bill 1487, Senator
11 Savickas. House Bill 1521, Senator Craig...Senator Sommer.

12 SECRETARY:

13 House Bill 1521.

14 (Secretary reads title of bill)

15 3rd reading of the bill.

16 PRESIDENT:

17 Senator Sommer.

18 SENATOR SOMMER:

19 Mr. President, I would ask leave to return this for the purposes
20 of the amendment that I promised Senator Romano at his committee that
21 we would place on this bill.

22 PRESIDENT:

23 Is there leave? Leave is granted. House Bill 1521 is on the
24 order of 2nd reading. Senator Sommer is recognized.

25 SENATOR SOMMER:

26 This amendment simply provides that by virtue of having an auction-
27 eer's license, it does not vitiate the requirement that you have a license
28 to engage in selling something that has to be licensed. For example,
29 you could not sell securities at an auction, unless you were a licensed
30 security dealer.

31 PRESIDENT:

32 Any discussion? Senator Sommer moves the adoption of Amendment
33 No. 1 to House Bill 1521. Senator Rock.

1 SENATOR ROCK:

2 Does this...does this amendment also take out the subject of
3 real estate? I...I heard you say securities. I didn't hear you say...

4 PRESIDENT:

5 Senator Sommer.

6 SENATOR SOMMER:

7 Yes, Senator Rock, any licensed activity is taken out.

8 PRESIDENT:

9 Any further discussion? Senator Sommer moves the adoption of
10 Amendment No. 1 to House Bill 1521. All in favor will say Aye. Opposed
11 Nay. Amendment No. 1 is adopted. Any further amendments? 3rd reading.
12 House Bill 1529, Senator Chew.

13 SECRETARY:

14 House Bill 1529.

15 (Secretary reads title of bill)

16 3rd reading of the bill.

17 PRESIDENT:

18 Senator Chew.

19 SENATOR CHEW:

20 Mr. President and members of the Senate, it authorizes the local
21 radio groups in connection with communication. It's a safety measure,
22 and it also makes them eligible to receive law enforcement grants. I'd
23 ask for a favorable roll call.

24 PRESIDENT:

25 Any further discussion? Question is shall House Bill 1529 pass.
26 Those in favor vote Aye. Opposed Nay. The voting is open. Have all
27 voted who wish? Take the record. On this question, the Ayes are 43,
28 the Nays are 6 with none Voting Present. House Bill 1529 having re-
29 ceived a constitutional majority is declared passed. The Chair has
30 an announcement. Mr. Steven Trusdale who was taking some photos here
31 the other...a few moments ago from the Gallery. He says he needs to
32 take a few more from the Floor. Is there leave? Leave is granted.
33 House Bill 1538, Senator Nudelman. House Bill 1521, Senator Sommer.

1 House Bill 1564, Senator Shapiro.

2 SECRETARY:

3 House Bill 1564.

4 (Secretary reads title of bill)

5 3rd reading of the bill.

6 PRESIDENT:

7 Senator Shapiro. Now, just a minute, Senator.

8 SENATOR SHAPIRO:

9 Mr. President and Ladies and Gentlemen of the Senate, House Bill
10 1564 would allow the State Community College Board to enter into con-
11 tracts with local junior college boards to provide for pre-employment
12 vocational training provided that local businesses who plan to expand
13 their business by at least fifteen employees or businesses that plan
14 to relocate here in Illinois entered into an agreement with the Board
15 of Economic Development to provide for these new jobs. What the bill
16 would do, would provide for grants from the State Junior College Board
17 to the local junior college board to pay for the instructional cost
18 and for the purchase of any of the equipment that might be necessary
19 to train these people. The State Board...Community College Board would
20 also have the authority that once the project was completed that the
21 equipment could be transferred from one junior college board to another.
22 That, in a nutshell, explains the bill. If there are any questions,
23 I would be more than happy to answer them, otherwise I would appreciate
24 a favorable roll call.

25 PRESIDENT:

26 Any further discussion? Senator Rock.

27 SENATOR ROCK:

28 Thank you, Mr. President, I rise in opposition to House Bill 1564
29 and will note that the opposition is because of the time pressure and
30 fiscal pressure under which we are now operating. 1564 is admittedly
31 an ambitious program, but it none the less a new one. The companion
32 appropriation bill, 1565, was this morning in a subcommittee of the
33 Appropriations Committee. I recommend it to be held until the Fall

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1 to see if, in fact, the State...could afford to embark on a program
2 such as this. It seems to me to be a little premature to pass the
3 substantive bill and commit the State to a program that we, frankly,
4 are not ready for at this point in time, and so I would urge that
5 this bill be either re-referred to committee or fail at this point.

6 PRESIDENT:

7 Senator Shapiro.

8 SENATOR SHAPIRO:

9 In closing, Mr. President, Senator Rock is absolutely right. I
10 did prevail upon the House sponsor and the various groups interested
11 in this bill, the Community College Trustee's Association. They felt
12 that if the bill could be passed and placed on the law books and
13 implemented at a later date when the money was available, that's what
14 they would prefer. I still urge a favorable roll call.

15 PRESIDENT:

16 Question is shall House Bill 1564 pass. Those in favor vote Aye.
17 Opposed Nay. The voting is open. Have all voted who wish? Take the
18 record. On this question, the Ayes are 24, the Nays are 12 with 8
19 Voting Present. House Bill 1564 having failed to receive a constitutional
20 majority is declared lost. Senator Hall, for what purpose do you rise?

21 SENATOR HALL:

22 I'd like for the record to show I, inadvertently, hit the wrong
23 switch. I would have voted Aye for that bill.

24 PRESIDENT:

25 The record will so show. House Bill 1354, Senator Demuzio. Senator
26 Demuzio moves to take the bill from the order of 3rd reading to the
27 order of 2nd reading for the purpose of an amendment. Is there leave?
28 Leave is granted. Senator Demuzio.

29 SENATOR DEMUZIO:

30 I will yield to Senator Merritt, who will offer the amendment.

31 PRESIDENT:

32 Senator Merritt.

33 SENATOR MERRITT:

1 Yes, Mr. President, members of the Senate, the staffs on both
2 sides of the aisle prepared the amendment to put back the...the pro-
3 hibition of successive examinations of savings and loan by the examiners,
4 as well as...and also put back that the annual report is given to the
5 General Assembly, and I would move the adoption of the amendment.
6 Amendment No. 1.

7 PRESIDENT:

8 Senator...Senator Rock.

9 SENATOR ROCK:

10 What committee did this come out of?

11 PRESIDENT:

12 Senator...Senator Demuzio.

13 SENATOR DEMUZIO:

14 Finance and Credit Regulations where it was assigned by the leadership.

15 PRESIDENT:

16 Senator Rock.

17 SENATOR ROCK:

18 The question was not directed at you so much, and your answer need
19 not have been so flippant. I was asking Senator Merritt who is the
20 Minority Spokesman on that particular committee. It seems to me that
21 if we are to take a major revisionary bill and now start...now start
22 pecking away at it, I don't agree with this amendment. I don't care what
23 the staff says.

24 PRESIDENT:

25 Senator Merritt.

26 SENATOR MERRITT:

27 Well, Mr. President, Senator Rock, maybe you weren't on the Floor
28 at the time that the...

29 PRESIDENT:

30 Senator Rock.

31 SENATOR MERRITT:

32 ...debate went on, and I...

33 SENATOR ROCK:

1 I...I, in fact, was on the Floor at the time that the time the
2 debate went on.

3 PRESIDENT:

4 Senator Merritt.

5 SENATOR MERRITT:

6 Well, I thought that it was an agreed situation. Apparently, it
7 isn't, but if you can convince me that it's a good banking practice
8 whether it was S&L's or banks, credit unions whatever it might be for
9 an examiner to go back there on two successive examinations after it's
10 been a prohibition all these years, that just isn't in the best inter-
11 est of the general public.

12 PRESIDENT:

13 Senator Rock.

14 SENATOR ROCK:

15 I would say it probably puts the financial institution at little
16 bit of a disadvantage. The guy will know what he's looking for.

17 PRESIDENT:

18 Senator Merritt.

19 SENATOR MERRITT:

20 His examination, in my opinion, would be suspect certainly and
21 could well be partial.

22 PRESIDENT:

23 Any further discussion? Senator Merritt moves the adoption of
24 Amendment No. 1 to House Bill 1354. All in favor of the adoption of
25 the Amendment say Aye. Opposed Nay. A roll call is indicated. All
26 in favor of the adoption of Amendment No. 1 will vote Aye. Opposed
27 will vote Nay. The voting is open. Have all voted who wish? Take
28 the record. On this question, the Ayes are 26, the Nays are 24. The
29 amendment is adopted. ... (Machine cut-off) ... further amendments? 3rd
30 reading. Senator Savickas is recognized for a motion on House Bill 1401.

31 SENATOR SAVICKAS:

32 Yes, Mr. President and members of the Senate, I would request leave
33 to bring House Bill 1401 back for the purposes of Tabling one amendment.

1 and putting on another.

2 PRESIDENT:

3 Is there leave? House Bill 1401 is on the order of 2nd reading.
4 Senator Savickas is recognized.

5 SENATOR SAVICKAS:

6 Yes, Mr. President, voting on the prevailing side, I wish to now
7 reconsider the vote by which Amendment No. 1 was placed on House Bill
8 1401.

9 PRESIDENT:

10 You heard the motion. All in favor say Aye. Opposed Nay. The
11 motion carries. Senator Savickas.

12 SENATOR SAVICKAS:

13 Now, I would move that...

14 PRESIDENT:

15 Just a moment. Having reconsidered it, you move to Table the amend-
16 ment.

17 SENATOR SAVICKAS:

18 Right. Having moved, I wish to Table Amendment No. 1 to House
19 Bill 1401.

20 PRESIDENT:

21 All in favor will say Aye. Opposed Nay. Amendment No. 1 is Tabled.
22 Senator Savickas.

23 SENATOR SAVICKAS:

24 Now, I would like to adopt Amendment No. 5 which for all practical
25 purposes will bring House Bill 1401 back into its present form...pre-
26 sent law as far as the plumbing and labor activities concerned with
27 the Department of Public Health.

28 PRESIDENT:

29 Any discussion? Senator Soper.

30 SENATOR SOPER:

31 Now, am I to understand, Mr. President and Savickas, that with this
32 amendment that you put on, we don't have to do anything?

33 PRESIDENT:

1 Senator Savickas.

2 SENATOR SAVICKAS:

3 Well, if you mean by doing anything with it, you're correct that the
4 law as regarding the Plumbing Code and what the laborers are entitled
5 to do under the code will not be changed. That there are some administra-
6 tive changes regarding the Plumbing Board and the Department, itself,
7 that are still incorporated in the bill, and that would be advantageous
8 to both the industry and to the Department of Public Health for passage.

9 PRESIDENT:

10 Senator Soper.

11 SENATOR SOPER:

12 Would you explain the amendment, please, besides what you said? Tell
13 me the advantages, the disadvantages or what the amendment does.

14 PRESIDENT:

15 Senator Savickas.

16 SENATOR SAVICKAS:

17 Well, Senator, the amendment would bring back to the present law,
18 that part of the Plumbing Code that would have been changed by Amend-
19 ment No. 1. So, it would...Amendment No. 5, it would revert back to the
20 original statutes regarding the Plumbing Code in the area and definition
21 of plumbing.

22 PRESIDENT:

23 Senator Soper.

24 SENATOR SOPER:

25 So, when you get through with this...you're going to Table the
26 bill.

27 PRESIDENT:

28 Senator Savickas.

29 SENATOR SAVICKAS:

30 No. Senator, had you listened, I had said that even though we bring
31 back the Plumbing Code to its original form, the original law now, there
32 are some administrative changes that the Department of Public Health,
33 that the Plumbing industry and the Labor industry agreed upon for passage

1 that are included in this bill. And I would like to see the bill
2 pass to clear up some of the apprentice licensing problems, some
3 of the other problems regarding the board and the examining...and
4 the Department of Health and the Examining Board.

5 PRESIDENT:

6 Senator Soper.

7 SENATOR SOPER:

8 Yeah. I...I don't want to be critical of your bill, Senator,
9 but all I wanted to say was that if the bill was going to put it in
10 the...in the same vein as we have the...have the law now, I'd
11 like to save a little money, and let's...not go through all the
12 printing and everything else with this thing. If it's going to take
13 it back to where it was, there's going to be some miniscule changes
14 that don't amount to a tinker's damn. I don't know what that is. I
15 never saw a tinker that had a dam, but then let's save the money. Let's
16 start to save the nickels and the dimes and the dollars will take care
17 of themselves. The Bohemian's way.

18 PRESIDENT:

19 Senator Hickey.

20 SENATOR HICKEY:

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

22 PRESIDENT:

23 He indicates he'll yield.

24 SENATOR HICKEY:

25 Senator Savickas, as you know, I've been interested in this for
26 some time, and I still think that there are two very gray areas here,
27 as far as I'm concerned. One is the demarkation line for licensing, and
28 the other is the question of the definition of plumbing and plumbers.
29 But, I would like to have it stated again very clearly from you some-
30 thing which I hope I understand to be true, that neither of those or
31 anything else under this Act are mandated for any governmental unit
32 inasmuch as each governmental unit can by this provision have its own
33 superseding code. Is that correct?

1 PRESIDENT:

2 Senator Savickas.

3 SENATOR SAVICKAS:

4 Well, I hadn't intended to go into the bill itself. The amend-
5 ment that I proposed just amended one section of it, and it would bring
6 back the Plumbing Code to its original, but you are right. The admin-
7 istrative changes are the other part that I had talked about, and that
8 relates to the bill itself. If you ask on a...whether a municipality can
9 adopt their own codes compared to the State Code, yes. Any municipality
10 can adopt their own plumbing code or take the State Code. Adopt their
11 own code even if it is less than what the State Code is. They have this
12 ability. They have the ability also to enforce the State Code in their
13 communities regarding plumbing and plumbing health.

14 PRESIDENT:

15 Senator...Senator Hickey.

16 SENATOR HICKEY:

17 But if they do have their own codes, their own codes would super-
18 cede this bill in all respects with no exception.

19 PRESIDENT:

20 Senator Savickas.

21 SENATOR HICKEY:

22 Is that right?

23 SENATOR SAVICKAS:

24 Yes, as far as any code violation.

25 PRESIDENT:

26 Senator Bruce.

27 SENATOR BRUCE:

28 Yes, I wonder if I could ask the sponsor a question?

29 PRESIDENT:

30 He indicates he'll yield.

31 SENATOR BRUCE:

32 The amendment that's passed around has a lot of language dealing with
33 the definition of plumbing. Am I to understand, since it is not

1 underlined, that means that all of this language is presently in the
2 Act. All you're doing is reinserting it, word for word, the way it is.

3 PRESIDENT:

4 He indicates in the affirmative by the nodding of his head. Senator
5 Bruce.

6 SENATOR BRUCE:

7 Why, I think that clarifies any difficulty. The...the other changes
8 are only administrative in...in nature, but the...if anyone is thinking
9 the word plumbing that appears on the first page of the amendment, that
10 Senator Savickas has passed out, makes any change, it does not, it's
11 word for word, out of the present statutes.

12 PRESIDENT:

13 Any further discussion? Senator Savickas. Senator Berning.

14 SENATOR BERNING:

15 Thank you, Mr. President, I rise in support of this amendment, and
16 I might, for the benefit of any who are interested, point out that House
17 Bill 1401 was introduced by the Illinois Department of Public Health.
18 And was originally introduced in the House for the purpose of clarifying
19 administrative procedures and removing extraneous language in the Plumb-
20 ing License Law. By Tabling Amendment No. 1 and adopting Amendment No.
21 5, it will keep the definition of plumbing as it now exists in the
22 Illinois Plumbing License Law. This will eliminate the controversy in
23 reference to a change in definition between licensed plumbers, labor
24 and municipalities. The department needs this bill. It will give them
25 the mandatory Plumbing Code that will be enforced throughout the State
26 where municipalities have not adopted their own statutes.

27 PRESIDENT:

28 Senator Vadalabene.

29 SENATOR VADALABENE:

30 Yes, just briefly, Senator Savickas, this bill now satisfies the
31 plumbers and satisfies the laborers?

32 PRESIDENT:

33 Senator Savickas.

1 SENATOR SAVICKAS:

2 Yes, by bringing back this amendment, the bill is...some administra-
3 tive changes has...has no concern...both the laborers and the plumbers
4 agree with it. Their concern was the Amendment No. 1 which brought
5 some concern as far as jurisdictional rights between the two unions.
6 Amendment No. 5 just...puts back into the...into House Bill 1401 the
7 present law as it reads that they have lived with and have agreed to
8 over these many years.

9 PRESIDENT:

10 Senator Mitchler.

11 SENATOR MITCHLER:

12 Just briefly, we have a memorandum from Gerald Thompson over in
13 the Department of Public Health. I know many of you are acquainted
14 with his legal authority, and what Senator Savickas is doing now is cor-
15 rect. This is, according to what the Department of Public Health wants to
16 live with, this is a good amendment and a good bill now, and support
17 Senator Savickas in his laudable undertaking.

18 PRESIDENT:

19 Senator Savickas moves the adoption of Amendment No. 5 to House
20 Bill 1401. All in favor will say Aye. Opposed Nay. Amendment No. 5
21 is adopted. Any further amendments? 3rd read...Senator Egan asks to
22 move a bill. Is he on the Floor? House Bill 1572, Senator Egan. You're
23 back. Let's take 906, first. 960. Senator Egan is recognized on House
24 Bill 960.

25 SENATOR EGAN:

26 Having voted on the prevailing side, Mr. President, I would
27 like to move to reconsider the vote by which Senate Amendment No. 1 was
28 adopted. I have a...

29 PRESIDENT:

30 Wait one minute. You heard the motion. All in favor will say Aye.
31 Opposed Nay. The amendment is reconsidered. Senator Egan, you move to
32 Table the amendment? Senator Egan.

33 SENATOR EGAN:

1 Yes, Mr. President, I move to Table Amendment No. 1.

2 PRESIDENT:

3 There is leave to move the bill back from 3rd to 2nd. Is that
4 right? Leave is granted. Now, Senator Egan having voted on the pre-
5 vailing side moves to reconsider the vote by which Amendment No. 1
6 is adopted. All in favor will say Aye. Opposed Nay. The amendment
7 is reconsidered. Senator Egan now moves to Table Amendment No. 1. All
8 in favor will say Aye. Opposed Nay. The amendment is Tabled. Senator
9 Bell.

10 SENATOR BELL:

11 Well, thank you, Mr. President, I was just simply going to ask
12 what that amendment did that was...

13 PRESIDENT:

14 We didn't get there. He's going to explain it in a minute.

15 SENATOR BELL:

16 Well, you just Tabled it now, didn't you?

17 PRESIDENT:

18 Yes, Sir, it's Tabled. He's going to explain what the amendment
19 was that was Tabled, and what the amendment is he seeks to replace it
20 with. I think he had the wrong amendment. I'm alert to it. I
21 know what's going on. Senator Egan.

22 SENATOR EGAN:

23 Thank you, Mr. President. We just adopted that amendment about
24 an hour ago, and I explained at that time that it allows the...the
25 Superintendent of Education the...to use school construction project
26 funds instead of General Revenue funds for building the...for schools
27 for the special education building purposes. Now, what I'm doing with
28 this replacement amendment is...is merely putting the same amendment on
29 with the word - shall - deleted and the word - may - inserted, inadvert-
30 ently left out of the amendment which we already adopted.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Senator Egan moves the adoption of Amendment No. 2. Any further
33 discussion? This is the last bill you're going to have called, Senator

1 Egan. Senator Egan moves the adoption of Amendment No. 2 to House
2 Bill 960. All those in favor signify by saying Aye. All those
3 Opposed. The Ayes have it. The amendment is adopted. 3rd reading.
4 Senator Savickas, are you ready? Senator Savickas are you ready? On the
5 order of House Bills on 3rd reading, House Bill 1401. Mr. Secretary.

6 SECRETARY:

7 House Bill 1401.

8 (Secretary reads title of bill)

9 3rd reading of the bill.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Senator Savickas.

12 SENATOR SAVICKAS:

13 Well, this is the Plumbing Bill. It's now that the Amendment
14 No. 5 has been adopted, it's changes are just to give a code for the State
15 of Illinois that was advisory before. It allows municipalities
16 to adopt their own ordinances, even if the code is lesser than the
17 State's or enforce the State Code. It cleans up the apprentice
18 licensing laws so that they can be reinstated, but no fees are changed
19 in this bill. It took out the part where misdemeanor for someone to
20 put in a wrong piece of pipe and just made them license revocation
21 instead of putting them in jail. It raises the Plumbing Board from
22 five to seven members, and the purpose is that in giving these examinations
23 and hearings, that the Board, the Plumbing Board, was unable to always
24 obtain the four members that it needed to give examinations, due to va-
25 cations, work schedules and whatnot, so by adding the two additional mem-
26 bers, it would guarantee that they'd have the four members available
27 to give examinations. It just...and also changes that the Department
28 will do the hearings instead of the Board. This was at the request of
29 the Board. I move for your favorable support for House Bill 1401.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Latherow.

32 SENATOR LATHEROW:

33 Thank you, Mr. President, I had a couple of questions of the

1 sponsor.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Indicates he will yield. Senator Latherow.

4 SENATOR LATHEROW:

5 Changing of the membership of the Board, I didn't catch in the
6 amendment what was added.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Senator Savickas.

9 SENATOR SAVICKAS:

10 Senator, the purpose of changing the Plumbing Board membership
11 from five to seven members was because of the problem in getting four
12 members together to give the examinations. Due to vacation time,
13 due to trips and whatnot, the Plumbing Board has had a hard time to
14 get the four members together. They thought that by raising it to
15 seven members this would enable them to at all times have four members
16 available for examinations.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Senator Latherow.

19 SENATOR LATHEROW:

20 Who...who would make up the membership now?

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senator Savickas.

23 SENATOR SAVICKAS:

24 I would imagine it...follow as it is now...the membership is made
25 up from what I understand of members of the plumbing industry.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Latherow.

28 SENATOR LATHEROW:

29 It's...all...all members are members of the plumbing industry?

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Savickas.

32 SENATOR SAVICKAS:

33 Senator, I cannot answer that. I'm assuming that the membership

1 selection hasn't been changed. Just the two members have been added.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Senator Latherow.

4 SENATOR LATHEROW:

5 Under this legislation, can a laborer still lay, we'll say, a
6 sewer and make the connections, similar to what they have today.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Senator Savickas.

9 SENATOR SAVICKAS:

10 Yes. Senator Latherow, that was the purpose of Amendment No. 5
11 to bring back to the original code, the plumbing law, where this
12 jurisdictional dispute and argument started to arise between the laborers
13 and the plumbers. So, whatever the laborers were doing before, the
14 introduction of House Bill 1401 with its amendments, they can do now.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Senator Harber Hall.

17 SENATOR HALL:

18 Will the sponsor yield?

19 PRESIDING OFFICER: (SENATOR ROCK)

20 He indicates he will yield. Senator Hall.

21 SENATOR HALL:

22 Senator, specifically, if, we'll say, the sanitary district some-
23 where was doing their plumbing work by their own people, laborers or
24 other employees, under this bill, would they be required to hire plumbers,
25 licensed plumbers?

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Savickas.

28 SENATOR SAVICKAS:

29 Only to the extent that they were under the old law. The old law
30 has not changed...

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Can we have some order. Gentlemen, there are some justifiable
33 complaints that nobody can hear. Will you take the caucuses off the Floor?

1 Will the members please be in their seats. Senator Harber Hall.

2 SENATOR HALL:

3 I was expecting a further clarification of my question.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Senator Savickas.

6 SENATOR SAVICKAS:

7 Yes, your question was raised by, I think, every sanitary
8 district throughout the State concerning Amendment No. 1 which there
9 was a question in jurisdiction regarding the plumbing portion of the
10 sewer work for sanitary districts. As I said, Amendment No. 5 restored
11 that to the original law. Nothing is changed. Those parties that
12 were installing the sewer pipe for the sanitary districts are doing
13 it now as they did before.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Graham.

16 SENATOR GRAHAM:

17 Mr. President and members, I know that Senator Savickas has done
18 a tremendous job trying to clean this bill up. Worked very hard on it
19 for a very long time. I'm afraid that the Senator and I have a slightly
20 different opinion on what it does. I think it may be a little bit more
21 mandatory than we might think it is, and I'm not so sure, Senator Savickas
22 that the laborers are coming out on the better end of the stick. It...
23 I just have a feeling that perhaps they're not doing as well as you had
24 even hoped they would.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Any further...Senator Savickas.

27 SENATOR SAVICKAS:

28 Well, in answer to Senator Graham, they're not doing any more...
29 any better, but they haven't done any worse. They're at status quo.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Any further discussion? The question is shall House Bill 1401
32 as amended pass. Those in favor will vote Aye. Those opposed will
33 vote Nay. The voting is open. Have all voted who wish? Take the

1 record. On that question, the Ayes are 36, the Nays are 4, 10 Voting
2 Present. House Bill 1401 as amended having received a constitutional
3 majority is declared passed. On the order of House Bills on 3rd reading,
4 House Bill 960.

5 SECRETARY:

6 House Bill 960.

7 (Secretary reads title of bill)

8 3rd reading of the bill.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Egan.

11 SENATOR EGAN:

12 Thank you, Mr. President and members of the Senate, House Bill
13 960 with the amendment does two things. It provides that if the
14 school district in which a handicapped child lives does not have a
15 special education program meeting that child's needs, the school dis-
16 trict shall pay to a special education facility operated by the county,
17 and the county facility is a new inclusion in the law, and the second
18 thing it does is allow that any special education facilities that are
19 built be paid for out of Capital Development...or out of the...the
20 newly created School Construction Bond Fund, and I submit that this is
21 ...this was on the Consent Calendar. I took it off only to amend it.
22 I ask for your favorable consideration.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Is there any discussion? Senator Fawell.

25 SENATOR FAWELL:

26 Yes, Mr. President and members of the Senate, I rise in opposition
27 to this bill. Senator Egan has been kind enough to amend it as we have
28 requested so that the one thousand dollar permanent capital grant that
29 school districts have for so long enjoyed, insofar as special education
30 facilities, is not permanently lost. But, I'd ask you all to very care-
31 fully look at what this bill, which I think, prior to its amendment it
32 was a bill that was fairly inaccurate. But, what the bill is doing is
33 transferring from the General Revenue Fund over to the Capital

1 Development Board Bond Bill Fund all of the expenses of financing
2 the one thousand dollar grant for special education of all of the
3 school districts downstate. Mr. President, I'm not...I'm not sure...

4 PRESIDING OFFICER: (SENATOR ROCK)

5 I'm sure everybody is listening.

6 SENATOR FAWELL:

7 I'm not sure if even Senator Egan can hear me. I...I'll try
8 to say this without using inflammatory words, but this is really a
9 ...a raid, if you will, upon the bond proceeds of the Capital
10 Development Board Bond Bill. It's a four hundred million dollar
11 appropriation which is designed and specially set aside for those
12 priority low income districts that can qualify. What the Governor's
13 Bureau of the Budget is doing here, and this is not the State Board
14 of Education that in reality has suggested this, but what the Bureau
15 of the Budget is now saying - apparently the accelerated building
16 program has flopped, and so now what the Governor's Office is doing
17 is attempting to take about ten million dollars out of the bond pro-
18 ceeds, off the Capital Development Board Bond Bill to finance something
19 that has long been financed by the General Revenue Fund. And I refer
20 to the money that the school districts downstate have uniformly been
21 receiving for their capital construction insofar as special education
22 projects are concerned. Bear in mind that only a very few of the dis-
23 tricts downstate will qualify for Capital Development Board Bond Bill...
24 Bond Grants, and so if we now begin to say that we can simply start,
25 we're not even borrowing money but taking money from this special fund
26 which is designed to help in the construction of school buildings down-
27 state for the poorer districts and in Chicago also, we're simply going
28 to...simply take away money from the...the fund here and to eventually
29 circumvent what the intent of the Legislature was. So, I...I do rise
30 in opposition, and I would hope that on both sides of the aisle that
31 we will say to the Bureau of the Budget for...which...for so long has
32 miscomprehended what this Capital Development Board Bond Bill package
33 is all about. Prior to the Governor's accelerated building program,

1 they just continually applied the brakes to the CDB so they couldn't
2 move ahead with the program. Then the Governor gave the signal that
3 he wanted the accelerated building program, and so they increased it
4 by two hundred million up to six hundred million, which we pointed out
5 about a month wasn't necessary, and we voted against those bills. And
6 now they turn around and in the appropriation package, they've gone
7 down to a hundred million when they can go to a hundred and eighty
8 million to utilize the existing authority, and on top of that - they
9 say let's start transferring from General Revenue and use up these
10 bond proceeds. I think the...the concept is entirely defenseless,
11 and I would hope we would say that we do not adopt that kind of thinking.
12 PRESIDING OFFICER: (SENATOR ROCK)

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

14 SENATOR EGAN:

15 Well, I don't know how the Bureau of the Budget crept in here. I know
16 that they've been around for a long time, but let me say this, Senator
17 Fawell, that no one is...no one is going to get less money because of
18 the amendment. As a matter of fact, these are all anticipated Capital
19 Development programs that properly should be funded from the Capital
20 Development Bond Fund and the School Construction Fund was specifically
21 set up for this purpose. Until now, there has been no way to use that
22 money for Capital Development programs to provide for special education
23 building. Not only will fewer people receive money and benefit from
24 this, because the General Revenue Fund is broke practically, they'll
25 get more money because there's Capital Development Bond funding avail-
26 able. And so I can't disagree with you more, Senator Fawell. I...I think
27 that your fears are unfounded, and I ask for the favorable consideration
28 of the Body.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 The question is shall House Bill 960 as amended pass. Those in
31 favor will vote Aye. Those opposed will vote Nay. The voting is open.
32 Have all voted who wish? Take the record. On that question, the Ayes
33 are 31, the Nays are 21, 2 Voting Present. House Bill 960 as amended

1 having received the constitutional majority is declared passed. Senator
2 Fawell, for what purpose do you arise?

3 SENATOR FAWELL:

4 Verification of the affirmative.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Fawell has requested a verification. Will all the Senators
7 please be in their seats. Secretary will read the affirmative votes.

8 SECRETARY:

9 The following voted in the affirmative:

10 Brady, Carroll, Chew, Course, Daley, Donnewald, Dougherty, Egan,
11 Kenneth Hall, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Lemke,
12 McCarthy, Merritt, Mitchler, Morris, Netsch, Nudelman, Palmer, Rock,
13 Romano, Savickas, Smith, Vadalabene, Welsh, Wooten, Mr. President.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Chew on the Floor? Strike him from the record. Senator
16 Palmer on the Floor? Strike him from the record. Sponsor has requested
17 that the bill be placed on the order of Postponed Consideration. Con-
18 sideration will be postponed. On the order of House Bills on 3rd read-
19 ing, House Bill 964, Mr. Secretary.

20 SECRETARY:

21 House Bill 964.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Senator Lemke.

26 SENATOR LEMKE:

27 The synopsis is...this is not a new fund. This is a transfer of
28 funds which would...heretofore appropriated to the judicial system of
29 forty thousand dollars.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Any discussion? Question is...Senator Buzbee.

32 SENATOR BUZBEE:

33 What's it for?

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Lemke.

3 SENATOR LEMKE:

4 Interpreters.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Buzbee.

7 SENATOR BUZBEE:

8 Transfers it from where to where?

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Lemke.

11 SENATOR LEMKE:

12 Well, what happened here is...Judge Gulley asked for a specific
13 line to set up for interpreters, to transfer the money for the specific
14 purpose of interpreters in a language other than English.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Senator Buzbee.

17 SENATOR BUZBEE:

18 But, it's transferring funds from what particular fund right now?

19 SENATOR LEMKE:

20 Funds that we...we have...were appropriated to Cook County.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senator Buzbee.

23 SENATOR BUZBEE:

24 Well, I know, but this was money that was obviously to be used
25 in one particular area in the Cook County court system. That's what
26 I'm trying to find out. What area in the Cook County courts system
27 is it being transferred from to go to the interpreters?

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Senator Lemke.

30 SENATOR LEMKE:

31 From the general expenses.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Any further discussion? Question is shall House Bill 964 pass.

1 Those in favor will vote Aye. Those opposed will vote Nay. The
2 voting is open. Have all voted who wish? Take the record. On
3 that question, the Ayes are 57, the Nays are none, none Voting Present.
4 House Bill 964 having received a constitutional majority is declared
5 passed. On the order of House Bills on 3rd reading, 1572, Senator
6 Egan. 73 will be a hold. 1587, Senator Kenneth Hall. Senator Hall.
7 Senator Kenneth Hall.

8 SENATOR HALL:

9 Thank you...thank you, Mr. President and members of the Senate.
10 I would like leave of the Body to bring 15...return 1587 to 2nd
11 reading for the purpose of Tabling one amendment and adding another.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator Hall requests leave to bring 1587 to the order of 2nd
14 reading for the purpose of amendment. Is leave granted? So ordered.
15 Which amendment is your wish to delete?

16 SENATOR HALL:

17 I wish at this time to Table Amendment 3 to House Bill 1587.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Senator Hall moves to reconsider the vote by which Amendment No.
20 3 was adopted to House Bill 1587. All those in favor signify by saying
21 Aye. All those Opposed. The Ayes have it. It is reconsidered. Senator
22 Hall now moves to Table Amendment No. 3 to House Bill 1587. All those
23 in favor signify by saying Aye. All those Opposed. The Ayes have it.
24 The amendment is Tabled. Further amendments? Amendment No. 5 from
25 the Floor by Senator Kenneth Hall. Senator Hall.

26 SENATOR HALL:

27 Thank you, Mr. President and members of the Senate. Now, Amend-
28 ment N^o. 5 amends House Bill 1587 on Page 4 by deleting Line 18 through
29 35, and on Page 5 by deleting Line 1 through 8. Now the Amendment No.
30 3 that was Tabled, it deleted the provision for fifty thousand dollars
31 in the special fund. So this amendment that is added is Senator Shapiro's
32 amendment, which was worked out with the Children...Department of Family
33 Service, and this amendment is accepted, and I ask the adoption of this

1 amendment.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Any discussion? Senator Hall has moved the adoption of Amendment
4 No. 5 to House Bill 1587. All those in favor signify by saying Aye.
5 All those Opposed. The Ayes have it. The amendment is adopted. Any
6 further amendments? 3rd reading. Do you wish us to come back to that,
7 Senator Hall? Okay. Senator Davidson, for what purpose do you arise?

8 SENATOR DAVIDSON:

9 Point of personal privilege.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 State your point, Sir. May we have some order.

12 SENATOR DAVIDSON:

13 Mr. President and members of the Senate, I'd like the opportunity
14 to present to you an usual group. This is one of the few people that
15 has had a picture on the front page of the Sun Times, Chicago Sun Times,
16 in relation to promotion...promoting religion. We have in the gallery the
17 Holy Pool group from the First United Methodist Church who are here in the
18 Capital today promoting the only circus in the world, The Circus for Youth,
19 which will be here in Springfield July the 13th which raises money to send
20 youth to the Olympics on gymnastics. I'd like to present to you Reverend
21 Peckham and the Holy Pools from the First Methodist Church of Springfield,
22 in the gallery to the rear. And I'll get in a commercial, they will be
23 out in the rotunda with tickets, if you would care to purchase for the
24 circus or just help out.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Senator Joyce is out of order again. Senator Partee.

27 SENATOR PARTEE:

28 Senator Davidson, if I'd know they were going to be in full regalia,
29 I would have had you introduce them from the Floor, since no clowns have
30 ever been on the Floor here.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 1591, Senator Daley. On the order of House Bills on 3rd reading,
33 House Bill 1591, Mr. Secretary.

1 SECRETARY:

2 House Bill 1591.

3 (Secretary reads title of bill)

4 3rd reading of the bill.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Daley.

7 SENATOR DALEY:

8 Mr. President and fellow Senators, this requires the printing
9 procured for the use of the State to be procured by employees receiving
10 the prevailing wage rate from working under conditions prevalent in
11 a locality in which the work is produced. It provides that a legitimate
12 collective bargaining agreement shall be deemed to establish the min-
13 imum standards of the locality. This will allow union, as well as
14 nonunion companies, to bid on contracts as long as they provide a
15 prevailing wage rate and working conditions under prevailing conditions
16 in an area. And I'd ask for a favorable roll call. If there's any
17 questions...

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Any discussion? Senator Sommer.

20 SENATOR SOMMER:

21 Would the sponsor yield for a question?

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Indicates he will yield. Senator Sommer.

24 SENATOR SOMMER:

25 Would this Act prevent the letting of printing contracts to non-
26 union shops?

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Senator Daley.

29 SENATOR DALEY:

30 This will allow any company, as long as they're paying a pre-
31 vailing rate, wage rate, and working conditions under prevailing in
32 an area.

33 PRESIDING OFFICER: (SENATOR ROCK)

1 Senator Sommer.

2 SENATOR SOMMER:

3 Does it require that they have to have a contract with their
4 employees or...or does it simply require that they have to be paying
5 what the union scale is in that particular area?

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Daley.

8 SENATOR DALEY:

9 As long as they're...paying a prevailing rate at the locality.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Any further discussion? Senator Clarke.

12 SENATOR CLARKE:

13 Is the recent...yield to a question.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Indicates he will yield. Senator Clarke.

16 SENATOR CLARKE:

17 Is the recent Supreme Court decision on the Antitrust Act not
18 applying to...being exempted...from...lawyers have anything to do with
19 this. This sounds like you're setting a wage scale...the end...the
20 prevailing wage in each area is going to be it, and nobody can compete
21 or provide any competition.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Daley.

24 SENATOR DALEY:

25 Well, there was a recent decision in a district court whereby a
26 kind of injunction preventing the Department from awarding a contract
27 to a union shop. But, this is allowing both union and nonunion shops
28 to bid.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Further discussion? Senator Harber Hall.

31 SENATOR HALL:

32 I wonder, Senator Daley, if you have an estimate of the cost to
33 the State if this bill is passed.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Daley.

3 SENATOR DALEY:

4 No, I don't. Actually, most, about ninety-five percent or ninety-
5 eight percent of the...printing contracts are contracted out on a pre-
6 vailing rate with few exceptions.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Any further discussion? The question is shall House Bill 1591
9 pass. Those in favor will vote Aye. Those opposed will vote Nay.
10 The voting is open. Have all voted who wish? Take the record. On
11 that question, the Ayes are 38, the Nays are 8, 1 Voting Present. House
12 Bill 1591 having received the constitutional majority is declared passed.
13 1594, Senator Egan. Senator Hall. On the order of House Bills on 3rd
14 reading, House Bill 1587, Mr. Secretary.

15 SECRETARY:

16 House Bill 1587.

17 (Secretary reads title of bill)

18 3rd reading of the bill.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Senator Kenneth Hall.

21 SENATOR HALL:

22 Thank you, Mr. President and fellow members of the Senate; this,
23 House Bill 1587, amends the Department of Children and Family Service
24 Act. Now, there has been five amendments put on this bill, and it's
25 been...and they all have met the agreement of the Department of Children
26 and Family Service, and as I explained to you that the fifty thousand
27 in a special child and family emergency fund was deleted. The other
28 amendment was worked out with Senator Shapiro on the other side. At
29 this time, all...everybody concerned is in agreement, so I'd ask your
30 most favorable support for this bill.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Any discussion? The question is shall House Bill 1587 as amended
33 pass. Those in favor vote Aye. Those opposed will vote Nay. The voting

1 is open. Senator Clarke, for what purpose do you arise?

2 SENATOR CLARKE:

3 I just wanted to ask a question of the sponsor.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Indicates he will yield even though we're on roll call.

6 SENATOR CLARKE:

7 Is the provision for a trust fund, emergency payment fund, still
8 in the bill? Or was that amended out?

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Kenneth Hall.

11 SENATOR HALL:

12 Senator, the amendment that was offered by Senator Shapiro
13 deleted the Section of the bill which sets up a child and family
14 emergency payment fund.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 That amendment was offered the other day. Yeah. Okay. Have
17 all voted who wish? Take the record. On that question, the Ayes are
18 47, the Nays are 1, none Voting Present. House Bill 1587 as amended
19 having received the constitutional majority is declared passed. 1607,
20 Senator Knuppel. Do you wish that called? On the order of House Bills
21 on 3rd reading, House Bill 1607, Mr. Secretary.

22 SECRETARY:

23 House Bill 1607.

24 (Secretary reads title of bill)

25 3rd reading of the bill.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Knuppel.

28 SENATOR KNUPPEL:

29 The bill does just exactly what the synopsis says it does. It
30 amends the Act in relation to jails and jailers to provide the require-
31 ment that when a prisoner is transferred from one county to another,
32 that he can be held liable for his jailing expenses. It just strikes
33 the words - unless the same are paid by the prisoner. I...I solicit

1 a favorable roll call.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Is there any discussion? The question is shall House Bill 1607
4 pass. Those in favor will vote Aye. Those opposed will vote Nay.
5 The voting is open. Have all voted who wish? Take the record. On
6 that question, the Ayes are 50, the Nays are none, 2 Voting Present.
7 House Bill 1607 having received a constitutional majority is declared
8 passed. 1615, Senator Hall. On the order of House Bills on 3rd read-
9 ing, House Bill 1615, Mr. Secretary.

10 SECRETARY:

11 House Bill 15...1615.

12 (Secretary reads title of bill)

13 3rd reading of the bill.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Kenneth Hall.

16 SENATOR HALL:

17 Thank you, Mr. President and fellow members of the Senate, House
18 Bill 1615 is introduced at the request of the Commission on Urban Ed-
19 cation, and we have here, Senator Karl Berning, Senator Bradley Glass,
20 Senator Richard Newhouse and myself are from the Senate as the members...
21 as the members of this Commission. Now, this simply sets up and pro-
22 vides that young persons should have a chance and a opportunity to...to
23 work in vocational education in Illinois in urban centers. And I would
24 ask your most favorable support of this bill.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Senator Shapiro.

27 SENATOR SHAPIRO:

28 Will the sponsor yield for a question?

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Indicates he will yield. Senator Shapiro.

31 SENATOR SHAPIRO:

32 Senator Hall, what's the cost of this program?

33 PRESIDING OFFICER: (SENATOR ROCK)

1 Senator Hall..

2 SENATOR HALL:

3 We had an appropriation of House Bill 1616, and we have Tabled
4 that one. It...it was...do not pass, and so this is going to be
5 Federal funds that's coming to us. Senator Glass might respond to
6 that also.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Senator Glass.

9 SENATOR GLASS:

10 Well, thank you, Mr. President. I think Senator Hall is correct
11 with regard to the funding. This is a commission, I think it's been
12 in operation now for six years. Senator Harber Hall has also served
13 on it in addition to Senator Berning and myself. I think it's done
14 a lot of good work, and it should continue, and I'd urge support of the
15 bill.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Shapiro.

18 SENATOR SHAPIRO:

19 Is it Federal money or General Revenue money?

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Hall.

22 SENATOR HALL:

23 Well, my understanding that it's Federal money.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Senator Berning.

26 SENATOR BERNING:

27 Yes, Mr. President, that is my understanding also that this is
28 a program that will be implemented through the Federal monies that
29 have been made available. If I might just supplement somewhat what
30 has been said by Senator Hall, the hearings of this commissions were
31 invariably burdened with the requests to consider expanding vocational
32 ...vocational educational possibilities for particularly the
33 inner city young people. And I might just...refer you to one item

1 on Page 3 of the report, if you look at nothing else. You will be
2 impressed by the fact that the peak impact for these young people
3 leaving schools, either with or without high school education, and
4 needing vocational training, that impact will fall between 1975 and
5 1985. This is an area of great need for the ultimate good for our
6 society. Training of people in vocations is a, actually, invently
7 more important...infinitely more important than just pursuing higher
8 education for higher education's sake.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Daley, for what purpose do you arise?

11 SENATOR DALEY:

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

13 PRESIDING OFFICER: (SENATOR ROCK)

14 State your point.

15 SENATOR DALEY:

16 I would like to introduce a group of students from the Pine 11th
17 Ward community from the City of Chicago from the Marc Sheridan School.
18 I'd like to have them stand up please.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Will our guests please stand and be recognized. Any further dis-
21 cussion? Senator Soper.

22 SENATOR SOPER:

23 Well, like to...thank you, Mr. President, I'd like to ask the
24 sponsor a question. Is this program now in effect or is this a new
25 program?

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Kenneth Hall.

28 SENATOR HALL:

29 Yes, it is, Senator.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Soper.

32 SENATOR SOPER:

33 I asked a question. Is it in effect or is it a new program?

1 You said - yes, it is. I don't know which...which you want an answer
2 to.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Hall.

5 SENATOR HALL:

6 Well, it's...it's been in effect, Senator. We're just continuing
7 it. It's in effect now.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Senator Soper.

10 SENATOR SOPER:

11 Well, Ladies and Gentlemen of the Senate, it always amazes me,
12 everybody looks the other way when you say - this is going to be
13 funded by a Federal program, and everybody looks up in the sky, and
14 they look, and they...they...it seems to me they find the people in
15 the sky who pay the money in this Federal program. And I, you know,
16 I...I seem to...to believe that the same people that fund the State
17 programs fund this program. I don't think there's any difference
18 between Federal money, State money, local money, it all comes from
19 the poor sucker that puts his pants on in the morning, kisses his
20 wife and then we get these programs and this has been funded. I'd
21 like to know what this fund...what this program has accomplished.
22 What has this accomplished? Have you put people to work or do people
23 just go and get this money and sit around and do nothing? Tell...
24 tell us something about it.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Senator Hall.

27 SENATOR HALL:

28 Senator Soper, we passed out, and it was put on your desk several
29 weeks ago, a report of the Illinois Legislative Commission on Urban
30 Education, and it outlines the numerous things that this Commission has
31 done. It's quite lengthy, and it was placed on your desk. I'm certain
32 that...and Senator Glass, would you hand him another copy so that he
33 might look at it.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Soper. Your...your time is almost up.

3 SENATOR SOPER:

4 I understand that. I get these lengthy answers to...yes, I know
5 it. My time's gone. I can see that. Just tell me, what...with...
6 with your lengthy program here, I understand that between yourself
7 and Senator Glass and Senator Berning you know all that's in this...
8 this document. How many jobs or how many...how many people have you
9 trained? How much has it cost? And are they back in the training
10 program? Are they getting a masters in a...in a...in a...in another
11 ...another degree from college? That's what I want to know. In
12 the nonwork program.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator Hall.

15 SENATOR HALL:

16 I'll accede to Senator Glass. He wants to answer that.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 I think the question was rhetorical anyway. Senator Glass.
19 SENATOR GLASS:

20 Well, thank you, Mr. President. For Senator Soper's benefit,
21 this is a Commission, and the Commission has undertaken studies in
22 vocational education primarily. It's like other commissions like
23 commissions that look for alternative sources of revenue to replace
24 the personal property tax and come out with reports. I think it's
25 good commission and should be continued.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Soper, your time has expired. Senator Soper.

28 SENATOR SOPER:

29 Well, on a point of personal privilege, and if you all want me to
30 drop dead, I won't accommodate anybody right now because I got a good
31 report at one twenty-six over seventy on my blood pressure. So, the
32 nurse says - don't insult me by dropping dead when you walk out of
33 the office there.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Hall may close the debate.

3 SENATOR HALL:

4 Well, I just want to say. I want to apologize to my cousin, Senator
5 Harber Hall, for not mentioning that he's also a member of this
6 commission. I would ask your most favorable support.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 The question is shall House Bill 1615 pass. Those in favor will
9 vote Aye. Those opposed will vote Nay. The voting is open. Have
10 all voted who wish? Take the record. Senator Soper, need we verify
11 your vote? On that question, the Ayes are 54, the Nays are none, none
12 Voting Present. House Bill 1615 having received a constitutional major-
13 ity is declared passed. 1645, Senator Berning. On the order of House
14 Bills on 3rd reading, House Bill 1645, Mr. Secretary.

15 SECRETARY:

16 House Bill 1645.

17 (Secretary reads title of bill)

18 3rd reading of the bill.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Senator Berning.

21 SENATOR BERNING:

22 Thank you, Mr. President and members of the Board...of the Body,
23 the Senate, I beg your pardon. This has to do with the county board.
24 We're probably all b-o-r-e-d. 1645, members of the Senate, is another
25 alternative for the dual service of a member of the county board who
26 holds the office of Township Supervisor. You may recall that we did
27 pass Senate Bill 496, as I recall, which extended the dual and legalized
28 the holding of the dual office until the end of the supervisors term
29 in 1977. What we have then before us here...it's an alternative. That's
30 all.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Senator Berning, have you concluded?

33 SENATOR BERNING:

1 I...I was ready to close by saying this is an alternative that
2 provides for the dual holding of the office through the term of the
3 county board member. Apparently, he could run for supervisor once
4 more.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Harber Hall.

7 SENATOR HALL:

8 Well, we're going to be here till Saturday or Sunday or Monday,
9 and this bill has already passed both Houses. Here we are fooling around
10 with an identical bill. I'm going to vote no on it.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Just...just informed. You're correct. Senator Pate Philip.
13 Any further discussion? The question is shall House Bill 1645 pass.
14 Those in favor will vote Aye. Those opposed will vote Nay. The
15 voting is open. Have all voted who wish? Take the record. On that
16 question, the Ayes are 28, the Nays are 15, 2 Voting Present. House Bill
17 1645...sponsor requests Postponed Consideration. Consideration will be
18 postponed. 1656, Senator Egan, again. On the order of House Bills
19 on 3rd reading, House Bill 1656, Mr. Secretary.

20 SECRETARY:

21 House Bill 1666.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 1656.

26 SECRETARY:

27 House Bill 1656.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Thank you, Mr. Secretary. Senator Egan.

30 SENATOR EGAN:

31 Thank you, Mr. President and members of the Senate. This House
32 Bill is identical to Senate Bill 529 which passed earlier in the
33 Session overwhelmingly. It creates a new Act to regulate the practice

1 of escrow tax accounts. It has the support of the industry. It
2 had passed overwhelmingly. I see no need to discuss it any further.
3 I...I ask your favorable consideration.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Any discussion? The question is shall House Bill 1656 as amended
6 pass. Those in favor will vote Aye. Those opposed will vote Nay. The
7 voting is open. Have all voted who wish? Take the record. On that
8 question, the Ayes are 50, the Nays are none, 2 Voting Present. House
9 Bill 1656 as amended having received a constitutional majority is
10 declared passed. On the order of House Bills on 3rd reading, House
11 Bill 1659, Mr. Secretary.

12 SECRETARY:

13 House Bill 1659.

14 (Secretary reads title of bill)

15 3rd reading of the bill.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Don Moore.

18 SENATOR MOORE:

19 Thank you, Mr. Chairman...or Mr. President and members of the
20 Senate. House Bill 1659 as amended creates a legislative committee
21 to determine a cross computation formula, and to recommend a cross
22 related reimbursement plan for facilitates providing sheltered care,
23 intermediate and skilled nursing care. The members are selected
24 by the leadership of the House and Senate. The committee shall no
25 longer...no later than January 1, '76 report to the leadership of
26 the House and Senate and to the Legislative Advisory Committee on
27 Public Aid an appropriate formula for determining cost related re-
28 imbursement. The bill also mandates the committee to study the
29 amortization and construction costs of county nursing homes in
30 determining whether these costs should be considered in developing
31 the cost related formula for county nursing homes. Be happy to
32 answer any questions, if not, I'd ask for a favorable roll call.

33 PRESIDING OFFICER: (SENATOR ROCK)

1 Any discussion? The question is shall House Bill 1659 pass.
2 Those in favor will vote Aye. Those opposed will vote Nay. The
3 voting is open. Have all voted who wish? Take the record. On
4 that question, the Ayes are 42, the Nays are 6, 1 Voting Present.
5 House Bill 1659 having received the constitutional majority is declared
6 passed. Senator Partee, for what purpose do you arise?

7 SENATOR PARTEE:

8 Point of personal privilege, Mr. President.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 State your point.

11 SENATOR PARTEE:

12 A few moments ago many of you received a...an invitation to
13 breakfast, and I've had several different inquiries as to where it
14 came from. I want you to know that it came from me, and you're
15 my guests, and the Ladies of course will not be offended, but this
16 is a men only breakfast. And to answer a question, it is not
17 sponsored by the massage parlors.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 1668. Senator Romano moves...asks leave to bring 1668 back to
20 the order of 2nd reading for the purpose of an amendment. Is leave
21 granted? On the order of House Bills on 2nd reading, House Bill 1668.

22 SECRETARY:

23 Amendment No. 1 offered by Senator Shapiro.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Senator Shapiro.

26 SENATOR SHAPIRO:

27 Mr. President and Ladies and Gentlemen of the Senate, we have
28 several members of the General Assembly who also belong to the Illinois
29 Municipal Retirement Fund, and they have no way of terminating that
30 participation. In other words, they are contributing to two funds.
31 This amendment will allow any participating employee who is a member of
32 the General Assembly, who upon writing to the Illinois Municipal Retirement
33 Fund, to terminate participation in that fund. This termination

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1 is irrevocable. He is eligible for the benefits he has earned to
2 the date of the revocation, but beyond that he is no longer a member
3 of the fund. I would urge its adoption.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Any discussion? Senator Shapiro moves the adoption of Amendment
6 No. 1 to House Bill 1668. All those in favor signify by saying Aye.
7 All those Opposed. The Ayes have it. The amendment is adopted. Any
8 further amendments? 3rd reading. You wish to come...

9 SECRETARY:

10 Amendment No. 2...

11 PRESIDING OFFICER: (SENATOR ROCK)

12 I beg your pardon.

13 SECRETARY:

14 ...offered by Senator Berning.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Amendment No. 2, Senator Berning.

17 SENATOR BERNING:

18 Thank you, Mr. President, Amendment No. 2 simply assures that
19 in those instances where a...an individual enters the General Assembly
20 at any time subsequent to the beginning of the year and thereby becomes
21 eligible for that year as part of his pension...accrual, he will be
22 required to pay the full year's contribution to the system, the same
23 as if he had been a participant as of the first of the year. In
24 other words, it makes his contribution fit his benefits, and I would
25 move for the adoption of Amendment No. 2.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Berning has moved the adoption of Amendment No. 2 to
28 House Bill 1668. Any discussion? All those in favor signify by saying
29 Aye. All those Opposed. The Ayes have it. The amendment is adopted.
30 Any further amendments? 3rd reading. Senator Sam, do you wish to come
31 back to that? O.K. 1670, there's a request to be held. 1685, request to
32 be held. 1691, Senator Schaffer. On the order of House Bills on 3rd
33 reading, House Bill 1691, Mr. Secretary.

1 SECRETARY:

2 House Bill 1691.

3 (Secretary reads title of bill)

4 3rd reading of the bill.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Schaffer.

7 SENATOR SCHAFFER:

8 House Bill 1691 as amended, and I...I refer to the amendment which
9 in effect strikes the enacting clause and transfer the provisions of
10 a House committee bill into this bill to refer that as, with your
11 permission, Mr. President, as the Rock Amendment. Since Senator Rock
12 and I were very much involved in this the...would...the bill as amended
13 would provide that certain specified reimbursable services of the
14 Department of Children and Family Services shall pay...the Department
15 shall pay one hundred percent of the reasonable cost. It also pro-
16 vides that the reimbursement for administrative costs may not exceed
17 twenty percent of the cost of other services. This bill gets back
18 to the subject that Senator Knuepfer and I along with Senator Rock
19 and many of the members of this Body were concerned about, and the
20 Department of Children and Family Services last year. Be happy to
21 answer any other questions on the bill.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Any discussion? The question is shall House Bill 1691 as amended
24 pass. Those in favor should vote Aye. Those opposed will vote Nay.
25 The voting is open. Have all voted who wish? Take the record. On
26 that question, the Ayes are 53, the Nays are 2, none Voting Present.
27 House Bill 1691 as amended having received a constitutional majority
28 is declared passed. On the order of House Bills on 3rd reading, House
29 Bill 1668, Mr. Secretary.

30 SECRETARY:

31 House Bill 1668.

32 (Secretary reads title of bill)

33 3rd reading of the bill.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Romano. Senator Romano. 1668, Senator, as amended.

3 SENATOR ROMANO:

4 Mr. President and members of the Senate, 1668 authorizes the
5 member of the General Assembly filling a vacancy to get credit for
6 one year...credit to the General Assembly Retirement System providing
7 he makes the proper contribution. This bill has been amended. We
8 have two amendments on to protect everybody. I think it's a good
9 bill in this form. I would urge everybody to vote for it.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Any discussion? The question is shall House Bill 1668 as amended
12 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
13 is open. Have all voted who wish? Take the record. On that question,
14 the Ayes are 54, the Nays are none, 2 Voting Present. House Bill 1668
15 as amended having received a constitutional majority is declared passed.
16 On the order of House Bills on 3rd reading, House Bill 1693, Mr.
17 Secretary.

18 SECRETARY:

19 House...House Bill 1693.

20 (Secretary reads title of bill)

21 3rd reading of the bill.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Hickey.

24 SENATOR HICKEY:

25 Mr. President and members of the Senate, when we brought this
26 up the other day, I was under the mistaken idea that this would
27 mandate a...the award, the scholarship award figure. It simply sets
28 a maximum or a ceiling, and it can be adjusted downward from that by
29 the ISSC. It, at this point, the maximum is thirteen fifty. This would
30 raise it to fifteen hundred. Now, there was four million dollars origi-
31 nally appropriated for this increase. That has been cut to two and a
32 half million. There are several ways that the ISSC could handle this.
33 They're still interested in having this maximum award. The way that they

1 probably would choose is simply not make any awards for the summer
2 of 1976 until they see whether there are available funds. There's
3 also an amendment to this which was introduced as a bill itself and
4 got lost in...in the Reference Bureau and so was added here which
5 provides for a recycling of the loan dollars in the ISSC loan guarantee
6 program. This allows, of course, they already use the reimbursement
7 funds obtained from the Federal Government to this, but this would
8 allow that fund also, a special fund, which would also use the funds
9 obtained from recruitment payments made by prior defaulted borrowers
10 of ISSC. Now, those latter funds simply go into the General Revenue
11 Fund. This would...this would make it easier for us to see exactly
12 what this does cost the State. If there is a separate fund set up
13 for this, and also would give the use of that money for this purpose.
14 Now, there was an appropriation originally of six million dollars for
15 those...for the loan fund, most of which, you see, will...would be
16 repaid by the Federal Government and then by the borrowers. That has
17 been cut by two million dollars to four million dollars, but that
18 actually is not money which eventually will be spent by the State of
19 Illinois. I'd be glad to answer any questions, if I can, and I would
20 ask for a favorable roll call.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Any discussion? Senator Weaver.

23 SENATOR WEAVER:

24 Senator Hickey, we're going to have to prorate then depending
25 on the number of applicants for scholarship funds. Is that right?

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Hickey.

28 SENATOR HICKEY:

29 That could be.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Weaver.

32 SENATOR WEAVER:

33 What would be your guess as to the maximum in a situation where

1 we had to prorate if sufficient dollars were not appropriated?

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Senator Hickey.

4 SENATOR HICKEY:

5 I'm sorry. I...I can't give you a guesstimate of that.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Weaver.

8 SENATOR WEAVER:

9 Well, Senator Hickey, this...this is a new program, and I was
10 just wondering whether at this time we wouldn't be better off to
11 leave the maximum at thirteen fifty considering the fact that...that
12 we don't know what the proration might be. There's an expanded
13 number of applicants for these scholarships fund. Wouldn't it be
14 better just to leave the maximum at this particular point in time
15 at thirteen fifty so those who made application would know that
16 they were going to at least get the maximum, and not prorated up
17 and down the line depending on what the ration at any one school
18 might be.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Senator Hickey.

21 SENATOR HICKEY:

22 Senator Weaver, I think that decision is up to you to make as
23 to how you feel about that. We're still, as the sponsor of the bills,
24 still is asking for the maximum to be set at fifteen hundred and
25 the judgement of...of the prorating or the use of the funds, which
26 are appropriated, be left up to the Illinois Scholarship Commission.
27 Now I also want to point out the amendment on the bills which I hope
28 will not be lost, because in it...it, in itself, is meritorious and
29 ...and businesslike.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Weaver.

32 SENATOR WEAVER:

33 You speak about an amendment. I don't see any amendment on this

1 bill, Senator Hickey. Is it on the appropriation bill?

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Senator Hickey.

4 SENATOR HICKEY:

5 Do you have the bill in hand, Sir? Yes, on Page 4.

6 SENATOR WEAVER:

7 Well, I just am looking at the Calendar, and it doesn't show
8 any amendment attached to 1693.

9 SENATOR HICKEY:

10 I have...I have the bill in hand, which is amended, and it's
11 in Section 30-1512 A, an, at the top of Page 4. It was amended in
12 the House.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator Weaver.

15 SENATOR WEAVER:

16 Well, that...that clarifies. You said it was amended in the
17 House. Well, just to conclude, I...I would think that we, at this
18 point in time, would probably be better off in not considering raising
19 the maximum inasmuch as we...we might have problems...even coming up
20 to the thirteen fifty now allowable due to the increased number of
21 students requesting scholarships. So, I would...I would hope for
22 a no vote on this bill.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator Shapiro.

25 SENATOR SHAPIRO:

26 Mr. President and Ladies and Gentlemen of the Senate, just a few
27 remarks concerning this bill. What could happen here is that many
28 deserving students, applicants, to both our public institutions and
29 private institutions could be denied help this next coming year if this
30 increase of a hundred and fifty dollars is adhered to, because the
31 appropriation bill has been cut a significant amount of dollars.
32 We may be better off just to keep the lid at thirteen fifty to make
33 sure that the increased number of applicants are taken care of under

1 the existing conditions of the appropriation bill.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Any further discussion? Senator Harris.

4 SENATOR HARRIS:

5 Well, I know that it's been mentioned that this is four million
6 dollars of new commitments to what is, of course, an outstanding and
7 desirable program. We just haven't got four million dollars. There's
8 no question about that, and I'm one who over the years has had a dis-
9 trict in which the private institutions of higher education have had
10 a very important impact and made a very important contribution to our
11 total social and cultural fabric here in Illinois. Nobody can argue
12 effectively against the premise that private higher education does
13 an outstanding job, and I want to be counted among those who is an
14 advocate of that very important contribution to our higher education
15 mix in developing the young people of Illinois. We are at that criti-
16 cal threshold today as determining whether, in fact, at the thirteen
17 fifty rate, with increasing number of applicants applying for this
18 State Scholarship Program, whether by increasing it to fifteen hundred
19 dollars, we are not in...in...in ultimate result denying this important
20 assistance to deserving people who qualify for the scholarship program.
21 In other words, reducing the numbers. Would that we had unlimited funds,
22 we just don't. And if, in fact, there is a fiscal crisis as delineated
23 by the Governor, Governor Walker, who so stated, over prime time TV,
24 then we cannot, consistent with that position, pass 1693.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Any further discussion? Senator Demuzio.

27 SENATOR DEMUZIO:

28 Well, it...it almost sounds as though we're debating the amendment
29 that will put on, attempted to be put on, to House Bill 1977 which
30 Senator Weaver will attempt to have added. I'll call your attention
31 to the fact that...that amendment would reduce the full-time grants
32 by an additional million dollars, and the Appropriations Committee has
33 already cut two million dollars out from that category. It would reduce

1 the part-time grants by three hundred and fifty thousand and the
2 Appropriations Committee has already cut out five hundred thousand.
3 So, I just want to make the membership aware that that amendment
4 is coming on 1977 in regards, House Bill 1977, in regards to raising
5 the scholarship grant level from thirteen fifty to fifteen hundred.
6 And I rise in support of Senator Hickey's bill.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Any further discussion? Senator Hickey may close the debate.

9 SENATOR HICKEY:

10 Thank you, Mr. President. I would like to point out to Senator
11 Harris that I think he's probably right that we can't afford a four
12 million dollar increase at this point, but at this point there is no
13 four million dollar increase on the board. It's...it's two and a half
14 million as Senator Demuzio said perhaps it will be reduced more by
15 Senator Weaver's wishes. But, nevertheless, if what we had last year
16 took care of thirteen fifty and there is some increase, any increase
17 at all, which there is certainly indication that there may very well
18 be, and at this point there is two and a half million increase, ap-
19 proved, not by this group but by the...by the Appropriations Committee.
20 We do need some way to be able to distribute that in case there are
21 not the great added numbers that we're talking about. And what this
22 bill...does is not to say that it has to be that every award has ...
23 full-time award has to be an award of fifteen hundred dollars. It
24 says that it may be, and that the Scholarship Commission may, in its
25 wisdom, put it where it profitably can be for the most people. If we
26 have this money, which we have put there, we need to have a way to be
27 able to distribute it. Not mandating fifteen hundred dollars, but
28 mandating whatever extra we possibly do have, which we now have, which
29 now is in the...in the appropriation. So, again, do not think of this
30 as a mandate of fifteen hundred dollars and a definite cut down of the
31 numbers to be served, think of this as a possible way to distribute
32 whatever it is we have above the appropriation of last year, and I would
33 appreciate a favorable roll call. Thank you.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 The question is shall House Bill 1693 pass. Those in...those
3 in favor vote Aye. Those opposed vote Nay. The voting is open.
4 Have all voted who wish? Request Postponed Consideration. Consid-
5 eration will be postponed. Senator Partee, do you wish 1716? All
6 right. On the order, you...you do wish those next two called. On
7 the order of House Bills on 3rd reading, House Bill 7...1716, Mr.
8 Secretary.

9 SECRETARY:

10 House Bill 1716.

11 (Secretary reads title of bill)

12 3rd reading of the bill.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator...Senator Partee.

15 SENATOR PARTEE:

16 Thank you, Mr. President. House Bill...

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Can we have some order. Can we break up this caucus here in the
19 front. Senator Soper, Senator Philip.

20 SENATOR PARTEE:

21 Thank you, Mr. President and members of the Senate. These bills
22 being in tandem and relating...one to each other, I'd like to make
23 one explanation which would cover both House Bills 1716 and 1717.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Is leave granted? Leave is granted. Proceed, Senator.

26 SENATOR PARTEE:

27 These are bills brought into being by Representative Taylor in
28 the House from my district which creates a work study program for high
29 school students in areas of high unemployment. Now, basically, it has
30 been amended, and it only applies to students in the 11th and 12th
31 grades. That is at the suggestion of Senator Harris so that we could
32 obviate any question about child labor laws and things of that sort.
33 And it's for application in areas of high unemployment. And that would

1 certainly apply to the district from which we come. It would provide
2 that the persons in the neighborhood may hire high school students at
3 not in excess of two dollars an hour and half of the money would be
4 paid by the Office of Education. This would keep many students in
5 school. It would keep them off the streets. It would keep them
6 from doing a lot of things in...of a nefarious nature which is dis-
7 ruptive to the community and to the neighborhood. It calls for,
8 in the next bill, an appropriation of only a hundred thousand dollars.
9 And I would certainly be supportive of the bills, and would ask that
10 you too support them. I'd be happy to ask any questions that might be
11 asked.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Any discussion? Senator Latherow.

14 SENATOR LATHEROW:

15 Mr. President, I only notice in the digest in the explanation
16 of Amendment No. 1, it says, subject and gymnasium to students enrolled
17 in grades 9, 11 and 12, and surely that's an error isn't it?

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Senator Partee.

20 SENATOR PARTEE:

21 That is an error. It's now just 11 and 12. That's the Harris
22 amendment, I call it. Just 11th and 12th grades. That's all.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator Harber Hall.

25 SENATOR HALL:

26 I see the bill as originally introduced called an area of un-
27 employment...any area over five percent. Was that changed?

28 SENATOR PARTEE:

29 Would that change what, Senator?

30 SENATOR HALL:

31 Was it changed to raise the unemployment rate before which this
32 program would be applicable.

33 SENATOR PARTEE:

1 No. It's still five percent, as I understand it.

2 SENATOR HALL:

3 Well, it occurs to me that it might be a little bit low. I
4 imagine every area in the State has over five percent now.

5 SENATOR PARTEE:

6 Well, even at five percent, I'm sure that the Office of Education
7 would look around and determine what area needed it most and would
8 declare priorities on that basis.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Bloom.

11 SENATOR BLOOM:

12 Senator, I'm assuming that this is thoroughly needed in your
13 district. Senator, am I correct?

14 SENATOR PARTEE:

15 Yes, Sir...yes, Sir, it is a bridge to less robberies and burglaries.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Any further discussion? The question is, shall House Bill 1716 pass.
18 Those in favor vote Aye. Those opposed vote Nay. The voting is open.
19 I can't really say it from up here. Have all voted who wish? Take
20 the record. On that question, the Ayes are 51, the Nays are none, none
21 Voting Present. House Bill 1716 as amended having received the constitu-
22 tional majority is declared passed. On the order of House Bills on
23 3rd reading, House Bill 1717, Mr. Secretary.

24 SECRETARY:

25 House Bill 1717.

26 (Secretary reads title of bill)

27 3rd reading of the bill.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Senator Partee.

30 SENATOR PARTEE:

31 House Bill 1717, as explained, is a companion bill to 1716.
32 Appreciate a favorable roll call.

33 PRESIDING OFFICER: (SENATOR ROCK)

1 Any discussion? The question is shall House Bill 1717 pass.
2 Those in favor will vote Aye. Those opposed will vote Nay. The
3 voting is open. Have all voted who wish? Take the record. On
4 that question, the Ayes are 54, the Nays are none, none Voting
5 Present. House Bill 1717 having received a constitutional majority
6 is declared passed. On the order of House Bills on 3rd reading,
7 House Bill 1722, Mr. Secretary.

8 SECRETARY:

9 House Bill 1722.

10 (Secretary reads title of bill)

11 3rd reading of the bill.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator Don Moore.

14 SENATOR MOORE:

15 Thank you, Mr. President and members of the Senate, House Bill
16 1722 amends the School Code in sections providing reimbursement for
17 special education for children from orphanages, foster family homes,
18 children homes or in State housing units. It also allows for current
19 quarterly funding for any of our wards residing in either State facili-
20 ties or orphanages. It would also remove the present arbitrary five
21 percent restriction of any school districts ADE in...for...in order to
22 qualify for reimbursement. Be happy to answer any questions. Ask
23 for a favorable roll call.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Senator Bruce.

26 SENATOR BRUCE:

27 Yes, I wonder if the sponsor would yield to a question?

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Indicates he will yield. Senator Bruce.

30 SENATOR BRUCE:

31 Would you indicate to us the cost of this legislation?

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Senator Moore.

1 SENATOR MOORE:

2 I don't have it in the file. No, Sir.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Bruce.

5 SENATOR MOORE:

6 Other than the...the...I believe presently they're paying at
7 the end of the...the school year. They would now be paying
8 quarterly and there would be a loss of interest there to the...

9 SENATOR BRUCE:

10 Well, would it be incorrect if I'm told it would cost one point
11 four million dollars for this reimbursement for next year? Would I
12 be much wrong?

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator Moore.

15 SENATOR MOORE:

16 I think that would be approximately right, Senator.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Senator Bruce.

19 SENATOR BRUCE:

20 Well, I would just point out that Senator Buzbee and others have
21 spent a great deal of time trying to develop a school aid formula that
22 properly handles reimbursement to local districts for programs that we
23 mandate that they implement. This goes against the formula and would
24 require reimbursement to local districts of an additional one point
25 four million dollars at a time that I think we can ill afford it.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Shapiro.

28 SENATOR SHAPIRO:

29 Mr. President and Ladies and Gentlemen of the Senate, this bill, all
30 it does is remove the five percent restriction or limitation on impaction
31 aid in those school districts where there are orphanages, foster
32 parents who have children placed there by the State of Illinois for
33 their education and their living. It is no more fair to take care of

1 this group than it is for all the other orphanages types of impaction
2 aid that we have that does not...that...that do not have the five
3 percent limitation. Naturally, it's going to cost a little money,
4 because now, those districts that did not qualify before will now
5 be able to do so. It's a good bill and it deserves approval by
6 the Senate.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Any further discussion? Senator Don Moore. The question is
9 shall House Bill 1722 pass. Those in favor will vote Aye. Those
10 opposed will vote Nay. The voting is open. Have all voted who wish?
11 Take the record. On that question, the Ayes are 32, the Nays are 10,
12 4 Voting Present. House Bill 1722 having received a constitutional
13 majority is declared passed. Senator Graham, for what purpose do
14 you arise?

15 SENATOR GRAHAM:

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

17 PRESIDING OFFICER: (SENATOR ROCK)

18 State your point, Sir.

19 SENATOR GRAHAM:

20 We've had a gentleman from Evergreen Park hanging around the Senate
21 for some eighteen years. Made a contribution to it. Today we have
22 his family pretty well represented. We have Senator Frank in the
23 Senate, his beautiful daughter is a Page, and in the Gallery, immedi-
24 ately to my right is Senator Frank Ozinga's wife and his mother who
25 has never attended a Session of the General Assembly during the time
26 our Senator has served, and I think that we'd like to have them stand
27 and be recognized by the Senate.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 A little earlier we skipped a bill on the basis that there was a
30 purported amendment. I understand the bill is ready to go. It's House
31 Bill...on the order of House Bills on 3rd reading, House Bill 1056.
32 Mr. ...Senator Partee, for what purpose do you arise?

33 SENATOR PARTEE:

Just to remind you that there is a note there from a...from a Senator who gave me this morning with reference to a matter on concurrence where there's an emergency.

PRESIDING OFFICER: (SENATOR ROCK)

That is correct.

SENATOR PARTEE:

Fine.

PRESIDING OFFICER: (SENATOR ROCK)

Thank you, Sir. On the order of House Bills on 3rd reading, House Bills on 3rd reading, House Bill 1056, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1056.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR ROCK)

Senator Kosinski.

SENATOR KOSINSKI:

Mr. President and...and members of the Senate, Senate Bill 1056 is an appropriation of seven hundred...I can't even see that...seven hundred and seventy-two thousand, eight hundred and fifty-six thousand for the ordinary and contingent expense of the Inner Governmental Corporation...Cooperation Commission.

PRESIDING OFFICER: (SENATOR ROCK)

Is...is there any discussion? Any discussion? Senator Welsh.

SENATOR WELSH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR ROCK)

Indicates he will yield. Senator Welsh.

SENATOR WELSH:

I think there's an amendment that's coming down here, Senator, and I would ask you to hold the bill.

PRESIDING OFFICER: (SENATOR ROCK)

Senator Kosinski.

SENATOR KOSINSKI:

Mr. President, there isn't any amendment that I can see.

PRESIDING OFFICER: (SENATOR ROCK)

Thank you.

1 SENATOR KOSINSKI:

2 That...there...there was one was...was withdrawn, and there isn't
3 any amendment. If you are trying the six percent, let the Governor
4 do the six percent cutting.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 The question is shall House Bill 1056 pass. Senator Savickas.
7 SENATOR SAVICKAS:

8 Yes, we have a very serious amendment here. We have an Assistant
9 Director of this Commission to raise his salary by seven thousand dollars,
10 and I think it's very important that we consider this and amend this
11 bill before it leaves the Senate.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Well, the...the bill has been laying on the Calendar for lo
14 these many days. Senator Romano.

15 SENATOR ROMANO:

16 Is this amendment coming by carrier pigeon?

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Well, that's...that's the point I was making, Senator. Your
19 point is well taken. The question is shall House Bill 1056 pass.
20 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 41, the Nays are 7, none Voting Present. House
23 Bill 1056 having received a constitutional majority is declared passed.
24 I have...the Chair has been requested, may we have leave to go to the
25 order of the Secretary's Desk for the purpose of handling Senate Bill
26 1499? I understand it's an emergency appropriation. Is leave granted?
27 So ordered. On the order of the Secretary's Desk, 1499, Senate Bill
28 1499. On the order of the Secretary's Desk, Senate Bill 1499 with
29 House Amendments 1 and 2, Senator Course.

30 SENATOR COURSE:

31 Yes, Mr. President, I move to concur in House Amendment 1 and 2
32 to Senate Bill 1495. What Amendment No. 1 does, it adds two hundred
33 thousand dollars for the OSPI and Amendment No. 2 adds one hundred

1 thousand dollars appropriation for the House of Representatives for
2 printing services. I would appreciate your concurrence.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Any discussion? Senator Weaver.

5 SENATOR WEAVER:

6 Senator Course, what is House Amendment No. 2?

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Senator Course.

9 SENATOR COURSE:

10 It's an appropriation for...of one hundred thousand dollars. It's
11 for printing. It was necessitated by the increased cost of printing
12 bills this Session.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Any further discussion? Question is shall the Senate concur in
15 House Amendments 1 and 2 to Senate Bill 1499. Those in favor will vote
16 Aye. Those opposed will vote Nay. The voting is open. Have all voted
17 who wish? Take the record. On that question, the Ayes are 49, the Nays
18 are none, none Voting Present. The Senate concurs in Amendments 1 and
19 2 to Senate Bill 1499, and this bill having received the required con-
20 stitutional majority is declared passed. We have leave...Senator Partee,
21 for what purpose do you arise?

22 SENATOR PARTEE:

23 I'll do that momentarily. Well I did have an announcement. The
24 Sergeant-at-Arms has two documents for dissemination to you. One re-
25 lates to the Legislative Information Systems synopsis of bills on
26 the agreed bill list which was passed this morning. Now, this has
27 been ready a couple of hours to let you know how fast this gets
28 done. So you'll have a copy of that, and there's a memorandum on the
29 Conference Committee procedure, which I think you'd want to...familiar-
30 ize yourselves with, because we'll be getting to that order very fast.
31 Would you pass them out, Mr. Sergeant-at-Arms.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Is leave to return to the order of House Bills on 3rd reading?

1 On the order of House Bills on 3rd reading, House Bill 1730, Mr.
2 Secretary.

3 SECRETARY:

4 House Bill 1730.

5 (Secretary reads title of bill)

6 3rd reading of the bill.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Senator Howard Mohr.

9 SENATOR MOHR:

10 Yes, Mr. President, this bill was on the agreed list, and I
11 had it taken off yesterday to put an amendment on this. The amend-
12 ment would...insure that each Congressional District would, in fact,
13 have a...at least one member at large to serve as a qualified electorate
14 representing that district. I'm...I'm sorry. I thought that was
15 brought back and amended. I offer Amendment No. 1...I believe...

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Howard Mohr seeks leave of this Body to bring House Bill
18 1730 back to the order of 2nd reading for the purpose of an amendment.
19 Is leave granted? So ordered. On the order of House Bills on 2nd
20 reading, House Bill 1730.

21 SECRETARY:

22 Amendment No. 1 offered by Senator Howard Mohr.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator Mohr.

25 SENATOR MOHR:

26 Yes, Mr. President, there...it's a short amendment. I'll read it.
27 "However, if the...application of the formula...prescribed by this
28 paragraph results in the allocation of zero delegates to any congress-
29 ional district, the State Convention shall select as delegate at
30 large, at least one qualified elector of such Congressional District-
31 just to insure that each district is represented." I move for the adop-
32 tion.

33 PRESIDING OFFICER: (SENATOR ROCK)

1 Senator Mohr...Senator Partee.

2 SENATOR PARTEE:

3 Well, I just wanted to ask Senator Mohr, this is for your con-
4 vention, is that right? Does not affect mine, is that right.

5 SENATOR MOHR:

6 That is right, Senator.

7 SENATOR PARTEE:

8 Well, I want you to know I want to support it, because I want to
9 give you whatever you want in your convention. I would expect the like
10 kind.

11 SENATOR MOHR:

12 Well, my record will show...it already shows.

13 SENATOR PARTEE:

14 It does, Senator. It does.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 All right. Senator Howard Mohr has moved the adoption of Amend-
17 ment No. 1 to House Bill 1730. Any further discussion? All in favor
18 signify by saying Aye. All Opposed. The Ayes have it. The amendment
19 is adopted. Any further amendments? 3rd reading. Senator Mohr, do
20 you wish to come right back to that. Okay. 1738, Senator Lane. On
21 the order of House Bills on 3rd reading, House Bill 1738, Mr. Secretary.

22 SECRETARY:

23 House Bill 1738.

24 (Secretary reads title of bill)

25 3rd reading of the bill.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Lane.

28 SENATOR LANE:

29 Yes, Sir, Mr. President, members of the Senate, House Bill 1738
30 extends the prohibition against cancellation except for the three
31 previous reasons mentioned to renewal policies. I asked for an opinion
32 from the Department of Insurance, and they say that this simply prevents
33 a cancellation during a policy midterm. If there's no question, I ask

1 for a favorable roll call.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Any discussion? Senator Bell.

4 SENATOR BELL:

5 Just a few questions of the sponsor.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Indicates he will yield. Senator Bell.

8 SENATOR BELL:

9 Senator Lane, you did discuss this with me. However, I do have
10 a question in reference to House Bill 1738 that we didn't previously
11 talk about, and that is it seems to me that...that we're already touch-
12 ing on what we have done in previous legislation that we passed out
13 of the Senate. And, in fact, in several occasions, I think Senate
14 Bill, I'm not sure of this, but I think Senate Bill 275 that I sponsored
15 and also Senate Bill 841 addressed to that, and both of them have gone
16 on, I believe, passed the House or in final passage over in the House.
17 Is the department saying that they want a third bill addressing itself
18 to this?

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Senator Lane.

21 SENATOR LANE:

22 No, but they do match and that this corrects any conflict that
23 there might be in the wording in previously passed legislation.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Further discussion? Question is shall House Bill 1738 pass. Those
26 in favor will vote Aye. Those opposed will vote Nay. The voting is
27 open. Senator Bruce, will you vote me Aye, please. Have all voted
28 who will? Take the record. On that question, the Ayes are 52, the
29 Nays are none, none Voting Present. House Bill 1738 having received
30 a constitutional majority is declared passed. Senator Lane seeks
31 leave, 1739, Senator Lane seeks leave to take House Bill 1739 back
32 to the order of 2nd reading for the purpose of an amendment. Is leave
33 granted? So ordered. On the order of House Bills on 2nd reading, House

1 Bill 1739.

2 SECRETARY:

3 Amendment No. 1 offered by Senator Lane.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Senator Lane.

6 SENATOR LANE:

7 Amendment No. 1 excludes any liquidation order that is in the process
8 of being liquidated, and would not...this bill would not apply to such
9 order.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Any discussion? Senator Lane has moved the adoption of Amendment
12 No. 1 to House Bill 1739. All those in favor signify by saying Aye.
13 All those Opposed. The Ayes have it. The amendment is adopted. Any
14 further amendments? 3rd reading. On the order of House Bills on 3rd
15 reading, House Bill 1730, Mr. Secretary.

16 SECRETARY:

17 House Bill 1730.

18 (Secretary reads title of bill)

19 3rd reading of the bill.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Howard Mohr.

22 SENATOR MOHR:

23 Yes, Mr. President, this is the bill that I just amended, and I
24 move for...or would ask the Body for a favorable roll call.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Any discussion? Senator Bruce.

27 SENATOR BRUCE:

28 I was inadvertently called away, and since this has to do with
29 selection of delegates to National Convention, I wonder if you could
30 explain to me what the amendment did.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Senator Mohr.

33 SENATOR MOHR:

1 Yeah. I would point out Senator Bruce this is for the Republican
2 Convention only. It would make sure that each Congressional District
3 would have a representative. As the bill was drawn...delegate, as
4 it was originally drawn, there was a possibility that each district
5 might not have an electorate or delegate.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Further discussion? Senator Schaffer.

8 SENATOR SCHAFFER:

9 Well, Senator Mohr, this does affect Republicans, and I am a
10 Republican, how are the delegates from my Congressional District going
11 to be selected next year?

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator Mohr.

14 SENATOR MOHR:

15 You can make them...make the choice, as you have done in the
16 past. The two...two methods of doing it. This is a third alternative,
17 Senator. This is endorsed by all of the Republican Chairmen, and I
18 don't know of anybody that's opposed to this even out in the great
19 McHenry County area.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Schaffer.

22 SENATOR SCHAFFER:

23 It didn't answer my question.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Senator Mohr.

26 SENATOR MOHR:

27 You would...you would still have the option of doing it the way
28 you have been or this third option is a weighted method of selection.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Senator Schaffer.

31 SENATOR SCHAFFER:

32 My...the people of my Congressional District get to make the
33 decision or the State Central Committee gets to make the decision?

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Mohr.

3 SENATOR MOHR:

4 As it has been done in the past, Senator. The State Central
5 Committee.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Schaffer.

8 SENATOR SCHAFFER:

9 I'm not sure I'm bubbling with enthusiasm over that. Well, I
10 do think this is something that should have been kicked around a
11 little bit. I'll vote for it, but I think it should have been
12 talked about a little bit.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator Mohr.

15 SENATOR MOHR:

16 Well, I...I'm called a professional politician, Senator, but
17 I'm not really, and this comes from those that would be, in my
18 opinion, professional people that set the standards for the party,
19 and generally are helpful in getting us elected down here. I, again,
20 the bill came from the people of the various organizations state-
21 wide, I'm told.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Wooten.

24 SENATOR WOOTEN:

25 Mr. President, just to add a corolary to the Partee Principle.
26 As long as there is unanimity on the Republican side on this method
27 of delegate selection, why then I don't think there should be any
28 hesitation in our supporting it, and there is unanimity, I think, in
29 and on the Republican side.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Further discussion? Question is shall House Bill 1730 as amended
32 pass. Those in favor will vote Aye. Those opposed will vote Nay. The
33 voting is open. Have all voted who wish? Take the record. On that

1 question, the Ayes are 42, the Nays are 1, 7 Voting Present. House
2 Bill 1730 as amended having received a constitutional majority is
3 declared passed. On the order of House Bills on 3rd reading, House
4 Bill 1739. Mr. Secretary.

5 SECRETARY:

6 House Bill 1739.

7 (Secretary reads title of bill)

8 3rd reading of the bill.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Lane.

11 SENATOR LANE:

12 Thank you, Mr. President, House Bill 1739 raises the maximum
13 obligations recoverable from the Insurance Guaranty Fund from fifty
14 thousand to a hundred thousand. This bill was on the agreed bill
15 list. I took it off for reasons to amend it. I ask for a favorable
16 roll call.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Any discussion? The question is shall House Bill 1739 as amended
19 pass. Those in favor will vote Aye. Those opposed will vote Nay. The
20 voting is open. Have all voted who wish? Take the record. On that
21 question, the Ayes are 45, the Nays are none, 4 Voting Present. House
22 Bill 1739 as amended having received a constitutional majority is
23 declared passed. On the order of House Bills on 3rd reading, House
24 Bill 1743, Mr. Secretary.

25 SECRETARY:

26 House Bill 1743.

27 (Secretary reads title of bill)

28 3rd reading of the bill.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Senator Romano.

31 SENATOR ROMANO:

32 Mr. President and members of the Senate, 1743 really...it creates
33 a new commission, but it's a continuing Study Commission of Insurance.

1 And the insurance industry is of such magnitude, and I think it takes
2 a commission of this Senate and the House to make a study and see
3 that we get the proper laws on this book. I would ask for your favor-
4 able consideration of this bill.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Any discussion? Senator Philip.

7 SENATOR PHILIP:

8 Yeah. I have a question of the sponsor.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Indicates he will yield. Senator Philip.

11 SENATOR PHILIP:

12 Senator Romano, I have two questions. Number one - is this the
13 same commission bill that was beaten in Executive Committee, and number
14 two - what's the amount of the appropriation?

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Senator Romano.

17 SENATOR ROMANO:

18 No, I...I don't think this is the one that was beaten in the
19 Executive Committee. I really don't. I can't answer that one, but
20 the...the appropriation is in the...in a different bill that's coming
21 up later on.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Philip.

24 SENATOR PHILIP:

25 What is the appropriation?

26 SENATOR ROMANO:

27 Well, I believe it's been cut down considerably. I don't know. I
28 think maybe eighty-five thousand dollars.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Further discussion? Question is shall House Bill 1743 pass.
31 Those in favor will vote Aye. Those opposed will vote Nay. The
32 voting is open. Have all voted who wish? Take the record. On
33 that question, the Ayes are 49, the Nays are 2, 2 Voting Present.

1 House Bill 1743 as amended having received a constitutional majority
2 is declared passed. On the order of House Bills on 3rd reading, House
3 Bill 1750, Mr. Secretary.

4 SECRETARY:

5 House Bill 1750.

6 (Secretary reads title of bill)

7 3rd reading of the bill.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Senator Buzbee.

10 SENATOR BUZBEE:

11 Yes, Mr. President, this amends the State Universities Retirement
12 ment System Article of the Illinois Pension Code. It increases the
13 the maximum survivors' annuity from two hundred and fifty to three
14 hundred dollars per month for one survivor, and from three hundred
15 and fifty to five hundred dollars per month for two or more survivors.
16 This bill has been approved by the Pension Laws Commission. The dollar
17 figures are the same as for the Chicago Teachers Retirement System,
18 and the same as for the downstate teachers Retirement System, and I would
19 ask for a favorable roll call.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Any discussion? Senator Demuzio.

22 SENATOR DEMUZIO:

23 Will the sponsor yield to a question?

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Indicates he will yield. Senator Demuzio.

26 SENATOR DEMUZIO:

27 Can a person vote for this bill and still be fiscally a conserva-
28 tive?

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Senator Buzbee.

31 SENATOR BUZBEE:

32 Absolutely, Senator Demuzio. This has got nothing to do with the
33 General Revenue Fund because the money is in the system already, and the..

1 the University Retirement System pays in for these benefits.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Further discussion? Question is shall House Bill 1750 pass.
4 Those in favor will vote Aye. Those opposed will vote Nay. The
5 voting is open. Have all voted who wish? Take the record. On
6 that question, the Ayes are 55, the Nays are 1, none Voting Present.
7 House Bill 1750 having received a constitutional majority is declared
8 passed. On the order of House Bills on 3rd reading, House Bill 1759,
9 Mr. Secretary.

10 SECRETARY:

11 House Bill 1759.

12 (Secretary reads title of bill)

13 3rd reading of the bill.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Donnewald.

16 SENATOR DONNEWALD:

17 Yes, Mr. President, Senator Rock isn't in his seat, so I ask
18 leave to handle the bill for him. Is there leave?

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Leave is granted.

21 SENATOR DONNEWALD:

22 Does exactly what the Calendar indicates and there was an amend-
23 ment also taking care of the Assistant Director. I would move for
24 a favorable roll call.

25 PRESIDING OFFICER: (SENATOR ROCK)

26 Any discussion? Question is shall House Bill 1759 as amended
27 pass. Those in favor will vote Aye. Those opposed will vote Nay.
28 The voting is open. Have all voted who wish? Take the record. On
29 that question, the Ayes are 48, the Nays are 8, none Voting Present.
30 House Bill 1759 as amended having received a constitutional majority
31 is declared passed. On the order of House Bills on 3rd reading, House
32 Bill 1766, Mr. Secretary.

33 SECRETARY:

H B 1790
6/24/76

1 House Bill...

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Hold it. Senator Newhouse, you seek leave to recall this for
4 the purpose of an amendment? Senator Newhouse seeks leave to recall
5 to 2nd reading House Bill 1766 for the purpose of an amendment. Is
6 leave granted? So ordered. On the order of House Bills on 2nd read-
7 ing, House Bill 1766.

8 SECRETARY:

9 Amendment No. 2 offered by Senator Newhouse.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Senator Newhouse.

12 SENATOR NEWHOUSE:

13 Thank you, Mr. President, Senators. This bill came out of
14 committee and there was an agreement when it came out that there
15 would be an amendment placed upon it. The amendment is designed
16 to reduce the amounts in the bill. To reduce from a million to five
17 hundred thousand, the amount that would be used to qualify the small
18 businessman, and from fifty thousand to thirty thousand is the amount
19 that would be included in the aggregate contracts to be let. I
20 would move its adoption.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Any discussion? Senator Newhouse moves the adoption of Amendment
23 No. 2 to House Bill 1766. All those in favor signify by saying Aye.
24 All those Opposed. The Ayes have it. The amendment is adopted. Any
25 further amendments? 3rd reading. 1790, Senator Savickas. On the
26 order of House Bills on 3rd reading, House Bill 1790, Mr. Secretary.

27 SECRETARY:

28 House Bill 1790.

29 (Secretary reads title of bill)

30 3rd reading of the bill.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Senator Savickas.

33 SENATOR SAVICKAS:

H.B. 1790
6/24/75

1 Yes, Mr. President and members of the Senate, House Bill 1790
2 is the legislative attempt to prevent the honest, hard working
3 business people from being charged with a crime when they don't
4 even know when a crime has been committed. House Bill 1790 sets
5 out a quick constitutional procedure to determine when a book, magazine
6 or a movie is obscene. It sets up a declaratory judgement procedure
7 for a judge and jury to rule on whether something is obscene, and once
8 it is determined to be obscene any further sale or distribution will
9 be subject to the full impact of the criminal law. Today, we have a
10 problem when we look at the movies being shown and to the magazines
11 being sold on every newsstand, such as Playboy or Penthouse with
12 nude women on the covers, and inside, no one, including the United
13 States Supreme Court, knows what is or is not obscene. It, under law,
14 as it is today, the man selling papers at the corner newsstand can
15 be arrested for selling Playboy, charged with selling obscene material,
16 fingerprinted, ridiculed in his community, put through a terrific
17 expense of a trial, hiring lawyers all for selling something that
18 no one can say is or is not obscene. So, I would suggest that House
19 Bill 1790 is a bill that will probably result in the real smut peddlers
20 being found guilty and thrown in jail in more cases, because the
21 defendant won't be able to say that he did not think that the item
22 was obscene. A court would have already made that determination.
23 House Bill 1790 keeps the obscenity laws on the books. It allows
24 the local State's Attorney to prosecute, and a local judge and a
25 local jury to determine what is obscene. It uses the language set
26 out by the U.S. Supreme Court as to what is obscene. This bill does
27 not try to impose on anyone a tighter or looser definition of...of
28 obscenity. It uses Supreme Court language and leaves it up to local
29 law enforcement officers and local juries to decide. House Bill 1790
30 is a reasonable approach to a serious problem. How to get the smut
31 peddlers out of business while still allowing legitimate businessmen
32 to know when they are breaking the law. I would support...appre-
33 ciate your support for House Bill 1790.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Any discussion? Senator Mitchler.

3 SENATOR MITCHLER:

4 Well, I'd...

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Would you take the Appropriations Committee off the Floor?

7 Senator Mitchler.

8 SENATOR MITCHLER:

9 We certainly applaud the sponsor for putting in such a bill and
10 all of his laudable comments about it, but Senator Savickas, why did
11 you submit what is known as a home rule amendment and exclude Cook
12 County and the City of Chicago where you represent?

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator Savickas.

15 SENATOR SAVICKAS:

16 Well, Senator, it was just a matter of pure politics. We couldn't
17 get it out of committee.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Senator Mitchler.

20 SENATOR SAVICKAS:

21 And I am told by my counsel that the Chicago and Cook County
22 laws on this matter are more stringent.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator Mitchler.

25 SENATOR MITCHLER:

26 Well, why do you have to have that, then why can't we exclude
27 Oswego?

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Senator Savickas.

30 SENATOR SAVICKAS:

31 I would support such a bill at our next meeting. Yes, I would.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Senator Mitchler.

1 SENATOR MITCHLER:

2 Well, I just want to point out that here you have a bill that's
3 supposed to have a lot of impact and try to do the right thing, but
4 you exclude over half the people of the State of Illinois and in
5 the most heavily populated area, and it's not in the rural community
6 out in the little farm store that you get all of these...this smut
7 literature. It's in the big city and in the Cook County and the large
8 metropolitan areas where you have the amount of people that it can
9 be dispensed with, and to have the Home Rule Amendment excluding
10 Cook County and the City of Chicago makes this bill nil.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Senator Vadalabene.

13 SENATOR VADALABENE:

14 Yes, thank you, Mr. President and members of the Senate. Senator
15 Mitchler was in the Senate when I was in the House of Representatives
16 and I passed a bill and they used to call me, Mr. Clean. And I passed
17 a bill that took care of the entire State in the handling of smut
18 literature to minors if this will put your mind to ease, Senator Mitchler.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Senator Glass.

21 SENATOR GLASS:

22 Well, thank you, Mr. President. I notice and I...I ask this
23 in part, Senator Savickas, to make sure...thank you, to make sure
24 we correctly understand the bill. Recently the Supreme Court
25 decision has, in effect, authorized local communities to make a
26 determination of what is obscene, pass local ordinances to prohibit
27 it and I believe this bill would make the entire State of Illinois
28 the community, and we would have a single...State standard for deter-
29 mining obscenity. And I'd like to be sure if Senator Savickas heard
30 that, if I'm correct in that assumption.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Senator Savickas.

33 SENATOR SAVICKAS:

1 Well, yes, in a way. We use the same standards, but it'll be
2 the local juries that will be...make the determination.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Glass.

5 SENATOR GLASS:

6 Well, then if the entire State is the community for which there
7 should be an obscenity standard established, I cannot see that the bill
8 should pass in the form it is. If we're going to use the whole State
9 as a community then certainly Cook County, which comprises about half
10 the population of the State, ought to be included and there ought to
11 be one, if we're going to do it that way. I mean I...I don't see how
12 you can take...take Cook County out under the theory of a bill, which
13 in effect makes the whole State the community. So, I...would urge that
14 you do bring it back to 2nd reading so we can remove that Home Rule
15 Amendment.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Any further discussion? Senator Savickas may close the debate.

18 SENATOR SAVICKAS:

19 I would just suggest fellow Senators that whatever law that we
20 can get on the books at this present time would be a great step
21 forward in ridding our communities of the smut peddlers, and this...
22 this is the first step. Maybe we can work it out and include
23 Cook County and Chicago in our next Session, so I would support such
24 legislation if we can get together on it. But I think any step that
25 we can put forward now will be a help to all of our communities, to
26 all of our citizens and to our whole families. I would appreciate
27 your support on 1790.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 The question is shall House Bill 1790 as amended pass. Those in
30 favor will vote Aye. Those opposed will vote Nay. The voting is open.
31 Have all voted who wish? Take the record. On that question, the Ayes
32 are 33, the Nays are none, 9 Voting Present. House Bill 1790 as amended
33 having received a constitutional majority is declared passed. On the

1 order of House Bills on 3rd reading, House Bill 1766, Mr. Secretary.

2 SECRETARY:

3 House Bill 1766.

4 (Secretary reads title of bill).

5 3rd reading of the bill.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Newhouse.

8 SENATOR NEWHOUSE:

9 This is a...this is small business...small...minority contractors
10 bill. The provisions for which are to have a set aside a contracts
11 for the purpose of bidding so the small contracts can get into the
12 business, and I would appreciate a favorable roll call.

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator Sommer..

15 SENATOR SOMMER:

16 Would the sponsor yield for a question?

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Indicates he will yield. Senator Sommer.

19 SENATOR SOMMER:

20 Senator Newhouse, does this bill waive performance bonds for
21 certain types of State contracts?

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Newhouse.

24 SENATOR NEWHOUSE:

25 Yes, it would.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Sommer.

28 SENATOR SOMMER:

29 Senator Newhouse, is not the purpose of a performance bond really
30 aimed at those small and shakey contractors who may not be able to
31 complete the job?

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Senator Vadalabene, can you move your conference. Senator Newhouse.

1 SENATOR NEWHOUSE:

2 Yes, it is. And there is some risk here, Senator. Very minimal,
3 but there is some risk.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Senator Berning.

6 SENATOR BERNING:

7 Thank you, Mr. President. I have wrestled with this problem for
8 some little time. Asked the sponsor to hold this bill for a day or two
9 trying to come up with an amendment of my own that would make this
10 bill acceptable, at least to me, and I have not been able to do that.
11 And Mr. President and members of the Senate, while this bill on its
12 face appears to have laudable objectives by expanding what we now have
13 in the Small Business Purchasing Act, I submit that by opening it up
14 to the contracting area it is laying the citizens of the State wide
15 open to double liability. And I say that because the present experience
16 of the Small Business Administration has been, to say the very least,
17 a financial disaster. Already twenty-five million dollars have been
18 paid in claims and an additional ten million is right now reserved for
19 claims that are in the process of being settled. Now, when you recog-
20 nize that according to the figures submitted by staff, the costs for
21 implementing this measure are six hundred thousand dollars as...as a
22 requirement for additional agency expense, the Department of Transpor-
23 tation, Department of Conservation, Capital Development Board and the
24 Department of General Services, in total six hundred million. Aside
25 from that, and this then becomes a critical point, the estimated cost
26 for the learning curve according to the Director of the Bureau of the
27 Budget would be five hundred and fifty thousand dollars. Our total in-
28 itial cost is one million, one hundred fifty thousand dollars. Now,
29 bear in mind that of that five hundred, fifty thousand dollars, which
30 is the amount, we would not be guaranteed and covered by performance bonds
31 in the event of default, and certainly there will be default. The
32 taxpayers will not only have subsidized the entrepreneur, the contractor,
33 to the extent of his contract, but will still then be forced to go the

1 next step and cover the costs which have not been...which have
2 been incurred but not paid for by that contractor. The taxpayer
3 will be really paying twice. I call to your attention that several
4 years ago the State of New York initiated a program just like this,
5 and because of the losses that incurred, incidentally contributing
6 to the present financial chaos in New York, all but one of the depart-
7 ments that let contracts in that State have reverted back to the or-
8 ginal requirements of bonding. It would seem that it would be impos-
9 sible for the various departments above mentioned to properly budget
10 for anticipated losses under this particular law, and laudable as the
11 objectives appear to be, it is completely impractical and an unnecessary
12 additional burden that we would be shifting onto the taxpayers. Mr.
13 President, this is a measure that should be defeated.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Merritt.

16 SENATOR MERRITT:

17 Yes, Mr. President, members of the Senate, I certainly agree with
18 Senator Berning. The objective is laudable. I would commend Senator
19 Newhouse for keeping his agreement as he did in committee to amend the
20 bill which makes it far more acceptable. But, by the same token, I
21 think that all of us should know that the bill barely survived in
22 committee. It came out by a vote of seven to five, and I think we're
23 embarking upon a real dangerous and new concept here in the waiving
24 of a performance bond. Whenever a contractor today who can do receipts
25 under this amendment, annual receipts of five hundred thousand or less,
26 and can't even get enough cash flow to warrant coverage for a thirty
27 thousand dollar or less performance bond, I say that that contractor
28 is shakey and he's going to be doing business at the expense of all
29 the taxpayers and citizens of Illinois. This is just a bad concept.
30 Again, the...the objective is laudable, but I...I certainly would have
31 to vote against this type of legislation.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Senator Soper.

1 SENATOR SOPER:

2 Thank you, Mr. President. Senator...Senator Newhouse, under the
3 law at this time, I believe that the...that the State pays the fees
4 for the bonds. They pay the...they pay the insurance fees...or the
5 bond fees. Is that right?

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Newhouse.

8 SENATOR NEWHOUSE:

9 Senator, honestly, I can't answer that question. I don't know
10 the answer.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Senator...

13 SENATOR NEWHOUSE:

14 I would abide by your interpretation.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Senator Soper.

17 SENATOR SOPER:

18 Well, I think that's the way it works. When a...when a performance
19 bond is...is required, the amount of the performance bond is paid by
20 the...by the municipality or the State that requires the bond. The
21 whole purpose of the bond...the whole purpose of the bond is satisfy
22 the...the...the contracting state or the contracting municipality that
23 this will...this party that took the contract will perform its contract
24 according to his contract otherwise he'd be held responsible. Now, if you
25 waive this bond or if his bond is waived, I can see where you have
26 thirty thousand dollar requirements or less, and there's...no...no
27 requirement I say for a bond, all this work will be chopped up under
28 thirty thousand dollars, and all you'll have is trouble. Now, we don't
29 want to preclude anybody bidding or going into a business, but how could
30 you ask this State to...to permit itself to put itself on the block
31 for this...this kind of a proposition. Now, we're either going to have
32 work done properly by people that can do it and if they can't do it,
33 well, then the State shouldn't hold this obligation. Why should all the

1 people in the State be required to pay for something two or three
2 times when there's no responsibility. I think that this is a bad
3 bill, Senator.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Senate...I...I don't...I think that was a statement more than
6 it was a question. Senator Harris.

7 SENATOR HARRIS:

8 Well, I just want to raise this point with Senator Newhouse,
9 and I suppose it eventually will be caught anyway. But, I do believe,
10 Senator, that your amendment is not in proper form. The new language
11 that you want to insert into Page 4 is not underscored. Seems to me that
12 you...you ought to reconsider that amendment and prepare an amendment,
13 because I know you want this language to be underscored language to
14 insert this new language into the...into the proposed change to the
15 Statute. So, I...I just call that to your attention. I'm...I do
16 believe that.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Senator Newhouse.

19 SENATOR NEWHOUSE:

20 Mr. President, I...I would accede to the question that's been
21 raised, but I wonder if we couldn't...I wouldn't want to go through
22 the debate again when we come back out. I wonder if we could resolve
23 this by perhaps...well, take it out of the record at this time.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 1790 will be taken out of the record. I beg your pardon, 1766.
26 Take it out of the record, Mr. Secretary. Sure. Senator Regner, 1828.
27 On the order of House Bills on 3rd reading, House Bill 1828, Mr.
28 Secretary.

29 SECRETARY:

30 House Bill 1828.

31 (Secretary reads title of bill)

32 3rd reading of the bill.

33 PRESIDING OFFICER: (SENATOR ROCK)

1 Senator Regner.

2 SENATOR REGNER:

3 Mr. President and members of the Senate, as you know, this
4 last Session we've had numerous pieces of legislation regarding
5 park districts. Some of them passed, some didn't. What this
6 bill does, it creates the Park District Problems Study Commission
7 composed of eight legislative members, three public members. Has
8 a reporting date and a repealer for next year 1976. I ask for a
9 favorable roll call.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Any discussion? The question is shall House Bill 1828 pass.
12 Those in favor will vote Aye. Those opposed will vote Nay. The
13 voting is open. Have all voted who wish? Take the record. On
14 that question, the Ayes are 43, the Nays are 4, 8 Voting Present.
15 House Bill 1826...1828 as amended having received a constitutional
16 majority is declared passed. Senator Don Moore seeks leave to bring
17 House Bill 1837 back to the order of 2nd reading for the purpose of
18 an amendment. Is leave granted? So ordered. On the order of House
19 Bills on 2nd reading is House Bill 1837 as amended.

20 SECRETARY:

21 Amendment No. 2 offered by Senator Don Moore.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Moore.

24 SENATOR MOORE:

25 Before I proceed with No. 2, Mr. President, having voted on the
26 prevailing side of which Amendment No. 1 was considered, I would move
27 to reconsider the vote by which Amendment No. 1 was adopted.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Senator Moore moves to reconsider the vote by which Amendment No.
30 1 to House Bill 1837 was adopted. All those in favor signify by saying
31 Aye. All those Opposed. The Ayes have it. The amendment is recon-
32 sidered. Senator Moore now moves to Table Amendment No. 1. All those
33 in favor signify by saying Aye. All those Opposed. The Ayes have it.

1 The amendment is Tabled. Amendment No. 2 offered by Senator Moore.
2 Senator Moore.

3 SENATOR MOORE:

4 Amendment No. 2 is the same as Amendment No. 1, Mr. President,
5 other than a technical change that was made. There was a new section
6 put in on determination of disability which is Section 4-112. This
7 language was not added in Section 4-110, Section 4-110.1 and Section
8 4-111. It's a technical amendment. It's the only change it makes.
9 I'd move its adoption.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Any discussion? Senator Moore moves the adoption of Amendment
12 No. 2 to House Bill 1837. All those in favor signify by saying Aye.
13 All those Opposed. The Ayes have it. The amendment is adopted. Any
14 further amendments? 3rd reading. You wish to come back to that one,
15 Senator Moore? Okay. On the order of House Bills on 3rd reading,
16 1840, Senator Palmer. On the order of House Bills on 3rd reading,
17 House Bill 1840, Mr. Secretary.

18 SECRETARY:

19 House Bill 1840.

20 (Secretary reads title of bill)

21 3rd reading of the bill.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Palmer.

24 SENATOR PALMER:

25 Mr. President, members of the Senate, House Bills 1840 and 1841
26 are companion bills, and they provide for increases in the funding
27 of existing programs for the education of physically and mentally
28 handicapped children. House Bill 1840 relates to the public schools
29 and provides for an increase from two thousand maximum to three thousand
30 per maximum, and House Bill 1841 relates to the private schools, and
31 provides for the increase from two thousand to twenty-five hundred.
32 In Committee on Education, Senator Fawell showed quite an interest in
33 these bills and quite a knowledge on these bills and asked to comment,

1 and I yield to Senator Fawell to comment on these bills.

2 PRESIDING OFFICER: (SENATOR ROCK)

3 Senator Fawell.

4 SENATOR FAWELL:

5 Well, I would rise in support of these bills, too. I think the
6 important point from my view that I appreciated in committee is that
7 it obligates the school district to recognize that handicapped child-
8 ren have a right to a per capita cost of support by the public school
9 district and the State to assume any of the expenses that go beyond
10 that. And, I think that is the important ingredient to House Bill
11 1840, and I do rise in support of the same.

12 PRESIDING OFFICER: (SFNATOR ROCK)

13 Further discussion? Senator Bruce.

14 SENATOR BRUCE:

15 I wonder if the sponsor would tell us what impact this will have
16 in fiscal '76, and what the impact would be in years to come.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Senator Palmer.

19 SENATOR PALMER:

20 There shall be no increase and no cost to the State in '76 and
21 not in the future.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Bruce.

24 SENATOR BRUCE:

25 Could not hear him.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Palmer, would you repeat your answer please.

28 SENATO PALMER:

29 No impact in the future and not in '76.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Bruce.

32 SENATOR BRUCE:

33 Well, I think we should all consult Senator Palmer on how to

1 increase benefits without increasing costs. The cost on the special
2 education goes from fourteen hundred dollars to two thousand dollars
3 which is a six hundred dollar per capita increase. I am told by a
4 staff analysis it will have an impact of one point eight million
5 dollars a year after next and then it will incorporate into the
6 budget some five million dollars per year as a base. And that seems
7 to be a significant impact on the budget. Point out to the members
8 again that we increase the school aid formula time and time again for
9 this type of special program. We were told that the special funding
10 programs would eventually be incorporated into the school aid formula.
11 We find every year though that they not only exist, but they increase.
12 It seems to me the time when the General Revenue Fund is already under
13 a serious attack that this bill could ill be afforded and we could
14 certainly bypass this for one more year.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Any further discussion? Senator Palmer may close the debate.

17 SENATOR PALMER:

18 I move for a favorable roll call.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Question is shall House Bill 1840 pass. Those in favor will vote
21 Aye. Those opposed will vote Nay. The voting is open. Have all voted
22 who wish? Take the record. On that question, the Ayes are 39, the
23 Nays are 8, 1 Voting Present. House Bill 1840 having received a con-
24 stitutional majority is declared passed. On the order of House Bills
25 on 3rd reading, House Bill 1841.

26 SECRETARY:

27 House Bill 1841.

28 (Secretary reads title of bill)

29 3rd reading of the bill.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Senator Palmer.

32 SENATOR PALMER:

33 Mr. President and members of the Senate, as I related in my opening

1 remarks, 1841 is a companion bill to 1840. 1840 addresses itself
2 to children for public schools and the present bill that you are
3 asked to vote on, 1841, addresses itself and provides for children
4 that are...attending private schools, and I ask for a favorable
5 roll call, same roll.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Any discussion? Senator Bruce.

8 SENATOR BRUCE:

9 Wonder if the sponsor would be kind enough to tell us what this
10 is going to do since it increases the base from two thousand to
11 twenty-five hundred dollars. Tuition charge is now six hundred.
12 Can you indicate where we go on this one?

13 PRESIDING OFFICER: (SENATOR ROCK)

14 Senator Palmer.

15 SENATOR PALMER:

16 I...I have the same answer for you, Senator Bruce. The same
17 application to children that go to the private schools are entitled
18 to the same care as those that are going to the public schools. And
19 then they...they come on the per capita for each student.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Bruce.

22 SENATOR BRUCE:

23 Well, I still would like to have the sponsor explain to me
24 how we raise the amount of reimbursement from two thousand to twenty-
25 five hundred dollars per student, and yet the cost is not increased.
26 I...we've got to have in...more appropriation bills because this
27 could be the way we could solve all of our problems.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Senator Palmer.

30 SENATOR PALMER:

31 Well, that's done by raising the base from six hundred to eleven
32 hundred, which is done.

33 PRESIDING OFFICER: (SENATOR ROCK)

1 Any further discussion? Senator Bruce.

2 SENATOR BRUCE:

3 Well, I'm told, I'll give the same speech again, that this is
4 going eventually cost us, incorporate into the budget as a base
5 seven million dollars per year over what we're...presently spending,
6 and it's again out of General Revenue. I don't know where we're
7 going to pay for all the special programs. We worked this morning.
8 Senator Buzbee and his committee reported the school aid formula out
9 which is going to increase some millions of dollars, and this would
10 be an additional seven million on top of what schools are already
11 going to get, and I would oppose it.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 Senator Wooten.

14 SENATOR WOOTEN:

15 Mr. President and colleagues, I just hope someone is keeping
16 score now. The extra millions we're adding. We're called upon
17 to cut the budget, instead we seem to be adding rather steadily
18 another seven million on top of the five million plus in the last
19 bill. I don't know how exactly we reconcile that with all the talk
20 we've had around the Chamber about we can't afford this program or
21 that one, and...in two roll calls here, we could have twelve, thirteen
22 million dollars added on.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Any further discussion? Senator Fawell.

25 SENATOR FAWELL:

26 I'm not...I'm not sure where Senator Bruce got these estimates.
27 I don't...I've not heard those figures before and they don't seem
28 to be correct to me. I think what we're overlooking is the fact that
29 the State has not as much of an obligation to reimburse as they had
30 previously. Now, you've got the school districts assuming the obligation
31 I think that they long ago should have assumed, and that is that they
32 should pay for handicapped children what they pay for the non-handicapped.
33 That is the per capita charge. That's their responsibility, and I think

1 that's the responsibility they should have long ago assumed. And
2 I think the six hundred dollars which is the existing payment figure
3 now in the Statute really was put in at a time when that was the
4 per capita charge. Now, we're putting the per capita...whatever that
5 per capita charge is, it's a floating charge, and we're saying that
6 the local district ought to assume that. That means that the State
7 is going to have to really assume a lot less. We are at the same
8 time saying that...that when you get over that figure the State will
9 assume that and we are here. I think you might have more of a chance
10 of added expense to the State than under the other. I think under
11 the other bill it should be a savings even to the State, and the two
12 bills should come close perhaps to offsetting each other. But, here
13 we are saying, and I think also, Senator Bruce, another point is that
14 we're motivating the public school districts certainly recognizing
15 that they're going to have to pay the same per capita charge for the
16 handicapped as for the non-handicapped. It means that they're going
17 to have to tool up and...and if they've been getting away with, by
18 delegating a way to private schools the responsibility, they aren't
19 going to be quite as highly motivated to do so. On the other hand,
20 where they simply don't have the facilities and they must delegate
21 to the private schools, I think we ought to also have the ability to
22 be able to pay for those services which are quite valuable that the
23 private schools do render. I suppose here the overall figure is a
24 net increase, but it's borne by both the local district and by the
25 State. It's not just a one-sided thing, and certainly as Senator
26 Wooten has relatively recklessly stated here that you're talking
27 about a five million plus Senate Bill, it's just is not true. I think
28 you come close to doing an offsetting here. I don't know the exact
29 figures, but I repeat, the State has a lot less reimbursement when you're
30 reimbursing for only over the per capita charge rather than is now the
31 law, we must reimburse over...every thing over six hundred.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Further discussion? Senator Bruce.

1 SENATOR BRUCE:

2 Well, just so that we're clear. It does raise the per capita
3 charge from six hundred to eleven hundred...five hundred dollars.
4 It also raises the reimbursement from two thousand to twenty-five
5 hundred, five hundred dollars.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Further discussion? Senator Palmer may close the debate.

8 SENATOR PALMER:

9 Now, that everything is clear, I ask for a favorable roll call.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Question is shall House Bill 1841 pass. Those in favor vote Aye.
12 Those opposed vote Nay. The voting is open. Have all voted who wish?
13 Take the record. On that question, the Ayes are 36, the Nays are 12,
14 1 Voting Present. House Bill 1841 having received a constitutional
15 majority is declared passed. On the order of House Bills on 3rd reading,
16 House Bill 1837, Mr. Secretary.

17 SECRETARY:

18 House Bill 1837.

19 (Secretary reads title of bill)

20 3rd reading of the bill.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senator Don Moore.

23 SENATOR MOORE:

24 Thank you, Mr. President and members of the Senate, Senate Bill
25 1837 as amended amends the downstate Firemen's Pension Fund Act. This
26 is a package bill, so to speak, that has been worked out by the Pensions
27 and Personnel Committee of the Senate. The various taxpayer...or the
28 various firemen's organization groups in the State, the Taxpayer's
29 Federation approval, approval of the Pension Division of the Department
30 of Insurance. What the bills does, it increases the employee contri-
31 bution two and a quarter percent of salary. In other words, it raises
32 it from five and a half percent to seven and three-quarter percent.
33 The increased benefits are as follows; the rate of accumulation of

1 pension credits for service over twenty years is increased from one
2 percent of salary per year to two percent of salary per year. The
3 post retirement annual increase is increased from two percent of base
4 pension per year to three percent of base pension per year. This is
5 the same that we have granted the policemen under House Bill 631. The
6 occupational disease disability benefit, heart and lung disability is
7 increased from fifty percent of salary to sixty-five percent of salary.
8 The children's survivor benefit is increased from eight percent of salary
9 per child to twelve percent of salary per child. The service require-
10 ment for eligibility for non-duty benefits is reduced from ten years
11 to seven years, which is still higher than most other systems. Also,
12 before any disability benefit may be granted, examination must be by
13 three physicians, now the present law is one physician, and the fireman
14 must be re-examined at least once a year thereafter until age fifty to
15 verify that the disability continues. I know of no opposition to this
16 bill. I want to personally thank the Pensions Committee of the Senate
17 and the various firemen's groups who have worked together to come up
18 with a compromised agreed bill that is properly funded. If there are
19 no questions, I would ask for a favorable roll call.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Bell.

22 SENATOR BELL:

23 Well, thank you, Mr. President. I'd just like to make an ob-
24 servation in reference to these retirement pension bills that maybe
25 we members of the Legislature should subscribe to Time magazine or
26 specifically go out and look at the Time magazine issue of June 16th
27 that addresses itself to the problems of New York City going bank-
28 rupt. And one of the things that has bled New York City amongst many
29 different things but to that infamous position is the fact of retire-
30 ment pension programs. And while we all that are here want our police-
31 men and firemen and teachers and state employees and Legislators and
32 judges so on and so forth to have good retirement and pension programs,
33 we are now at a time in the State when, in my humble opinion, we're on

1 the very brinky edge of...of going beyond what is...what the State
2 is going to...able to financially handle, and that these programs
3 can snowball and mushroom into such costly...such costly programs
4 that we can indeed find ourselves in a position that the New York
5 City is presently in. And I would say that we ought to all go out
6 and buy that issue, and set it aside, because it also prescribes in
7 there the things that they're recommending that should be done in order
8 to save the financial situation of New York City. I don't know that
9 this is the exact cogent to the debate on this particular subject, Mr.
10 President, but I think it is to the fact that we are on a brinky edge
11 of a financial disaster in this State, and while we want to support
12 and try to do what we can for these programs, my No vote that I've
13 been regulating here...or registering here pretty regularly are based
14 entirely on that situation, the financial aspect of the State of Illinois.
15 And I know I'm going to have to go home and address the members of
16 my district as to why I voted against a lot of these projects, but I
17 think I can do it, and I hope the rest of the members of the General
18 Assembly will have the courage to do what they know has to be done.

19 PRESIDING OFFICER: (SENATOR DONNEWALD)

20 Is there further debate? Senator Moore...Senator Don Moore may
21 close the debate.

22 SENATOR MOORE:

23 Thank you, Mr. President, just very briefly to respond to Senator
24 Bell's comments. The difference between the State of New York and the
25 State of Illinois, and specifically the City of New York City, is that
26 there, the city picks up the entire tab of the Pension Fund benefits.
27 In Illinois, there's contributions made by employees, and...in order
28 to increase these benefits, the firemen are going to have to come up
29 with two and quarter percent more of their salary. They're willing to
30 do this so that the fund will be actuarially sound. I think this is a
31 great distinction between the State of Illinois and our cities and
32 villages downstate, and the city of New York City. I would move for a
33 favorable roll call, Mr. President.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Question is shall House Bill 1837 pass. Those in favor vote
3 Aye. Those opposed No. The voting is open. Have all those voted
4 who wish? Take the record. On that question, the Ayes are 54, the
5 Nays are none. House Bill 1837 having received a constitutional
6 majority is declared passed. House Bill 1845, Senator Philip. Read
7 the bill.

8 ACTING SECRETARY: (MR. FERNANDES)

9 House Bill 1845.

10 (Secretary reads title of bill)

11 3rd reading of the bill.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Senator Philip.

14 SENATOR PHILIP:

15 Thank you, Mr. President and Ladies and Gentlemen of the Senate,
16 House Bill 1845 as amended amends the County Act section on public
17 defenders. The Calendar is completely incorrect. It states there -
18 gives the public defenders a four year term. That was amended out.
19 What it does, it permits downstate counties to form together, adjoining
20 counties, to form one circuit to have a public defender for those
21 counties if they so desire. It also says if the...if the public de-
22 fender is full-time that he would receive the same salary as the State's
23 Attorney. This is the...the recommendation of the National Commission
24 on Public Defenders, and I ask your favorable support.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Senator Sommer.

27 SENATOR SOMMER:

28 Would the sponsor yield for a couple of questions?

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 He indicates he will.

31 SENATOR SOMMER:

32 Senator Philip, I have not seen the amendment, but I...perhaps
33 ask you a couple of questions. Is it up to the county board then under

1 this to one...no, it wouldn't be the county board...up to the judges
2 to appoint a full-time public defender? If, in fact, they do that,
3 will he receive the same salary as the State's Attorney?

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Philip.

6 SENATOR PHILIP:

7 That is correct.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Senator Sommer.

10 SENATOR SOMMER:

11 In relation to that, I would point out that in a county the size
12 of Tazewell County, which I hail from, the...under Senator Moore's
13 bills that passed here some time ago, our State's Attorney will be
14 paid forty-two thousand, six hundred dollars. Are you purporting
15 to say that we're going to have to finance from county revenues a
16 public defender, that we don't need, to the tune of forty-two thousand,
17 six hundred dollars?

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Senator Philip.

20 SENATOR PHILIP:

21 I...I would hope certainly hope that the court had the discretion
22 as whether you need a public defender or you do not need one. Now,
23 in some of those downstate counties, obviously, you do need...you do
24 not need public defenders. If it is a rural...area, this bill provides
25 you could have four or five or six counties go together and have one
26 public defender for those six or eight counties.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Sommer.

29 SENATOR SOMMER:

30 Well, it's my understanding that the...that the judges would
31 simply say you need a public defender. They say that...we have a
32 public defender now who's more or less full-time. He probably makes
33 fifteen, sixteen thousand dollars a year. He has an assistant who

1 handles misdemeanors and traffic who makes another five or six.
2 Under the...under your bill, I support...I...I tell you what's going
3 to happen. The judges are going to say you need a full-time public
4 defender. We're going to appoint a person...we're going to appoint
5 a person to make forty-two thousand, six hundred dollars for no reason.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Is there further discussion? Question is shall House Bill 1845
8 pass. Those in favor vote Aye. Those opposed No. The voting is open.
9 Have all those voted who wish? Have all those voted who wish? Take
10 the record. On that question, the Ayes are 25, the Nays are 15, 5
11 Voting Present. House Bill 1845...Consideration is postponed. House
12 Bill 1848, Senator Don A. Moore. Read the bill.

13 ACTING SECRETARY: (MR. FERNANDES)

14 House Bill 1848.

15 (Secretary reads title of bill)

16 3rd reading of the bill.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Senator Don Moore.

19 SENATOR MOORE:

20 Thank you, Mr. President and members of the Senate. House Bill
21 1848 amends the downstate Firemen's Pension Fund Article in the Illinois
22 Pension Code by adding this language - the divorced wife of a fireman
23 whose decree of divorce from her fireman husband is annulled, vacated
24 or set aside by proceedings in court, subsequent to the death of the
25 fireman, will not receive the pension provided in Section A hereof,
26 unless such proceedings are filed within two years after the date of
27 the divorce, and within one year after the date of the fireman, and
28 the board is made a party to the proceedings. This was...come up.
29 We did have a situation where many years after the fireman's death,
30 the wife went in and got the divorce set aside and she then be-
31 came a widow and became eligible for the benefits. So in order to
32 tighten up on it a little bit, we've inserted this language. I know
33 of no objection. Would appreciate a favorable roll call.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Is there further discussion? Senator Knuppel.

3 SENATOR KNUPEL:

4 I don't...I don't generally rise in opposition to something of
5 this nature. However, this is a step backwards in the...in the direc-
6 tion of pensions in the State of Illinois. As we know, social security
7 has now provided that any time that a wife has been married to a husband
8 for at least twenty years and she's given twenty years of her life
9 possibly to raising his family and for some reason because maybe of
10 health or disagreeable personalities brought on by old age or something,
11 people become divorced, and as a result of that after the death the
12 social security people allow the divorcee or the divorced wife to
13 draw pension benefits. And I'd like to ask whether or not...I'd like
14 to ask the sponsor, whether or not there's any provision in here with
15 relation to the time or length of time that the divorced...previously
16 divorced wife might have been married to the individual deceased?

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Senator Moore.

19 SENATOR MOORE:

20 No, there is no length of years mentioned in the bill as to how
21 long the divorced wife has to be married to the deceased fireman.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Senator Knuppel.

24 SENATOR KNUPEL:

25 Well, of course, I wasn't familiar with the bill...to that degree.
26 Would you have any objection to holding the bill, accepting amendment
27 that relates to what the Social Security law is and that is unless the
28 woman...I have no objection...unless the woman has been married to the
29 man the same length of time as in Social Security. But that if she has
30 been married to him for at least twenty years during her lifetime so
31 that we have some kind...some kind of uniformity in the law so that if...
32 so that if she has been married twenty years before the divorce is
33 granted that she won't be foreclosed just because she's divorced from

1 securing these pension benefits.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Don Moore.

4 SENATOR MOORE:

5 Yes, Senator, I would object to such an amendment for this
6 reason that assuming there was a divorce and the fireman subsequently
7 remarried. If we would go ahead with...with your proposed amendment
8 your proposed objection, you would preclude the second wife from get-
9 ting any pension benefits. Now, this only applies to the...to the
10 wife or the ex-wife, as the case may be. The bill does state that
11 the proceedings have to be filed within two years after the date of
12 the divorce or one year after the death of the fireman, and that the
13 board has to be made a party.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Knuppel.

16 SENATOR KNUPPEL:

17 Well, of course, as I said, this is a step backwards as far as
18 enlightened pension laws are concerned, and secondly, if the divorce
19 was granted and the court had jurisdiction of the people, you're allow-
20 ing by indirection something to happen which shouldn't have been. If they
21 have the power...the subject...they have jurisdiction of subject matter
22 in the person, then she oughtn't to be allowed to come in with two
23 years or any other time to set it aside. And I can see no reason why
24 that if she gets the pension that we can't correct the law to read
25 the same as it does for Social Security. And if he's married to
26 another woman, that if she's been married to him for a year which
27 is what the Social Security law requires that two widows could draw
28 on this man's pension. That's the way social security is.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Is there further discussion? Senator Moore may close the
31 debate.

32 SENATOR MOORE:

33 Thank you, Mr. President, I appreciate the concern of Senator

1 Knuppel over the wife who may have given ten or fifteen or twenty
2 years of her life and then got divorced but, however, I think if
3 we would put on such an amendment, it would not receive the approval
4 of the Pension Laws Commission which this language has, or the Pensions
5 Committee in the Senate. And this language has been approved by the
6 Pensions Laws Commission, and I would appreciate a favorable roll call,
7 Mr. President.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Question...well the debate has been closed, Senator Knuppel.
10 For what purpose do you arise? State your point.

11 SENATOR KNUPPEL:

12 My personal privilege is with respect to the Pension Laws Commission.
13 Their decisions about ninety percent of the time are not enlightened
14 and they're silly as hell. And I hope I can get on that Commission
15 to straighten out some of the thinking there.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 The question is shall House Bill 1848 pass. Those in favor
18 vote Aye. Those opposed No. The voting is open. Have all those
19 voted who wish? Take the record. On that question, the Ayes are
20 49, the Nays are 1, 1 Voting Present. House Bill 1848 having
21 received a constitutional majority is declared passed. House Bill
22 1849, Senator Don Moore. Read the bill.

23 SECRETARY:

24 House Bill 1849.

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. House Bill 1849 is the same as a House
31 Bill which we...this Body has passed that pertained to policemen. This
32 bill pertains to firemen. What it does, the bill states that any fire-
33 man who is excluded by reason of age restriction may make a written

1 application to the board by...July 1, 1976 and establish service
2 credits for his past service by paying into the firemen's pension
3 fund before July 1, '76 without interest the amount he would have
4 contributed had deductions been made from his salary. In effect,
5 if a fireman has been with a department for ten or fifteen years,
6 leaves and goes to another department, he is now precluded from
7 going there and participating in the fund if he's over thirty-six.
8 This removes that limitation until July 1, 1976 and opens it up.
9 They do have to make their contributions.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Is there further discussion? The question is shall House
12 Bill 1849 pass. Those in favor vote Aye. Those opposed No. The voting
13 is open. Have all those voted who wish? Take the record. On that
14 question, the Ayes are 53, the Nays are 1, 1 Voting Present. House
15 Bill 1849 having received a constitutional majority is declared
16 passed. House Bill 1851, Senator Egan-Philip. 8...House Bill 1880,
17 Senator Carroll. Read the bill.

18 SECRETARY:

19 House Bill 1880.

20 (Secretary reads title of bill)

21 3rd reading of the bill.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Senator Carroll.

24 SENATOR CARROLL:

25 Thank you, Mr. President, House Bill 1880 is a new Act that
26 creates a Consumer Protection Act, creates a consumers advocate
27 and a Consumer Protection Agency. The agency is manned by the
28 Lieutenant Governor of this State plus a designee of the Governor
29 plus a designee of the Attorney General. They shall, by a two-
30 thirds vote, pick a consumer advocate who serves a six year term.
31 They set its compensation, and they provide all written material
32 and all rules and regulations which will go out under the three man
33 board. The consumer advocate will have the power to represent the

1 consumer's interests in any State legislative, administrative or
2 executive rule making or in any litigation, State administrative
3 proceedings or Federal administrative proceedings. They will not
4 have the power to represent an individual litigant at an individual
5 proceedings, and they will not have the power to proceed in any
6 other interests as an advocate for the general public other than
7 the powers provided for under the Act. I would be willing to
8 answer any questions, and I would suggest a favorable roll call by
9 all of the members of this Body.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Schaffer.

12 SENATOR SCHAFFER:

13 Well, the consumer advocate is picked for a term of six years
14 and cannot be removed. Is that correct?

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Senator Carroll.

17 SENATOR CARROLL:

18 He can be removed for cause or removed by the Consumer Protection
19 Agency, the three member board.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Schaffer.

22 SENATOR SCHAFFER:

23 You and I had a discussion, and quite frankly, I haven't had
24 a chance to follow up. This is a...if this position is to be created,
25 and I'm not yet convinced it has to be created, it occurs to me
26 that someone who would be appointed for a six year term who, there-
27 fore, who...whose removal would be extremely difficult at the very
28 least should be confirmed by the State Senate. And I really think
29 that this bill would be a much more palatable piece of legislation
30 if that Senate confirmation were included. This term could transcend
31 the length of the Governor that appointed the individual and theo-
32 retically be an extremely important individual and...I would say on
33 a par certainly, with the Auditor General which is confirmed by both

1 Houses, by a three-fifths majority. I think at the very least,
2 I would prefer, I think, to have the consumer advocate conferred
3 on a similar basis as the Auditor General, but at the very least,
4 I think this individual who will have a great deal of impact on
5 the taxpayers and citizens of this State should be confirmed by
6 the Senate.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Senator Howard Mohr.

9 SENATOR MOHR:

10 I wonder if the sponsor would yield to a question?

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Carroll indicates he will.

13 SENATOR MOHR:

14 Senator, who appoints this board, and what would the...or this
15 consumer advocate and what would the salary be?

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Senator Carroll.

18 SENATOR CARROLL:

19 The consumer advocate is appointed by the agency. The
20 agency is made up of the Lieutenant Governor, the designee of the
21 Attorney General and the designee of the Governor. The salary will
22 be somewhere between fifteen and thirty thousand dollars per year.
23 Those are the floors and ceilings that the Act provides.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Senator Mohr.

26 SENATOR MOHR:

27 Well, that's really narrowing it down. Does this agency, in fact,
28 exist today?

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 Senator Mohr. Senator Carroll, excuse me.

31 SENATOR CARROLL:

32 We both have the same first name. No, it does not.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1 Senator Howard Mohr.

2 SENATOR MOHR:

3 I would submit, Mr. President and members of the Senate, a good
4 friend, Senator Carroll with the same first name, might be a little
5 premature with this particular bill at this time. It's another new
6 office, another new agency that we're creating, and every member of
7 this Body knows the condition of the State, and I would hope would
8 oppose another new agency at this time. Somewhere between fifteen
9 and thirty thousand, appointed by an agency that doesn't exist. I
10 don't know how you ever got your hands on such a bad bill, Senator.

11 PRESIDING OFFICER: (SENATOR DONNEWALD)

12 Senator Graham.

13 SENATOR GRAHAM:

14 I'm most happy to oppose Senator Carroll on this type of bill,
15 and I'm wondering how he fell into this trap, also. There's one
16 comfort that might be had...

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Just a moment, Senator. The noise level is quite high. Will
19 the members please be in their seat and quiet. You may proceed.

20 SENATOR GRAHAM:

21 One...one comfort that might be had by the inclusion of this bill,
22 is the fact that the Governor, ...Lieutenant Governor, Attorney
23 General are going to participate in the selection. The current
24 atmosphere that exists between the Attorney...between the Lieutenant
25 Governor and the Governor would probably indicate they couldn't agree
26 on anybody, and the Attorney General would probably appoint someone
27 which would be in direct conflict with his office, if there is any
28 comfort in a bad bill and I don't think there is in this. Ladies
29 and Gentlemen of the Senate, seriously, many of you are driving cars and
30 many of you are using the modern conveniences of living and so forth,
31 and many of you are suffering under the absolute inability and arro-
32 gance of Ralph Nader and his outfit. ..., Are we getting ready to
33 start that kind of a charge in Illinois. I say we probably are.

1 Now if you haven't had enough of Ralph Nader and his group of kooks,
2 then let's start one in Illinois. That's where we're getting ready
3 to go now, and I'm going to tell you, maybe we need that to join some
4 of the others the Governor has appointed. But, I'm not willing to take
5 that chance.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Senator Clarke.

8 SENATOR CLARKE:

9 Senator Carroll, this is a very complex and complicated bill,
10 and I haven't had time to read it. Would you mind holding it until
11 October?

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Senator Carroll.

14 SENATOR CARROLL:

15 I think by reference you're trying to get even. The bill you
16 were referring to is one that came over this week. This has been
17 over for quite some time. It's been on the Calendar for quite some
18 time. It's not a new arrival into this Chamber, nor was it a committee
19 bill in the House with a number in the 3000 series. It's number 1880.
20 It was, therefore, introduced quite early in that Chamber, has been
21 through our committee system, and I think you can read it during the
22 rest of the discussion. It's not that complicated, but this has already
23 been to committee here.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Senator Knuppel. Oh, Senator Clarke. Sorry.

26 SENATOR CLARKE:

27 I just wanted to say I'll do some extra reading if he will then.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Senator Knuppel.

30 SENATOR KNUPPEL:

31 Senator Carroll, if he will yield for a question?

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Indicates he will.

1 SENATOR KNUPPEL:

2 How does this differ from the functions performed by the
3 Consumer Protection Bureau in the Attorney General's office?

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Carroll.

6 SENATOR CARROLL:

7 One, they don't go into court on behalf of the office in all
8 cases. They serve as a central clearing agency themselves under the
9 Consumer Protection Act and certain related statutes. Two, each
10 other agency of State Government seems to go its own way every once
11 and a while, and has its own publications and its own guidelines,
12 and there's no central agency. This differs, at least in those two
13 ways, I can give you several more, but I see you're chomping at the
14 bit to ask another question...Go ahead.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Senator Knuppel.

17 SENATOR KNUPPEL:

18 No other question. I...I just feel that what we're going have
19 is a...is a diffused consumer interest thing, and everybody wants to
20 get in the consumer protection limelight at the present time. I think
21 we're going to have a two headed monster just like we have with respect
22 to energy where we're reading about the fact we've got an Energy Ad-
23 visory Counsel, Energy Resources Commission and BED, and everybody wants
24 to get in the act, and I...and get a part of the action. And I just
25 don't see how...don't see how it can work. I can't...I...I know you
26 killed a few of my bills in Judiciary. I hate to vote against a bill
27 after it gets out here, but I never saw the bill before, and I just
28 think it's a bad bill. And, I'm like the other people, I don't know
29 how you ever got it, Howie.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Is there further discussion? Senator...Senator Carroll may close
32 the debate.

33 SENATOR CARROLL:

1 Several points. First, to answer Senator Knuppel. When the
2 Attorney General's office does come in, they come in on behalf of
3 an individual. This does not. This comes in on behalf of a more
4 universal problem than one person who may get cheated or allegedly
5 get cheated by some operator in this State. Secondly, we have a
6 lady running around the State now who alleges to be the consumer
7 advocate by executive thieftom. This would create a statutory
8 function as opposed to an executive function, and would serve the
9 policy of consolidating, and money saving, I might add, Senator
10 Graham, money saving by not having all the departments do their
11 own publications, do their own alleged consumer advocacy, and have
12 one person by statutory enactment represent the people of the State
13 in all of these types of proceedings, but not represent any indivi-
14 dual in any individual complaint. I know the Attorney General of
15 this State has no objection to this concept, and I would ask for a
16 favorable roll call.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Question is shall House Bill 1880 pass. Those in favor vote Aye.
19 Those opposed No. The voting is open. ... (Machine cut-off)...those
20 voted who wish? Have all those voted who wish? Take the record.
21 On that question, the Ayes are 23, the Nays are 22, 2 Voting Present.
22 House Bill 1880 not having received the constitutional majority is
23 declared lost. House Bill 1881, Senator Rock. Senator Rock requests
24 that 18...House Bill 1881 be recalled to the order of 2nd reading. Is
25 there leave? Leave is granted. The bill is now on 2nd reading. Senator
26 Rock.

27 SENATOR ROCK:

28 Thank you, Mr. President. In the Committee on Appropriations,
29 this...this is the appropriation for the ordinary and contingent
30 expenses of the General Assembly, and it's in two sections, as everyone
31 knows. One for the Senate, one for the House. In the committee, we
32 adopted Amendment No. 1 which, in fact, since that time we've had to
33 restructure. So, I would move to reconsider the vote by which Amendment

1 No. 1 was adopted, and then move to Table that amendment and substitute
2 a different one.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 You move for the adoption of Amendment No. 1...

5 SENATOR ROCK:

6 No. No, no. No, I move to reconsider the vote...

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Oh. Senator Rock moves to reconsider the vote by which Amendment
9 No. 1 was passed. All those in favor indicate by saying Aye. Those
10 opposed No. The Ayes have it. The amendment is now reconsidered.
11 Senator Rock now moves to Table...

12 SENATOR ROCK:

13 ...Table Amendment No. 1.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 ...Amendment No. 1. All those in favor indicate by saying Aye.
16 Those opposed No. The Ayes have it. The amendment is Tabled. Senator
17 Rock.

18 SENATOR ROCK:

19 Thank you. On the Secretary's Desk, I have Amendment No. 2 to
20 House Bill 1881 which, in fact, relates itself to the Senate portion
21 of the General Assembly expenditures. And what it does is essentially
22 what we tried to do in Amendment No. 1. We have shifted around and
23 made some transfers between the lines, and in addition, we have, through
24 a little bit of foresight, I think, put in an additional twenty thousand
25 dollars for the expenses which will be incurred in securing and preparing
26 a temporary meeting place for the Senate when the relocation is necessi-
27 tated for the...by the renovation of the Senate Chambers. As you all
28 know this will commence July 1, and we will have to be moved. This...
29 this amount of money will provide the necessary expenses, and I would
30 move the adoption of Amendment No. 2.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 All those in favor of the adoption of Amendment No. 2 indicate
33 by saying Aye. Those opposed No. The Ayes have it. The amendment is

1 adopted. Are there further amendments?

2 SENATOR ROCK:

3 Yes, I have...

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Rock.

6 SENATOR ROCK:

7 Thank you, Mr. President and Ladies and Gentlemen of the Senate,
8 I have on the Secretary's Desk Amendment No. 3 which, in fact, amounts
9 to a two hundred and seventy-five thousand dollar total reduction in
10 the House portion of this appropriation pursuant to a meeting with
11 the Speaker and the Majority Leader and the Minority Leader. They
12 have submitted the figures to us, and I have promised them that they
13 would be incorporated into Amendment No. 3, and that we would adopt
14 it, and I move its adoption.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 All those in favor of the adoption of Amendment No. 3 indicate
17 by saying Aye. Those opposed No. The Ayes have it. The amendment
18 is adopted. Are there further amendments? 3rd reading. House Bill
19 1884, Senator Buzbee. House Bill 1902, Senator Mitchler. House Bill
20 1911, Senator Bloom.

21 SECRETARY:

22 House Bill 1911.

23 (Secretary reads title of bill)

24 3rd reading of the bill.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Senator Bloom.

27 SENATOR BLOOM:

28 Thank you very much, Mr. President and fellow Senators. This bill
29 allows county boards to enter into contracts for or to license or
30 franchise the business of operating a cable TV in the counties without
31 the municipal boundaries. It was on the agreed bill list. I did accept
32 an amendment from Senator Rock. It's a good bill. It'll help. The
33 genesis of the bill was that GE cablevision entered a contract with

1 the township of West Peoria and then reneged, and they had no recourse,
2 so we decided to let the county board do it and that way West Peoria
3 Township could also get cable TV. I'd appreciate a favorable roll
4 call.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Senator Rock.

7 SENATOR ROCK:

8 Thank you, Mr. President and Ladies and Gentlemen of the Senate,
9 I rise in support of House Bill 1911. There was a last minute amend-
10 ment added the other day which I think clarified some problems that
11 were heretofore discussed, and I think the bill as amended is a good
12 one. Deserves our support.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Is there further debate? The question is shall House Bill 1911
15 pass. Those in favor vote Aye. Those opposed No. The voting is open.
16 Have all those voted who wish? Take the record. On that question,
17 the Ayes are 49, the Nays are 1. House Bill 1911 having received a
18 constitutional majority is declared passed. Senator Rock, do you
19 wish to return to House Bill 1881? Read the bill.

20 SECRETARY:

21 House Bill 1881.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Senator Rock.

26 SENATOR ROCK:

27 Thank you, Mr. President and Ladies and Gentlemen of the Senate,
28 this is the appropriation for the ordinary and contingent expenses
29 of the General Assembly. I might point out to the members, it is less
30 than last fiscal year at the Governor's request, and I would urge a
31 favorable roll call.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Is there further discussion? Question is shall House Bill 1881

1 pass. Those in favor vote Aye. Those opposed No. The voting is
2 open. Have all those voted who wish? Take the record. On that
3 question, the Ayes are 55, the Nays are none. House Bill 1881
4 having received a constitutional majority is declared passed.
5 House Bill 1914, Senator Newhouse. Read the bill.

6 SECRETARY:

7 House Bill 1914.

8 (Secretary reads title of bill)

9 3rd reading of the bill.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Newhouse.

12 SENATOR NEWHOUSE:

13 Mr. President, I ask leave to take this bill back to 2nd reading
14 for the purpose of amendment.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Is there leave to take House Bill 1914 back to the order of 2nd
17 reading? Leave is granted. The bill is now on 2nd reading. Senator
18 Newhouse.

19 SENATOR NEWHOUSE:

20 Thank you, Mr. President. I'd like to present Amendment No. 4.
21 Amendment No. 4 is an agreed amendment which deletes the line from
22 the...from...from the original bill. This was a line that in effect
23 was repealed, a section that would permit distribution of funds. Move
24 its adoption.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Is there further discussion? Senator Fawell.

27 SENATOR FAWELL:

28 Excuse me. I...I'm not...I wasn't following his complete...Senator,
29 where...this a...can you explain where we are?

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Newhouse.

32 SENATOR NEWHOUSE:

33 All right, Senator. This is...this is the amendment...in the bill,

1 there is a provision...or rather in the present statute, there is
2 a provision that provides for the distribution of excess funds in
3 the event that there are excess funds over and above what is pro-
4 vided by the formula. Now, ...

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Senator Fawell.

7 SENATOR FAWELL:

8 All right. Then, I...I do want to rise in opposition to...
9 this is Amendment No. 4 then I believe. Is that right, Senator?

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 That is correct.

12 SENATOR FAWELL:

13 Senator Newhouse and I have discussed this, and he recognizes that
14 the...the amendment which we had worked out actually altered the
15 formula by which the private colleges would receive aid under the
16 Financial Contributions Act. The bill, as it was originally drawn,
17 and was turned down in the Education Committee, had an open ended
18 formula, Mr. President. I wish the members would listen closely
19 because I think this is a relatively important amendment.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Will the members please be in their seats and avoid all caucuses
22 on the Floor.

23 SENATOR FAWELL:

24 The...the Education Committee suggested that the old formula of
25 one hundred dollars per freshman and sophomore student and two hundred
26 dollars per junior and senior student for the private colleges be
27 retained. We did accede to the fact that we could increase the amount
28 of money going to the private colleges by bringing in an ability to
29 count the part-time students in what they refer to as full time equiv-
30 alent student factor which we put into the formula. However, we made
31 it clear that we wanted the old formula so there could be a handle,
32 there could be a limit that the Legislature could use to finitely
33 measure the amount of money that the private colleges would be

1 receiving from year to year. Now, at the same time, there was an
2 rather innocuous clause that had...that was being eliminated, and
3 Senator Newhouse now wishes to put it back in, which in effect
4 states that if there is an appropriation that exceeds the amount
5 of money that would be necessary to meet the formula, the one hundred
6 and two hundred dollar formula that I referred to, that that money
7 can nevertheless be divided prorata by the various participating
8 colleges, which means that in reality, you do have yet and open-endedness
9 to the formula which is the very thing that we were trying to eliminate.
10 And, thus, it is on that basis that I would rise in...in opposition,
11 because in reality, we have a formula that isn't a formula if we allow
12 this Amendment No. 4 to stand. So, I would ask that on both sides
13 of the aisle, I think we...we must take a stand here, and...and say
14 that this increase that has been brought about by the full-time equiva-
15 lent student being incalculated into a formula is certainly sufficient,
16 and that we should vote No on Amendment No. 4.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Is there further discussion? Senator Hynes.

19 SENATOR HYNES:

20 Well, Mr. President, I have not had a chance to analyze all of
21 the amendments to this bill as carefully as I would like, and so
22 perhaps I could ask the sponsor of the bill or Senator Fawell, who
23 has just risen in opposition, to educate me here on the Floor. The
24 law as it existed prior to the introduction to this bill and prior
25 to the beginning of this Session was that any amount appropriated
26 for this purpose would be distributed, notwithstanding that the
27 amount appropriated might exceed what a formula would spin out,
28 and it would be appropriated on a prorata basis, any surplus. I
29 believe that was Senator Fawell's amendment of last year. Well,
30 at least you participated in the amendment and put a cap on how
31 far it could go.

32 PRESIDING OFFICER: (SENATOR DONNEWALD)

33 Senator Newhouse. Oh.

1 SENATOR HYNES:

2 Now, I would like to know how this bill with this amendment
3 would change that?

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Newhouse, do you wish to respond?

6 SENATOR NEWHOUSE:

7 Yes, I do, Mr. President. I...I had assumed that the debate
8 would come on bill, but it might as well come on the amendment. They...
9 the...what's the...what is at issue here is this, the present law
10 provides that any excess funds that over and above the one hundred,
11 two hundred dollar limit that had been appropriated can be distributed
12 prorata to the colleges involved. That's the present law. Under the
13 previous amendments that were added, this section was deleted, which
14 means that if this...that...the bill that I'm about to introduce is
15 adopted under the...before this amendment, then there would not
16 have been provision for the...or rather there would have been provision
17 for the excess funds. The first amendment took that out. This made
18 it unacceptable to the sponsors of the bill. He said to me that we
19 can't take it that way. Now, if this bill doesn't pass, you're
20 going to have the distribution of the funds in any case without any
21 kind of guidelines. If the bill does pass and there is no excess,
22 we'll have a ceiling. So, that's the...option and choice that has
23 to be made. Now, I'd assume that this would be the discussion on
24 the bill rather than on the amendment, but since it's come up on the
25 amendment, that's what's at stake, and I'd be happy to answer any
26 questions. This is...this is, I must say, a little different from
27 the agreement that was made in committee. However, I'm sorry, Doctor, if
28 it wasn't discussed with you, because I think you were the only one
29 that was left out. This was discussed with...with...with several others
30 or I thought everyone else who was involved. The colleges came down and
31 said without the amendment, they'd Table the bill, and I could care
32 less, except that we'd still have the distribution and books in any
33 case. But that's the story, and if there's questions, I'd be pleased

1 to answer any specific questions.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Is there further debate? Senator Davidson.

4 SENATOR DAVIDSON:

5 Well, Mr. President, I'm sorry Senator Newhouse hadn't clued
6 me in on this, because when we worked this agreement out in committee,
7 and we agreed to let this bill up on the Floor, we agreed for the
8 ...for the limit of a hundred and two hundred dollar part. There
9 wasn't any part about putting the surplus fund back in, and I'd have
10 to rise up in opposition to this amendment, because that's what we
11 agreed to, the members of the committee when we worked this out among
12 us, and I think we would be not negotiating in good face on the agree-
13 ment if we accept this word now. It may have been in the law before,
14 but that's what we took out in the amendment that we agreed to at that
15 time, and all parties concerned. If they can still distribute the fund
16 without this bill, then so be it. But, I would have to rise in opposi-
17 tion to the amendment.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Senator Hynes.

20 SENATOR HYNES:

21 Senator Newhouse, I believe you are saying then that if this
22 amendment goes on, there will be a prorata distribution of any
23 excess over and above the amount that the formula would spin out.
24 Is...is that correct? There will be, and without this amendment
25 there will not be?

26 PRESIDING OFFICER: (SENATOR DONNEWALD)

27 Senator Newhouse.

28 SENATOR NEWHOUSE:

29 That's correct, Senator.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Hynes.

32 SENATOR HYNES:

33 And...and therefore, if this amendment does not go on, Senator

1 Egan's amendment to the Board of Higher Education appropriation
2 bill will be null and void.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Senator Newhouse.

5 SENATOR NEWHOUSE:

6 I'm not sure I understand that, Senator.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Would you repeat the question, Senator Hynes?

9 SENATOR HYNES:

10 If this amendment does not go on...if this bill were to pass
11 without this amendment and become law, the additional funds that
12 Senator Egan added to the Board of Higher Education Appropriation
13 Bill could not be distributed. Is that...it is not the case?

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Newhouse.

16 SENATOR NEWHOUSE:

17 Senator, if this last amendment goes on, then there will be
18 distributable funds. Did you understand me? If this...if...if
19 this last...if this present amendment goes on, then the law will be
20 substantially what's on the books right now. That those excess funds
21 can be distributed. Now, let me...let me...let me make a couple of
22 things clear. Number one, when I did not know about Senator Egan's
23 amendment initially at all, I found out about this the other day,
24 and as a matter of fact, when the question as to the distributable
25 funds came up was raised by Senator Hickey, I said to Senator Hickey
26 that this is not the purpose of the bill, and that was what I thought
27 at the time. I did not know that the provision existed. I want
28 to make all of that clear. Now, ...now, that that has surfaced and
29 the distributable funds are there, we're in this position, that if we
30 do nothing, the distributable funds will be distributed nevertheless.
31 If we pass this bill out, there will be at least the...a formula for
32 the limitation. However, there won't be the limitation. It would
33 put us in the position so that if the limitation is desired, we could

1 come back and talk about the limitation as a separate issue and
2 settle that at that point. Meanwhile, we're at the mercy of what-
3 ever appropriation's process we are for the...for the distribution
4 purposes. I want that perfectly clear to everyone.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Senator Egan.

7 SENATOR EGAN:

8 Thank you, Mr. President. Well, it's my understanding, Senator
9 Newhouse, that the private colleges are opposed to the proposed amend-
10 ment that you are now proposing. And that the third amendment which
11 you have agreed to propose would satisfy them, but they...

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Now, Senate...just a moment. Senator, we are discussing Amend-
14 ment No. 4 only.

15 SENATOR EGAN:

16 Well, Amendment No. 4 is totally objectionable to the private
17 schools. No, as a matter of fact, unless we can discuss all three
18 amendments, Amendment No. ...the...you have two amendments that
19 you're proposing. The one that we're on now is objectionable the
20 way it is. If we can't discuss all three amendments, that's their
21 position.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 Senator Newhouse.

24 SENATOR NEWHOUSE:

25 Well, you may be right, Senator, in the terms of how we discuss
26 them because what we're on right now, Senator...Senator, ...yoo-hoo...

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Egan.

29 SENATOR NEWHOUSE:

30 .Senator...Senator...

31 SENATOR EGAN:

32 Unless you are offering the amendments in inverse order, I don't
33 have the amendment in front of me.

1 SENATOR NEWHOUSE:

2 The amendment that I'm offering now is the amendment that the
3 colleges have given me to put on the bill, to put them back in the
4 position that the present law is now that will permit distribution
5 of the funds. That's Amendment No. 4.

6 PRESIDING OFFICER: (SENATOR DONNEWALD)

7 Senator Egan.

8 SENATOR EGAN:

9 All right. I understand now that the amendment that you're
10 offering is the amendment that we earlier discussed that you were
11 going to offer last, you're now offering it first. So I understand.
12 That is correct.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Senator Shapiro.

15 SENATOR SHAPIRO:

16 Mr. President and Ladies and Gentlemen of the Senate, what this
17 amendment will do is take a formula and just make it open-ended and if
18 you're going to make the reimbursement open-ended, why have a formula?
19 We made several significant changes in this formula by going from
20 full-time student to full-time equivalent, plus the fact that there
21 will probably be increased head count at the private colleges. I
22 doubt whether there will be any excess funds for prorating, but even
23 if there are, why not...if we're going to do this for private colleges,
24 why not do it for the public institutions. They don't have this type
25 of leeway, so the amendment should be rejected. Senator Davidson
26 pointed out that the agreement was to provide one hundred and two
27 hundred dollars flat grants for these students that are at private
28 institutions, and that there was no agreement on leaving the formula
29 open-ended. The amendment should be rejected.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Hickey. Is there further debate? The question is shall
32 Amendment No. 4 be adopted. Those in favor vote Aye. Those opposed
33 No. The voting is open. Have all those voted who wish? Take the

1 record. On that question, the Ayes are 31, the Nays are 24. Amend-
2 ment No. 4 is adopted. Are there further amendments? Senator Newhouse.

3 SENATOR NEWHOUSE:

4 Mr. President, I want to say this to the entire Senate. I'm
5 going to hold this bill for a day or so, because I...I...I...I really
6 feel as if some of the...some of my colleagues on this Floor have,
7 if not been misled, have certainly not been fully informed, and I
8 fell very badly about that. So, I'm going to hold this bill for...
9 for another day. I don't want to call it today. So they can have
10 some discussions and see if we could at least get some meeting of
11 the minds on it.

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Are there further amendments to the bill? We will advance it
14 to the order of 3rd, and then we will come back for amendments if
15 the members so desire. Are there further amendments? 3rd reading.
16 I see that the hour is five minutes to five. Senator Partee, if
17 there's an announcement to make, I think this would be the appro-
18 priate time, because we're due back at 7:00.

19 SENATOR PARTEE:

20 Mr. President, we are coming back at 7:00, and I would ask the
21 membership to be back on time, because there are a lot of matters
22 that can be handled in the beginning of the evening as we gather, clean-
23 up matters and others, and we've done a good job today, and if we
24 can just keep rolling tonight, we'll be in much better shape.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 The Senate stands in recess until 7:00 p.m. this evening.

27 (RECESS)

28 (AFTER RECESS)

29 PRESIDENT:

30 The hour of seven having arrived, the Senate will come to order.
31 Committee reports.

32 SECRETARY:

33 Senator Hynes, Chairman of Appropriations Committee, reports out

1 the following bills:

2 House Bill 8...885, 1602, 2029, 2439 and 2800 with the recommenda-
3 tion Do Pass. House Bill 1092, 1302, 1360 and 1366, 2076 and 3003
4 with the recommendation Do Pass as Amended.

5 PRESIDENT:

6 Message from the House.

7 SECRETARY:

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

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

13 House Bill 802, 3059, 3062 and 3068.

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

15 Mr. President - I am directed to inform the Senate that the
16 House of Representatives has concurred with the Senate in the passage
17 of the followings bills along with House Amendments.

18 Senate Bill 332 with House Amendments No. 1, 2, 3, 4, 5 and 6.
19 Senator Graham is the chief sponsor.

20 Senate Bill 98 with House Amendments 3 and 4. Senator Welsh
21 is the chief sponsor.

22 Senate Bill 468 with House Amendments 2, 3 and 9. Senator
23 Weaver is the chief sponsor.

24 Senate Bill No. 472 with House Amendment No. 1. Senator Bruce
25 is the chief sponsor.

26 Senate Bill No. 507 with House Amendment No. 2. Senator Vadalabene
27 is the chief sponsor.

28 Senate Bill No. 517 with House Amendments 2 and 3. Senator
29 Carroll is the chief sponsor.

30 Senate Bill No. 634 with House Amendment No. 1. Senator Hynes
31 is the chief sponsor.

32 Senate Bill No. 658 with House Amendment No. 2. Senator Daley
33 is the chief sponsor.

1 Senate Bill No. 666 with House Amendment No. 1. Senator
2 Ozinga is the chief sponsor.

3 Senate Bill No. 706 with House Amendment No. 1. Senator
4 Schaffer is the chief sponsor.

5 Senate Bill No. 731 with House Amendment No. 1. Senator
6 Joyce is the chief sponsor.

7 Senate Bill No. 786 with House Amendment No. 1. Senator
8 Ozinga is the chief sponsor.

9 Senate Bill No. 829 with House Amendment No. 1. Senator
10 Egan is the chief sponsor.

11 Senate Bill No. 970 with House Amendments 1 and 2. Senator
12 Lane is the chief sponsor.

13 Senate Bill No. 985 with House Amendment No. 1. Senator
14 Kosinski is the chief sponsor.

15 Senate Bill No. 989 with House Amendment No. 1. Senator
16 Glass is the chief sponsor.

17 Senate Bill No. 1024 with House Amendments No. 1, 17, 22 and 24.
18 Senator Glass is the chief sponsor.

19 PRESIDENT:

20 All to the Secretary's Desk. House Bills on 1st reading. House
21 Bill 3034, Senator Demuzio-Mitchler.

22 SECRETARY:

23 House Bill 3034.

24 (Secretary reads title of bill)

25 1st reading of the bill.

26 PRESIDENT:

27 House Bill 3063, Senator Lemke.

28 SECRETARY:

29 House Bill 3063.

30 (Secretary reads title of bill)

31 3rd...1st reading of the bill.

32 PRESIDENT:

33 House Bill 3112, Senator Kenneth Hall.

1 SECRETARY:

2 House Bill 3112.

3 (Secretary reads title of bill).

4 1st reading of the bill.

5 PRESIDENT:

6 House Bill 3113, Partee.

7 SECRETARY:

8 House Bill 3113.

9 (Secretary reads title of bill)

10 1st reading of the bill.

11 PRESIDENT:

12 Is there leave to move 3113 to the order of 2nd reading without
13 reference to committee? Leave is granted. 3114, Senator Partee.

14 SECRETARY:

15 House Bill 3114.

16 (Secretary reads title of bill)

17 1st reading of the bill.

18 PRESIDENT:

19 Is there leave to move House Bill 3114 to the order of 2nd
20 reading without reference to a committee? Leave is granted. 2nd
21 reading. On the order of nonconcurrences. House Bill 600, Senator
22 Weaver. House Bill 601, Senator Weaver. House Bill 650, Senator
23 Hickey. House Bill 871, Senator Netsch. House Bill 1043, Lemke,
24 Brady, Nudelman. House Bill 1...1146, Harber Hall. On the order
25 of nonconcurrences. Senator Harber Hall.

26 SENATOR HALL:

27 Mr. President, I move to nonconcur...I mean...I...I move that
28 the Senate not recede from the Senate Amendment to House Bill 1146.
29 I've talked about this amendment that we've put on over here to this
30 bill with the people over there who opposed it. They say that if we
31 refuse to recede that they will concur in Conference Committee. It
32 brings the bill exactly in line with a previous bill on the same
33 subject that was passed. I move to not recede.

1 PRESIDENT:

2 ... Senator Harber Hall moves that the Senate refuse to recede from
3 the adoption of Amendment No. 1 to House Bill 1146 and that a
4 Conference Committee be appointed. All those in favor say Aye.
5 All opposed say Nay. The motion carries and the Secretary shall
6 so inform the House. House Bill 1146, Senator Vadalabene. House
7 Bill 1408, Senator Egan. House Bill 871, Senator Netsch. This
8 is on nonconcurrences.

9 SENATOR NETSCH:

10 I would move that the Senate refuse to recede from the amendment
11 and request the appoint of a Conference Committee.

12 PRESIDENT:

13 Senator Netsch moves that the Senate refuse to recede from the
14 adoption of Amendment No. 1 to House Bill 871 and that a Conference
15 Committee be appointed. All those in favor say Aye. Opposed Nay.
16 The motion carries and the Secretary shall so inform the House. House
17 Bill 1518, Senator Donnewald. House Bill 16...1697, Senator Glass.

18 SENATOR GLASS:

19 Mr. President, I move that we do not recede from the Senate
20 Amendment. We've talked with the House sponsor and this seems to
21 be the best course. I think we can improve this legislation by
22 keeping our amendments on it, so I move the Senate do not recede.

23 PRESIDENT:

24 Senator Glass moves that the Senate refuse to recede from the
25 adoption of Amendment No. 1 to House Bill 1697 and that a Conference
26 Committee be appointed. All in favor say Aye. All opposed say Nay.
27 The motion...the Ayes have it. The motion carries and the Secretary
28 shall so inform the Senate...inform the House. House Bill 1949,
29 Senator Knuppel. Senator Knuppel moves that the Senate refuse to
30 recede from the adoption of Amendment No. 1 to House Bill 1949 and
31 that a Conference Committee be appointed. All those in favor say
32 Aye. Opposed Nay. The Ayes have it. The motion carries and the
33 Secretary shall so inform the House. Senator Vadalabene on the Floor?

1 On the order of nonconcurrences, Senator Vadalabene, Page 27. The
2 bill is House Bill 1176. Senator Vadalabene moves that the Senate
3 refuse to recede that...Senator Vadalabene moves that the Senate
4 refuse to recede from the adoption of Amendment No. 1 on House Bill
5 1176 and that a Conference Committee be appointed. All those in
6 favor say Aye. Opposed Nay. The Ayes have it. The motion carries
7 and the Secretary shall so inform the House. House Bills on the
8 order of nonconcurrence, House Bill 650, Senator Hickey.

9 SENATOR HICKEY:

10 Mr. President, at the request of the sponsor, I move that
11 the Senate recede from the.. Amendment No. 1...Senate Amendment
12 No. 1.

13 PRESIDENT:

14 We'll have to hold that because that's going to require...that's
15 final action and that requires thirty votes. I think we'd better
16 wait on that till we get some people here. Take it out of the
17 record. Message from the House.

18 SECRETARY:

19 Message from the House from Mr. O'Brien, Clerk.

20 Mr. President - I am directed to inform the Senate that the
21 House of Representatives has concurred with the Senate in the
22 following bills.

23 With House Bill 1098, they concur in Amendment No. 1 and
24 nonconcur in Amendment No. 2.

25 On House Bill 1608, they nonconcur in Amendments 1 and 2.
26 Senator McCarthy is the chief sponsor.

27 On House Bill 1821, they nonconcur in Amendment No. 3. Senator
28 Glass is the chief sponsor.

29 On House Bill 1935, they nonconcur in Amendment No. 1. Senator
30 Philip is the chief sponsor.

31 On House Bill 2238, they nonconcur in...Amendments No. 1 and 2,
32 and Senator...Knuppel is the chief sponsor.

33 And on House Bill 2868, they nonconcur on Amendment No. 1 and

1 Senator Savickas is the chief sponsor.

2 PRESIDENT:

3 All to the Secretary's Desk. Senator Egan. Senator Egan,
4 may we have your attention. On the...on the order of nonconcurrency,
5 House Bill 1408 rests with Senate Amendment No. 2. What is your
6 pleasure? Do you refuse to recede or are you adopting...receding
7 from the amendment or what? 1408.

8 SENATOR EGAN:

9 Our wish is to...to vote to recede. The...the...we...the House
10 Amendment...I want to concur in the House Amendment, Mr. President.

11 PRESIDENT:

12 You want to recede from Senate Amendment No. 2.

13 SENATOR EGAN:

14 No.

15 PRESIDENT:

16 The bill is a House Bill. It does not have a House Amendment.
17 It has Senate Amendment No. 2 in which the House nonconcurrred. Now,
18 the...you either desire to refuse to recede from the Senate Amendment
19 or to recede from the Senate Amendment.

20 SENATOR EGAN:

21 I wish to refuse to recede from the Senate Amendment and have
22 a Conference Committee appointed.

23 PRESIDENT:

24 Senator Egan moves that the Senate refuse to recede from the
25 adoption of Senate Amendment No. 2 to House Bill 1408 and that a
26 Conference Committee appointed...be appointed. All those in favor
27 say Aye. Opposed Nay. The Ayes have it. The motion carries and
28 the Secretary shall so inform the House. Senator McCarthy, for
29 what purpose do you arise?

30 SENATOR MCCARTHY:

31 I would like to have the consent of the Body to be shown as
32 the chief sponsor of House Bill 3000. Senator Rock has...is the
33 sponsor of it. He and I have agreed for substitution.

1 PRESIDENT:

2 Is there leave? Leave is granted. Senator Rock. Senator
3 Rock, do you happen to know what Senator Donnewald's pleasure
4 is with...fine. On House Bill 1518, Senator Donnewald moves that
5 the Senate refuse to recede from the adoption of Amendment No. 2
6 to House Bill 1518 and that a Conference Committee be appointed.
7 All those in favor say Aye. Opposed Nay. This motion carries
8 and the Secretary shall so inform the House. For what purpose
9 does Senator Graham arise?

10 SENATOR GRAHAM:

11 Do we have a message over on Senate Bill 32?

12 PRESIDENT:

13 Apparently not, Senator. Messages from the House requesting
14 Conference Committees. Senator Vadalabene on the Floor? There's
15 Senator Vadalabene.

16 SECRETARY:

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

18 Mr. President - I am directed to inform the Senate that the
19 House of Representatives has refused to recede from Amendments No.
20 1 and 2 to Senate Bill 69, Senator Vadalabene.

21 PRESIDENT:

22 The question is shall the Senate...Senator Vadalabene moves to
23 accede to the request of the House of a Conference Committee being
24 appointed. All in favor signify by saying Aye. Opposed Nay. The
25 motion carries and the Senate accedes to the request to appoint a
26 Conference Committee.

27 SECRETARY:

28 Senate...The same Message on Senate Bill 184. The House refuses
29 to recede from their amendment to Senate Bill 184. Senator Schaffer
30 is the chief sponsor.

31 PRESIDENT:

32 Senator Schaffer moves that the Senate accede to the request
33 of the House and a Conference Committee be appointed. All in favor

1 say Aye. Opposed Nay. The motion carries and the Senate accedes
2 to the request to appoint a Conference Committee.

3 SECRETARY:

4 The same Message on Senate Bill 298 with House Amendment No.
5 1. Senator Ozinga is the chief sponsor.

6 PRESIDENT:

7 Senator Ozinga. Yes, they did, and requested a Conference
8 Committee appoint...be appointed. Senator Ozinga moves that the
9 Senate accede to the request of the House so the Conference Committee
10 be appointed. All in favor say Aye. Opposed Nay. The motion
11 carries and the Senate accedes to the request to appoint a Conference
12 Committee.

13 SECRETARY:

14 Same Message on Senate Bill 418 with House Amendment No. 1.
15 Senator Demuzio is the chief sponsor.

16 PRESIDENT:

17 Senator Demuzio moves that the Senate accede to the request of
18 the House so the Conference Committee be appointed. All in favor say
19 Aye. Opposed Nay. The motion carries and the Senate accedes to the
20 request to appoint a Conference Committee.

21 SECRETARY:

22 Same Message on Senate Bill 470 with House Amendment No. 1.
23 They refuse to recede. Senator Bell is the chief sponsor.

24 PRESIDENT:

25 Senator Bell.

26 SENATOR BELL:

27 Thank you, Mr. President, I would move the Senate to...not to
28 recede from Senate Amendment No. 3 and that a Conference Committee
29 be appointed.

30 PRESIDENT:

31 Senator Bell moves that the Senate accede to the request of
32 the House, that a Conference Committee be appointed. All in favor
33 say Aye. Opposed Nay. The Ayes have it. The motion carries and

1 the Senate accedes to the request to appoint a Conference Committee.

2 SECRETARY:

3 Same Message with...relative to Senate Bill 881 with House
4 Amendment No. 3. Senator Fawell is the chief sponsor.

5 PRESIDENT:

6 Senator Fawell moves that the Senate accede to the request of
7 the House and a Conference Committee be appointed. All in favor
8 ...signify by saying Aye. Opposed Nay. The motion carries and the
9 Senate accedes to the request to appoint a Conference Committee.

10 SECRETARY:

11 Same Message on Senate Bill 911 relative to House Amendments 1
12 and 2. Senator Philip is the chief sponsor.

13 PRESIDENT:

14 Senator Philip moves that the Senate accede to the request of
15 the House and a Conference Committee be appointed. All in favor
16 say Aye. Opposed Nay. The motion carries and the Senate accedes
17 to the request to appoint a Conference Committee.

18 SECRETARY:

19 Same Message relative to Senate Bill 1118 with House Amendment
20 No. 1. Senator Berning is the chief sponsor.

21 PRESIDENT:

22 Senator Berning moves that the Senate accede to the request of
23 the House and a Conference Committee be appointed. All in favor
24 signify by saying Aye. Opposed Nay. The motion carries and the
25 Senate accedes to the request to appoint a Conference Committee.

26 SECRETARY:

27 Same Message on Senate Bill 645 with House Amendment No. 1.
28 Senator Course is the chief sponsor.

29 PRESIDENT:

30 Senator Course moves that the Senate accede to the request of
31 the House and a Conference Committee be appointed. All in favor
32 say Aye. Opposed Nay. The motion carries and the Senate accedes to

1 the request to appoint a Conference Committee.

2 SECRETARY:

3 Same Message relative to Senate Bill 456 with House...with
4 House Amendment No. 4. Senator Buzbee is the chief sponsor.

5 PRESIDENT:

6 Senator Buzbee moves that the Senate accede to the request
7 of the House and a Conference Committee be appointed. All in
8 favor say Aye. Opposed Nay. The motion carries and the Senate
9 accedes to the request to appoint a Conference Committee.

10 SECRETARY:

11 Same Message with Senate...relative to Senate Bill 355 with
12 House Amendment No. 1. Senator Knuppel is the chief sponsor.

13 PRESIDENT:

14 Senator Knuppel moves, do you, that the Senate accede to the
15 request of the House and a Conference Committee be appointed. All
16 in favor say Aye. Opposed Nay. The Ayes have it. The motion
17 carries and the Senate accedes to the request to appoint a Conference
18 Committee.

19 SECRETARY:

20 Same Message relative to Senate Bill 56 with House Amendment No.
21 1. Senator Johns is the chief sponsor.

22 PRESIDENT:

23 Incidentally, Senator Shapiro, if this motion doesn't carry, the
24 bill's dead. Senator Johns moves that the Senate accede to the request
25 of the House that a Conference Committee be appointed. All in favor
26 say Aye. Opposed Nay. The Ayes have it. The motion carries and
27 the Senate accedes to the request to appoint a Conference Committee.
28 Senator Weaver, you have a couple of bills on nonconcurrency, 600 and
29 601. I assume you desire to refuse to recede. I don't know. House
30 Bill 600, Senator Weaver.

31 SENATOR WEAVER:

32 I would move that a Conference Committee be appointed, Mr. President.

33 PRESIDENT:

1 Senator move...Senator Weaver moves that the Senate refuse to
2 recede from the adoption of Amendment No. 1 to House Bill 600 and
3 that a Conference Committee be appointed. All in favor say Aye.
4 Opposed Nay. The motion carries and the Secretary shall so inform
5 the House. House Bill 601. Senator Weaver moves that the Senate
6 refuse to recede from the adoption of Amendment No. ...Numbered 1
7 and 2 to House Bill 601 and that a Conference Committee be appointed.
8 All in favor say Aye. Opposed Nay. The motion carries and the
9 Secretary shall so inform the House. House Bill 650, Senator Hickey.
10 Suppose we try...I have a couple of other and maybe by the time we'll...
11 House Bill 1043 which is Lemke, Brady and Nudelman. Do either of
12 you desire to handle it? Senator Rock.

13 SENATOR ROCK:

14 Yes, this is...this is the one that we referred to before. I
15 believe that the proper request is that the Senate refuse to...recede
16 and accede to the request of the House and have a Conference Committee.

17 PRESIDENT:

18 Senator Nudelman moves that the Senate refuse to recede from the
19 adoption of Amendment No. 2 to House Bill 1043 and that a Conference
20 Committee be appointed. All those in favor say Aye. Opposed Nay.
21 The Ayes have it. The motion carries and the Secretary shall so
22 inform the House. ...(Machine cut-off)...Latherow is recognized
23 for the nonconcurrence on the Secretary's Desk. Is there leave to
24 go there? Senator Latherow.

25 SENATOR LATHEROW:

26 Mr. President, I have Senate Bill 773 that I will move to concur
27 in House Amendment No. 1. This amendment, Mr. President and members
28 of the Senate, was on the bill which we amended the Public Utilities
29 Act for well drillers to be able to move in an emergency without a...
30 a permit, and the House amended the wait section for the same particular
31 movement. And I move that we concur in House Amendment No. 1.

32 PRESIDENT:

33 Any discussion?

1 SENATOR LATHEROW:

2 This amendment was asked for by the Secretary of State.

3 PRESIDENT:

4 The question is shall the Senate concur in Amendment No. 1
5 to Senate Bill 773. Those in favor vote Aye. Those opposed vote
6 Nay. The voting is open. This is final action and requires thirty
7 votes. Have all voted who wish? Have all voted who wish? Take
8 the record. On that question, the Ayes are 52, the Nays are none,
9 with 1 Voting Present. The Senate concurs in Amendment No. 1 to
10 Senate Bill 773 and the bill having received the required constitu-
11 tional majority is declared passed. Senator Latherow.

12 SENATOR LATHEROW:

13 I have 1381 which has...House Amendment No. 1 that I move that
14 we concur in. This amendment is the Repealer Amendment and will put
15 this bill in exactly the same position that the House Bill was that
16 had to do with lowering the minimum number of inhabitants required
17 to seek incorporation. It has a repealer clause on for 1977. I
18 move we concur in House Amendment No. 1.

19 PRESIDENT:

20 Any discussion? Senator Latherow moves that the Senate concur
21 in Amendment No. 1 to Senate Bill 1381. Those in favor vote Aye.
22 Those opposed vote Nay. The voting is open. Have all voted who wish?
23 Take the record. On that question, the Ayes are 54, the Nays are
24 none with none Voting Present. The Senate concurs in Amendment No. 1
25 to Senate Bill 1381 and the bill having received the required constitu-
26 tional majority is declared passed. Senator Vadalabene.

27 SENATOR VADALABENE:

28 Yes, on the Secretary's Desk, I had 814 that I would concur in.

29 PRESIDENT:

30 On the Secretary's Desk, Page 25, Senate Bill 814, Senator
31 Vadalabene.

32 SENATOR VADALABENE:

33 Yes, what the House Amendment does, it removes the hospitals

1 from the provisions of the Act. Now, the reason for that is that
2 the Federal standards...there're already Federal standards under
3 the Hill-Burton Construction Act which provides for the elevators
4 in hospitals, and under the Hospital Licensing Act, the hospitals
5 are also under that Act and so it's not necessary in this bill,
6 and I move to concur with the amendment...House Amendment in 814.

7 PRESIDENT:

8 Any discussion? The question is shall the Senate concur in
9 Amendment No. 1 to Senate Bill 814. Those in favor vote Aye. Opposed
10 Nay. The voting is open. ... (Machine cut-off)...voted who wish?
11 Take the record. On this question, the Ayes are 47, the Nays are none
12 with none Voting Present. The Senate concurs in Amendment No. 1 to
13 Senate Bill 814 and the bill having received the required constitu-
14 tional majority is declared passed. Senator Latherow.

15 SENATOR LATHEROW:

16 Thank you, Mr. President, I have one bill, it's Senate Bill
17 1157 that I move that we concur in House Amendment No. 2 and we
18 refuse to concur in House Amendment No. 1 and 3. Now, House Amend-
19 ment No. 1 is the Dougherty Amendment which was already on the bill
20 and House Amendment No. 3, as it was written, did not fit in the
21 bill at all.

22 PRESIDENT:

23 The question is shall the Senate concur in House Amendment No.
24 2 to Senate Bill 1157. Those in favor vote Aye. For what purpose
25 does Senator Sommer arise?

26 SENATOR SOMMER:

27 Will the sponsor yield?

28 PRESIDENT:

29 He indicates he'll yield.

30 SENATOR SOMMER:

31 What does...what does Amendment No. 2 do, Senator Latherow. I
32 didn't hear you.

33 PRESIDENT:

1 Senator...Senator Latherow.

2 SENATOR LATHEROW:

3 Amendment No. 2 further...clarifies the fact that these...or
4 these auxiliary deputies are under the sheriff and their identifi-
5 cation symbols must be worn at times while their on duty. And also
6 says that the auxiliary deputies may not be paid a salary...a may
7 be reimbursed by actual...actual expenses incurred in performing their
8 duty, and this expense must be approved by the county board.

9 PRESIDENT:

10 Any further discussion? Senator Sommer.

11 SENATOR SOMMER:

12 Amendment No. 3 is the Brand's Act Amendment, right? Which one
13 is the Brand on...

14 PRESIDENT:

15 Senator Latherow.

16 SENATOR LATHEROW:

17 Amendment No. 3 said that they were required to learn to read
18 brands, and the amendment would not go into the bill at all. It
19 was not even in suitable shape to go into the bill where it said it
20 would.

21 PRESIDENT:

22 Senator Latherow...the question is shall the Senate concur in
23 Amendment No. 2 to Senate Bill 1157. Those in favor vote Aye. Those
24 opposed vote Nay. The voting is open. Have all voted who wish? Take
25 the record. On that question, the Ayes are 58, the Nays are none with
26 none Voting Present. The Senate concurs in Amendment No. 2 to Senate
27 Bill 1157. Senator Latherow moves to nonconcur in House Amendments 1
28 and 3 to Senate Bill 1157. All in favor say Aye. Opposed Nay. The
29 motion carries and the Secretary shall so inform the House. Senator
30 Vadalabene.

31 SENATOR VADALABENE:

32 Thank you, Mr. President, on Page 26, Senate Bill 1049, I wish
33 to concur with the House Amendment No. 1 and 2.

1 PRESIDENT:

2 Explain the amendments..

3 SENATOR VADALABENE:

4 Senate Bill 1049. Mr. President and members of the Senate,
5 Amendment No. 1 to Senate Bill 1049 is a technical amendment...
6 it adds the word by instead of the word for and inserting after develop-
7 ment bond fund appraised to the Capital Development Board, and on...
8 by adding at the end of Section 3, and of the Capital Development
9 Board Act approved July 10, 1972, as amended. These are technical
10 amendments on House Amendment No. 1, and I move for their adoption.

11 PRESIDENT:

12 Senator Donnewald.

13 SENATOR DONNEWALD:

14 On the technical amendment, by, is that b-y or b-u-y? All right.

15 PRESIDENT:

16 B-y. Any further discussion? Senator Weaver.

17 SENATOR WEAVER:

18 Senator Vadalabene, what is House Amendment No. 2?

19 SENATOR VADALABENE:

20 I thought you'd take them one at a time. I'm going to House
21 Amendment 2 next.

22 PRESIDENT:

23 You could move to concur both on the same motion, Senator. Explain
24 the...

25 SENATOR VADALABENE:

26 House Amendment No. ...

27 PRESIDENT:

28 One moment. One moment. For what purpose does Senator Hynes move?

29 SENATOR HYNES:

30 Mr. President, could I ask the sponsor if he would be willing to
31 take this out of the record, because there are questions on this
32 and the other appropriation bills that are on the Secretary's Desk?

33 PRESIDENT:

1 Did you hear him, Senator? Did you hear Senator Hynes?

2 SENATOR VADALABENE:

3 Yeah. I heard him. I'm only next door.

4 PRESIDENT:

5 Well, what's your answer, neighbor? Take it out of the record.
6 Senate Bill 1478, Senator Shapiro.

7 SENATOR SHAPIRO:

8 Mr. President and Ladies and Gentlemen of the Senate, Senate
9 Bill 1478, as originally introduced and sent to the House, eliminated
10 the reduction of a widow's benefit that which commenced if there was
11 a differential of five years age difference between the deceased and
12 the widow. In the House, they amended the five years to fifteen years
13 which means that a reduction in the...widow's annuity will not begin
14 unless there is more than fifteen years age between the deceased and
15 the widow. I would now move that the Senate concur in House Amendment
16 No. 1 to Senate Bill 1478.

17 PRESIDENT:

18 Any further discussion? The question is shall the Senate concur
19 in Amendment No. 1 to Senate Bill 1478. Those in favor vote Aye.
20 Those opposed vote Nay. The voting is open. Have all voted who wish?
21 Take the record. On this question, the Ayes are 48, the Nays are
22 none with none Voting Present. The Senator concurs in Amendment No. 1
23 to Senate Bill 1478 and the bill having received the required constitu-
24 tional majority is declared passed. House...Senate Bill 965, Senator
25 Glass.

26 SENATOR GLASS:

27 Thank...thank you, Mr. President, on House Bill 965, the House
28 added the amendment which provides...excuse me, Senate Bill 965, the
29 House added one amendment which provides a method for an owner of land
30 to disconnect from a park district. It's consistent with the present
31 procedure. It only adds one additional type of situation that can be
32 disconnected, and that is the individual need not own one or more
33 tracts of land, but he just need...need own land lying within a park

1 district. It also provides for notice of the annexing ordinance
2 to be sent to all owners of records.

3 PRESIDENT:

4 Just a moment. Just a moment. Just a moment. Go ahead.

5 SENATOR GLASS:

6 Thank you, Mr. President. I move that we concur with House
7 Amendment No. 1.

8 PRESIDENT:

9 Any discussion? Senator Fawell.

10 SENATOR FAWELL:

11 Senator...Senator Glass, would...would...are there any sub-
12 stantive changes...in this amendment? I...

13 PRESIDENT:

14 Senator Glass.

15 SENATOR GLASS:

16 Well, the...the substantive change, if you would call it that,
17 and I...I would...I really wouldn't call it that, at the present time,
18 Senator Fawell, there's a procedure provided, as you know, for an
19 owner of land to disconnect from a park district. The only thing
20 the amendment does...well, let me go back. Presently, the...the law
21 is that the owner of land consisting of one or more tracts located
22 in a county having a population of less than a million lying within
23 the corporate limits of a park district may disconnect. The amend-
24 ment deletes the requirement that he has to own one or more tracts of
25 land in a county having a population of less than a million. So, it
26 simply now reads that the owner of land lying within the corporate
27 limits of a park district may disconnect if he meets any of the six
28 qualifications.

29 PRESIDENT:

30 Any further discussion? Senator Glass.

31 SENATOR GLASS:

32 Senator Fawell requested time to look at that amendment, so I
33 wonder if we could take this out of the record.

1 PRESIDENT:

2 Take it our of the record. House Bills on 3rd reading. House
3 Bill 1930, Senator McCarthy. House Bill 1968, Senator Nudelman.
4 Read the bill.

5 SECRETARY:

6 House Bill 1968.

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

8 PRESIDENT:

9 One moment, please. Senator Nudelman, for what purpose do you
10 arise?

11 SENATOR NUDELMAN:

12 I'd ask leave to take this back to 2nd for the purpose of putting
13 on an amendment.

14 PRESIDENT:

15 Is leave granted? Leave is granted. House Bill 1968 is on the
16 order of 2nd reading. Senator Nudelman is recognized.

17 SENATOR NUDELMAN:

18 Thank you, Mr. President. The amendment, House...Senate Amend-
19 ment No. 1 clarifies certain language, clarifies certain date struc-
20 tures, changes the mode of payment to a certain...fund by the State
21 all of which are in the nature of clarifying the act in which I'll more
22 fully describe when I present the bill itself. I move the adoption
23 of the amendment.

24 PRESIDENT:

25 Any further discussion? Senator Nudelman moves the adoption of
26 Amendment No. 1 to House Bill 1968. All in favor will say Aye. Opposed
27 Nay. Amendment No. 1 is adopted. Any further amendments? 3rd reading.
28 House Bill 1977, Senator Demuzio. Read the bill. Senator Demuzio
29 moves...seeks leave to take House Bill 1977 from the order of 3rd
30 reading for the order of 2nd reading...

31 SENATOR DEMUZIO:

32 Well, I was going to take 1977 back. The Senator Weaver has two
33 amendments which we're going to resist. We've moved it back to 2nd

1 reading for the attempt to amend the bill.

2 PRESIDENT:

3 Is leave granted? Leave is granted.. House Bill 1977 is on
4 the order of 2nd reading. Senator Weaver is recognized.

5 SENATOR WEAVER:

6 Thank you, Mr. President, this is an amendment to House Bill
7 1970...77. By keeping the grant level at thirteen hundred and fifty
8 dollars, that's last year's level, the General Revenue Fund can save
9 four million, fifty thousand dollars. As the amount requested, has
10 already been reduced...the only reductions needed are in full-time
11 grants, a million, two hundred thousand and part-time grants, three
12 hundred and fifty thousand, and so the total reduction by this amend-
13 ment would be a million, five hundred and fifty thousand. I'd move
14 its adoption.

15 PRESIDENT:

16 Senator Demuzio.

17 SENATOR DEMUZIO:

18 Mr. President, members of the Senate, I rise in opposition to
19 this amendment. The Appropriations Committee has already cut two
20 million dollars off the full-time grant award, and they have reduced
21 the...the part-time grants by three hundred and fifty thousand. The
22 Senate Appropriations would give you some kind of a highlight as to
23 what would happen on the full-time grants if this amendment was put
24 on, would be a million, six hundred and forty thousand less than the
25 previous year. And on the half-time or part-time, would be an increase
26 of three million, five twenty, but this is the first year that we've
27 had the full impact of the...of the part-time students. Therefore,
28 I rise in opposition to this amendment, and urge my colleagues on this
29 side to do the same.

30 PRESIDENT:

31 Any further discussion? Senator Hynes.

32 SENATOR HYNES:

33 I would concur in Senator Demuzio's remarks. I believe that we

1 have taken responsible action with respect to this budget already
2 in the Appropriations Committee, and this further reduction is un-
3 called-for, and I would resist it.

4 PRESIDENT:

5 Senator Weaver.

6 SENATOR WEAVER:

7 Well, just to kind of wrap-up, Mr. President, these figures
8 were taken right out of the Board of Higher Education's book. They
9 had, in this bill, three point two million. We've taken off two
10 for full-time grants and the part-time grants, we took off five
11 hundred thousand, and they had, I should say yes, five hundred
12 thousand, we should take off the other three hundred and fifty
13 thousand. So, in order to abide by the recommendations of the Board
14 of Higher Education, I offer this amendment and solicit your support.

15 PRESIDENT:

16 Question is on the adoption of Amendment No. 6 to House Bill
17 1977. Senator Weaver moves its adoption. All in favor will...will
18 vote Aye...will say Aye. Opposed Nay. The...the amendment fails.
19 Any further amendments? A roll call has been belatedly requested.
20 The question is on the adoption of Amendment No. 6 to House Bill
21 1977. Those in favor will vote Aye. Opposed will vote Nay. The
22 voting is open. Have all voted who wish? Take the record. For
23 what purpose does Senator...on that question, the Ayes are 24, the
24 Nays are 33. The amendment fails. Senator Weaver.

25 SENATOR WEAVER:

26 Amendment No. 7, Mr. President. This amendment would delete
27 the remaining new personnel requested for FY '76. The original
28 request was for twenty-one people at a hundred and eighty-eight
29 thousand, nine hundred dollars. Amendment No. 4 cut eighty-four
30 thousand and sixty dollars out of this. This would reduce the
31 remaining a hundred and four thousand eight hundred and forty
32 dollars to delete all new people. Also, the ISSC is requesting
33 two new people in EDP. A reduction of twenty-nine thousand, one

1 hundred dollars will delete the personal service retirement and
2 Social Security for these new people. This is a total reduction
3 of a hundred and forty-six thousand, a hundred and fifty-five dollars,
4 and I'd move its adoption.

5 PRESIDENT:

6 Senator Demuzio.

7 SENATOR DEMUZIO:

8 Well, Mr. President and members of the Senate, I again rise
9 in opposition to this amendment. This amendment, as Senator Weaver
10 indicated, would reduce the...all of the new personnel to the total
11 of a hundred and forty-six thousand, one fifty-five. I should point
12 out to the members of the Senate that all of these cuts are all
13 revenue producers. For example, we're reducing the persons that are
14 involved with the Student Loan Collection Program, those that are
15 involved with the Delinquent Collection Program, two auditors and the
16 data processing unit, and I would strongly resist this...this amendment
17 and urge my colleagues to do the same.

18 PRESIDENT:

19 Senator Hynes.

20 SENATOR HYNES:

21 Again, I would join...

22 PRESIDENT:

23 Just a minute. Just a minute. Just a minute. Will the
24 members please be in their seats. The Chair can't even do the
25 mental arithmetic that I have to do sometimes because I can't see
26 where you are. Will you be in your seats. Senator Hynes.

27 SENATOR HYNES:

28 Again, I would join Senator Demuzio in opposition to this amend-
29 ment particularly with respect to its impact on our effort to collect
30 on...on delinquent loans. I will say, however, that if better progress
31 isn't made during the coming year by the Commission, we might all be
32 joining in an effort to put that responsibility somewhere else. But,
33 I would resist this amendment.

1 PRESIDENT:

2 Senator Graham.

3 SENATOR GRAHAM:

4 Only wanted to remark if the roll call this time is like it was
5 on the former amendment, perhaps some of us might have missed the
6 speech the Governor made a couple of weeks ago.

7 PRESIDENT:

8 Senator Weaver moves the adoption of Amendment No. 7 to House
9 Bill 1977. Those in favor will vote Aye. Opposed will vote Nay.
10 The voting is open. Have all voted who wish? Take the record.
11 On this question, the Ayes are 24, the Nays are 33. The amendment...
12 Amendment No. 7 fails. Any further amendments? 3rd reading. House
13 Bill 1968, Senator Nudelman. I said 3rd reading. It's on 3rd reading.
14 We're going back to 196...all right call it right now. 1977, Senator
15 Demuzio. You want a roll call? Question is shall...read the bill.

16 SECRETARY:

17 House Bill 1977.

18 (Secretary reads title of bill)

19 3rd reading of the bill.

20 PRESIDENT:

21 Question is shall House Bill 1977 pass. Those in favor will vote
22 Aye. Opposed Nay. The voting is open. Have all voted who wish?
23 Take the record. On this question, the Ayes are 36, the Nays are
24 20 with none Voting Present. House Bill 1977 having received a
25 constitutional majority is declared passed. House Bill 1968, Senator
26 Nudelman.

27 SECRETARY:

28 House Bill 1968.

29 (Secretary reads title of bill)

30 3rd reading of the bill.

31 PRESIDENT:

32 Senator Nudelman.

33 SENATOR NUDELMAN:

1 Thank you, Mr. President. House Bill 1968 deals with the medical
2 malpractice problem, and in...in fact, is two bills under one title,
3 and I'd like to attempt my explanation by explaining one facet of
4 the bill and answering any questions you may have and then getting
5 onto the second.

6 PRESIDENT:

7 Any discussion? Oh, excuse me. Go ahead.

8 SENATOR NUDELMAN:

9 The first part of the bill creates a commission to study the
10 medical malpractice problem. The Governor would appoint twelve
11 members from the various areas of medicine, insurance, the legal
12 profession and the general public. The President of the Senate
13 would appoint three members. The Speaker of the House would
14 appoint three members. The Director of Insurance would be a member
15 and the Director of Public Health would be a member, and the
16 Director of Insurance would be the Chairman of the Commission.
17 The Commission would be authorized and directed to hold hearings,
18 would have the right to issue subpoenas and would be mandated to
19 ...report back by January 1 of 1976 hopefully with a comprehensive
20 plan to deal with the problems of medical...comprehensive medical
21 plan for injury...comprehensive plan to deal with the problem of...
22 of injury due to medical malpractice. This basically is what the
23 first half of the bill does, and while I have described it rather
24 sketchily, if there are any questions, I would...be happy to attempt
25 to answer them, otherwise, I'll go onto the second half.

26 PRESIDENT:

27 Senator Rock.

28 SENATOR ROCK:

29 Thank you, Mr. President. Sponsor has already indicated he
30 would yield. I have two questions with respect to the first part.
31 One...one, how are the expenses of this Commission to be paid?

32 PRESIDENT:

33 Senator Nudelman.

1 SENATOR NUDELMAN:

2 The expenses of the Commission would be paid as prescribed
3 in the second half by the hopefully to be created temporary joint
4 underwriting association, which would be a not-for-profit quasi-
5 public corporation.

6 PRESIDENT:

7 Senator Rock.

8 SENATOR ROCK:

9 I notice by the amendment that we have granted this Commission
10 subpoena power. Why is that necessary?

11 PRESIDENT:

12 Senator Nudelman.

13 SENATOR NUDELMAN:

14 Because very frequently Commissions which make inquiries of
15 this nature have trouble getting people to come in and testify.

16 PRESIDENT:

17 Any further discussion? Senator Nudelman.

18 SENATOR NUDELMAN:

19 Now, if I might add, Mr. President, and if my recollection is
20 correct, I think that was probably my recommendation that the Commission
21 have the right to subpoena witnesses because otherwise, as we have
22 seen so many times, the Commissions created by this Legislature are
23 very often disregarded and have all sorts of trouble getting people
24 in, have to go to court and very frequently are unsuccessful, and it
25 would be a terrible shame and a waste if we created this Commission
26 without any piece in it and was unable to report back with any good
27 news, so to speak.

28 PRESIDENT:

29 Any further discussion? The question is shall House Bill...Senator
30 Harris.

31 SENATOR HARRIS:

32 Well, I don't want to make any...

33 PRESIDENT:

1 Oh, pardon me. Had you finished, Senator? Senator Nudelman,
2 did you want to...

3 SENATOR NUDELMAN:

4 I merely wanted to point out, Mr. President, that while I
5 said there were two facets to the bill, it is in one, in fact,
6 one facet, and I've only described...it...this was only one
7 facet and I've only described the first half of the bill.

8 PRESIDENT:

9 Would you choose to do that now or as you close the debate?

10 SENATOR NUDELMAN:

11 I would choose to do whatever is the pleasure of the Chair
12 and of the membership.

13 PRESIDENT:

14 No. It is your bill. You may do it as you desire. You may...

15 SENATOR NUDELMAN:

16 Well, if we have no more specific questions on the first half,
17 I will now go into the second half of the bill which contemplates
18 the creation of what would be know as a temporary joint underwriting
19 association. The JUA which would be comprised of an eleven man board
20 appointed by the Director of Insurance subject to the advice and
21 consent of the Senate which would be composed of people in the insurance
22 and medical professions. It would create a situation where if the
23 ...Director of Insurance thought it warranted, the JUA would go into
24 operation and could either jointly or severally cover physicians, hosp-
25 itals or licensed health care centers. By jointly and severally, I
26 mean it could either cover all of those types of organizations and
27 individuals or groups such as hospitals and not physicians, et cetera.
28 The JUA would go into effect when it was found that...that such insur-
29 ance was not available through ordinary channels such as insurance
30 companies now writing insurance in the field. The JUA would have the
31 authority to go into business and subsequently, if it felt that there
32 was now insurance available, it...could go out of business. It would
33 have the right to set rates. It would have the right to charge and

1 add on of one third for reserved funds, and ultimately, it would
2 go out of business. It would...self-destruct under all circum-
3 stances at the end of two years so that it would be up to the
4 Legislature to either let it die a peaceful death or if we thought
5 it warranted, we could extend it or recreate it or modify it or
6 do what the Legislature thought best suitable at the time. I might
7 also add that the...the refund of the money to the JUA would come
8 out of the State Treasurer so that if there were any loss, and I
9 don't know that there would be, but if there were any loss, it would
10 be repaid by the State of Illinois. I think this bill is a good
11 bill. I think that...I think that even though we may have that other
12 medical malpractice bill, which was passed out here and may or may not
13 be passed out of the House, this bill is compatible with that, and
14 if the court, and I should think that it's very likely, if the court
15 should find that legislation unconstitutional, we would have this
16 which would be a workable thing which we could have during the
17 emergency and through the emergency and to see if, in fact, there is a
18 real emergency or a bogymen, and I would endeavor to answer any questions
19 you might have.

20 PRESIDENT:

21 Any further discussion? Senator Rock.

22 SENATOR ROCK:

23 Well, two other questions. I see by the amendment, again, and
24 believe me, ...this...this, in my opinion, and I spoke with the
25 Director of Insurance long before this was even introduced, this,
26 in my opinion, is a much better approach than the premature and
27 hasty action under Senate Bill 1024, which as amended by the House,
28 is now on its way back here, if it's not back here yet. But, again,
29 the amendment, frankly, is...I was familiar with the bill in its
30 pristine form. The amendment which was just adopted a little while
31 ago kind of threw me. One, we have the expenses again being paid
32 by the Comptroller pursuant to Section 14, which in my opinion means
33 that that's a direct appropriation. Two, we have changed the

1 recoupment provision significantly, and we are now saying that if,
2 in fact, this joint underwriting association goes down the chute,
3 the Comptroller shall pay over to the association or the Commission
4 the respective amount certified to it pursuant to this Section,
5 which means that the State in the last analysis...we are not...we are
6 not looking to the companies. We are again looking to the State,
7 and you know, this is...I have heard you say on a couple of occasions
8 that these kinds of subsidies are unconscionable. And, I, frankly,
9 at this point having just seen this amendment a little while ago,
10 I'm a little bit reluctant to jump off the deep end.

11 PRESIDENT:

12 Any further discussion? Senator Glass.

13 SENATOR GLASS:

14 Well, thank...thank you, Mr. President, I just would comment
15 in regard to Senator Rock's statement that I don't see a conflict
16 between this bill and Senate Bill 1024 in...inasmuch as Senator
17 Nudelman pointed out. This supplements it and is available in the
18 event all or a portion of that bill is not sustained in court, but
19 I would ask Senator Nudelman this question. How is the Commission...
20 you stated it...it would...it would be a not-for-profit corporation,
21 and how would...where...where would the funds come from? If it's
22 a not-for-profit corporation, are you expecting contributions from
23 various sources to support it?

24 PRESIDENT:

25 Senator Nudelman.

26 SENATOR NUDELMAN:

27 Mr. ...Mr. Chairman, if...if the Chair would be so good as
28 to give me...get me some quite, I might hear rather than sense the
29 questions. I think I sensed the questions, but I didn't hear them.
30 The funds that would go into this organization, Senator Glass, would
31 come from premiums...premiums to be paid for insurance plus a reserve
32 fund of one third over...above...over and above what the premiums
33 would be. That would be figured out like any other premium might be

1 figured out, and those would be the original premiums. Then in
2 answer to Senator Rock's proposal, originally the bill was written
3 so that insurance companies which sustained losses could take
4 credits on their income tax and the Department of Revenue of this
5 State objected to that, because they said that would be a precedent
6 setting situation which they would not be comfortable with. So it
7 was amended that this would not be a credit on anybody's income tax,
8 but rather be funded out of the other end of the...of the pipe, so
9 to speak, and any losses, and there's no certainty that there will
10 be any losses. There's no certainty that this scheme will ever go
11 into effect. But any losses, if there are any, and it's highly
12 conceivable that there would be a profit...excuse me.

13 PRESIDENT:

14 Just a moment. The conference right behind Senator Nudelman.
15 He's having problems hearing. Gentlemen. Go right ahead.

16 SENATOR NUDELMAN:

17 Any losses incurred, and there's no guarantee there would be
18 losses, I would rather think that, hopefully think, there might
19 even be a profit. But any losses that might be incurred would
20 just come out of the General Revenue of the State of Illinois, and
21 I doubt if it would be a loss that it would be any substantial sum
22 of money.

23 PRESIDENT:

24 Senator Glass.

25 SENATOR GLASS:

26 And am I correct, Senator Nudelman, that that fund would be
27 tapped only if the Director found, after a hearing and investigation,
28 that medical malpractice insurance was not available from commercial
29 sources?

30 PRESIDENT:

31 Senator Nudelman.

32 SENATOR NUDELMAN:

33 The JUA would only go into effect on that basis. That there were

1 no insurance available, and I suggested before, it might be that
2 it would go into effect for hospitals and not doctors or doctors
3 and not hospitals or...the other form of medical organization and not be
4 the first too. So, this is not an overall impelling thing that
5 we are surely going to fall into, and that would surely have a
6 loss and that we'd have to surely protect with tax dollars. It's
7 conceivable and...and possible that it may never go into effect.
8 It's further conceivable and possible it might even show a profit.
9 PRESIDENT:

10 Any further discussion? Senator Harris.

11 SENATOR HARRIS:

12 Well, I...I don't want to identify this as a partisan question,
13 but I'm speaking particularly to the members on this side of the
14 aisle. We, meaning those who have tried to really spend some time
15 on this serious public policy question facing us all, have concluded
16 that House Bill 1968 is complimentary to 1024, but not contingent
17 upon or absolutely essential to 1024. And there was a very broad
18 basis of support for that bill when it was considered for passage.
19 I think the most important thing about House Bill 1968 is that,
20 in fact, it is that net in which the total social needs of the
21 Illinois citizenry, if, in fact, we have insurance or the lack of
22 insurance for this increasingly important consideration unavailable.
23 This is the network into which, on a temporary basis, those needs
24 can be met. I think this is, and...and the...the...the effort
25 by the department over many months to structure this bill finally
26 culminating tonight in the amendment that Senator Nudelman offered,
27 I think now puts this bill in as good shape as it can possibly be
28 at this point in time. I think...Senator Nudelman's final state-
29 ments here a moment ago were most appropriate, and that is that it's
30 conceivable that this association would never be called into perfor-
31 mance and further, it's quite possible that if it were called into
32 performance, that it might actually produce a profit. This is now
33 an outstanding piece of legislation to give us that safeguard that

1 we need in the light of our extreme problems with this circumstance
2 of malpractice coverage difficulty, and I would urge not only enthu-
3 siastically this side of the aisle, but the entire membership to support
4 Senator Nudelman when he calls for a favorable roll call on House
5 Bill 1968.

6 PRESIDENT:

7 Any further discussion? Question is shall House Bill 1968
8 pass. Those in favor will vote Aye. Opposed Nay. The voting is
9 open. Have all voted who wish? Take the record. On this question,
10 the Ayes are 51, the Nays are 2 with 4 Voting Present. House Bill
11 1968 having received a constitutional majority is declared passed.
12 House Bill 1979, Senator Hickey. House Bill 1999, Senator Harris.

13 SECRETARY:

14 House Bill 1999.

15 (Secretary reads title of bill)

16 3rd reading of the bill.

17 PRESIDENT:

18 Senator Harris.

19 SENATOR HARRIS:

20 This bill attempts to cure that problem of no notice to candidates
21 who are required to file their governmental ethics act filing require-
22 ment. As I think we are all aware, since we have had this greatly
23 expanded economic disclosure requirement of some two years ago which
24 was enacted in...at the tail end of the 77th General Assembly. But
25 subsequent to that, we've had a great number of candidates, I recall,
26 the number was something like six hundred eighty on one subsequent
27 election wherein bona fide legitimate conscientious candidates were
28 just not aware of their requirements. Representative Walsh has
29 introduced this bill that cures that problem and provides for notice.
30 In the committee, we learned that there was not an ample provision
31 for that...person to receive notice subsequent to a nomination as a
32 result of write-in. We've cured that. I know of no opposition to
33 the bill in its present form, and would be pleased to receive a

1 favorable roll call. I think it was Senator Chew that raised that
2 question in the committee.

3 PRESIDENT:

4 Any further discussion? Senator Chew.

5 SENATOR CHEW:

6 Yes, Mr. President, I want to ask Senator Harris one or two
7 questions pertaining to what we decided on the amendment. Senator
8 Harris, did you amend the bill to conform with the agreement we
9 had in committee?

10 PRESIDENT:

11 Senator Harris.

12 SENATOR HARRIS:

13 Yes, I did, Senator. It...I...if you want to check the amend-
14 ment, it...it responds to the point that you raised in the committee,
15 and it has been amended to provide that.

16 PRESIDENT:

17 Senator Chew.

18 SENATOR CHEW:

19 On my confidence in you, I have not seen the amendment, but
20 I will support the bill.

21 PRESIDENT:

22 Any further discussion? The question is shall House Bill 1999
23 pass. Those in favor vote Aye. Opposed Nay. The voting is open.
24 Have all voted who wish? Take the record. On this question, the
25 Ayes are 56, the Nays are none with none voting Present. House
26 Bill 1999 having received a constitutional majority is declared passed.
27 House Bill 2026, Senator Joyce. Read the bill.

28 SECRETARY:

29 House Bill 2026.

30 (Secretary reads title of bill).

31 3rd reading of the bill.

32 PRESIDENT:

33 Senator Joyce.

1 SENATOR JOYCE:

2 Mr. President and members of the Senate, House Bill 2026
3 raises the filing fees for certificate to operate a common or
4 contract carrier of property from fifty to a hundred dollars.
5 Also it raises an application for acquisition of control, amend-
6 ment or merger of transfer or lease of a certificate from fifty to a
7 hundred dollars. The purpose of this bill is to bring the filing
8 fees more into line with the cost of processing applications, and even
9 with the increase of a hundred dollars the revenue for filing fees
10 will not even pay fifty percent of the administrative cost.

11 PRESIDENT:

12 Any further discussion? Question is shall House Bill 2026
13 pass. Those in favor will vote Aye. Opposed Nay. The voting is
14 open. Have all voted who wish? Take the record. On this question,
15 the Ayes are 43, the Nays are 10 with 1 Voting Present. House Bill
16 2026 having received a constitutional majority is declared passed.
17 House Bill 2043, Senator Philip.

18 SECRETARY:

19 House Bill 2043.

20 (Secretary reads title of bill)

21 3rd reading of the bill.

22 PRESIDENT:

23 Senator Philip.

24 SENATOR PHILIP:

25 Thank you, Mr. President and Ladies and Gentlemen of the Senate
26 Senate Bill 2043 amends the Sanitary Registration Act. It provides
27 educational requirements, a bachelor's degree, or the supervision of
28 a registered sanitarian at least one year or a minimum of thirty hours
29 of basic science. And it also makes the test a little easier to pass.
30 It is supported by the Department of Registration and Education, and
31 I ask for your favorable consideration.

32 PRESIDENT:

33 Any further discussion? Question is shall House Bill 2043 pass.

1 Those in favor vote Aye. Opposed Nay. The voting is open. Have
2 all voted who wish? Take the record. On this question, the Ayes
3 are 34, the Nays are 13 with 8 Voting Present. House Bill 2043
4 having received a constitutional majority is declared passed.
5 House Bill 2052, Senator Rock. House Bill 2065, Senator Howard
6 R. Mohr. Oh, pardon me. I'm sorry. I'm sorry. House Bill 20...
7 go ahead, go ahead, Senator Mohr. House Bill 2065, Senator Mohr.
8 I'll get back to Senator Harris.

9 SECRETARY:

10 House Bill 2065.

11 (Secretary reads title of bill)

12 3rd reading of the bill.

13 PRESIDENT:

14 Senator Howard Mohr.

15 SENATOR MOHR:

16 Yes, Mr. President and members of the Senate, last year this...
17 this Body under the...sponsorship of Senator Welsh, a bill was enacted
18 dealing with special districts and we have had, or the bond people
19 have had, a problem with some of the language in that particular bill.
20 It's...there's no substantive changes in the bill. It's clarifying
21 and housekeeping language that is recommended by Chatman and Cutler.
22 The Illinois Municipal League is responsible for the sponsorship of
23 this bill, and I know of no objection to it.

24 PRESIDENT:

25 Any further discussion? The question is shall House Bill 2065 pass.
26 Those in favor will vote Aye. Opposed Nay. The voting is open. Have
27 all voted who wish? Take the record. On this question, the Ayes
28 are 42, the Nays are 9 with 4 Voting Present. House Bill 2065 having
29 received a constitutional majority is declared passed. House Bill
30 2058, Senator Harris.

31 SECRETARY:

32 House Bill 2058.

33 (Secretary reads title of bill)

1 3rd reading of the bill.

2 PRESIDENT:

3 Senator Harris. Just a moment. Just a moment. Now, will
4 the members be in their seats, and let's have some order please.
5 Senator Harris.

6 SENATOR HARRIS:

7 Thank you, Mr. President. House Bill 2058 amends that section
8 of the Public Utilities Act, Section 36 which provides for the re-
9 covery of State and city taxes. Section 36 now says that the
10 Commerce Commission must allow a utility to pass on a part of these
11 taxes in the same way that retailers occupation taxes are passed
12 on by merchants. Now, the Commerce Commission has recently stated
13 that it believes that this part of Section 36 presents...prevents the
14 Commission from permitting utilities to pass on any other taxes. What
15 this does is that it makes clear that section of the Utilities Act
16 permitting the utilities to pass on that part from one through three
17 percent of the taxes imposed upon utilities. At present, that part
18 of the taxes as relates to the authority of the Commission to permit
19 the utilities to pass that part of their local taxes on is unclear.
20 This cures that problem. The Commission itself takes no position
21 on this legislation. I consulted as late as today with members of
22 the Commission in relation to House Bill 2058. They do make the
23 point that the Act itself now is unclear, and this would cure that
24 problem. I know of no opposition. It passed the House overwhelmingly.
25 Would encourage the members to cure this problem by voting favorably
26 on House Bill 2058.

27 PRESIDENT:

28 Any further discussion? Senator Rock.

29 SENATOR ROCK:

30 Thank you, Mr. President. I rise also in support of 2058.
31 My understanding of this law is that it is declaratory of existing
32 law, and is, as Senator Harris stated, merely a clarification which
33 the Commission and we should desire. I would urge a favorable vote.

1 PRESIDENT:

2 The question is shall House Bill 2058 pass. Those in favor
3 vote Aye. Opposed vote Nay. The voting is open. Have all voted
4 who wish? Take the record. On this question, the Ayes are 49,
5 the Nays are 1 with 3 Voting Present. House Bill 2058 having
6 received a constitutional majority is declared passed. House Bill
7 2072, Senator McPartlin...or Senator Harris.

8 SECRETARY:

9 House...House Bill 2072.

10 (Secretary reads title of bill)

11 3rd reading of the bill.

12 PRESIDENT:

13 Senator Harris.

14 SENATOR HARRIS:

15 Thank you, Mr. President. House Bill 2072 is also a bill amend-
16 ing the Public Utilities Act. What the intent of this bill is to
17 make it clear that securities that have been issued as a result of
18 an order by the Commerce Commission are valid and not affected in
19 the event that some litigant later attacks the Commission's order.
20 When a utility issues security, as a result of the Commission's
21 order, it seems only reasonable and fair to permit the validity
22 of those securities to continue even though the order might sub-
23 sequently become the subject of litigation. I think this is all
24 that this bill does. It preserves the validity of securities
25 issued by a utility that are purely the result of an order by the
26 Commission. It is an insulation against the...the integrity of the
27 securities when the order by the Commission might be subject to
28 litigation. I know of no opposition to it, and would urge a
29 favorable roll call.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Is there further discussion? The question is shall House Bill
32 2072 pass. Those in favor vote Aye. Those opposed No. The voting
33 is open. Have all those voted who wish? Take the record. On that

1 question, the Ayes are 48, the Nays are 1, 3 Voting Present. House
2 Bill 2072 having received a constitutional majority is declared
3 passed. House Bill 2073, Senator Savickas. House Bill 2075, Senator
4 Partee. Read the bill.

5 SECRETARY:

6 House Bill 2075.

7 (Secretary reads title of bill)

8 3rd reading of the bill.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Senator Partee.

11 SENATOR PARTEE:

12 Now, this bill depends on another bill which has just come out
13 of Appropriations, 2076. We can pass this bill, then the funding
14 comes in a later bill that you'll see later. I'd ask for a favorable
15 roll call.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Is there further discussion? The question is shall House Bill
18 2075 pass. Those in favor vote Aye. Those opposed No. The voting
19 is open. Just a moment. Senator Glass.

20 SENATOR GLASS:

21 I would like to ask a question if the sponsor will yield.

22 PRESIDING OFFICER: (SENATOR DONNEWALD)

23 He indicates he will.

24 SENATOR GLASS:

25 Senator Partee, as I understand this bill...

26 SENATOR PARTEE:

27 ...I goofed up...

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Just...just a moment. Senator Partee.

30 SENATOR PARTEE:

31 Yes, I'm glad that we slowed down, because I've made an error.
32 This bill is to be amended, and I'd like to ask leave to bring it
33 back for the purpose of an amendment.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Is there leave? Leave is granted.

3 SENATOR PARTEE:

4 Take it out of the record for a minute, and we'll get it
5 all together, and we won't hold up everybody. Get back to us
6 please.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 2096, Senator Bloom. Senator Bloom, 2096. 2100, Senator
9 Bruce. 2101, Senator Savickas. Read the bill.

10 SECRETARY:

11 House Bill 2101.

12 (Secretary reads title of bill)

13 3rd reading of the bill.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator Savickas.

16 SENATOR SAVICKAS:

17 Yes, this bill is identical to Senate Bill 1031, which is
18 Senator Buzbee's, and it amends the definition of refuse to include
19 discarded liquid materials as well as solid, and it allows the board
20 to adopt regulations prescribing requirements and standards for the
21 handling, storing, processing, transporting and disposal of any refuse
22 other than dumping of refuse. And I would appreciate your favorable
23 support.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Is there further discussion? Question is shall House Bill 2101
26 pass. Those in favor vote Aye. Those opposed No. The voting is
27 open. All those voted who wish? Take the record. On that question,
28 the Ayes are 45, the Nays are 6, 3 Voting Present. House Bill 2101
29 having received a constitutional majority is declared passed. 2138,
30 Senator Demuzio. 2140, Senator Davidson. Read the bill.

31 SECRETARY:

32 House Bill 2140.

33 (Secretary reads title of bill)

1 3rd reading of the bill.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Davidson.

4 SENATOR DAVIDSON:

5 Yes, Mr. President and members of the Senate, this bill is
6 probably one of the most important bills addressing this Session
7 to try to solve the most critical problem dealing with township
8 roads. This would put a hundred dollars per mile in the unincorp-
9 orated areas for the help on the cost of roads. Now, all of you
10 are aware of the problems that township roads are having. All
11 of you read the series of articles last week that was done here
12 by this Journal-Register about the township road costs. They have
13 no other way to go. They're at their maximum level. There's no
14 other way for them to get any funds. You got roads that will not
15 be passable to haul kids to school, get produce to market or even
16 let the person get to the doctor. Now, they got the same kind of
17 problems that DOT came in and explained to you of increased cost.
18 An example is cost of asphalt went up in three years from fifteen
19 cents a gallon to now forty to fifty cents a gallon. Price of
20 chips and rock have gone up accordingly. Same type of thing. This
21 gives an opportunity for us to solve a problem for the people who
22 need it the most. It's a half of one percent based on the road
23 miles, and all of you know that seventy-five thousand miles of
24 road in Illinois are from the township roads. They comprise of
25 fifty-two percent of all the roads in this entire State. I'll be
26 glad to ask any questions. I'd appreciate a most favorable roll
27 call.

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Is there further discussion? Senator Bruce.

30 SENATOR BRUCE:

31 Well, Senator Davidson, this bill started out as taking nine
32 and a half percent of the...which is now one-twelfth back to local
33 governments. That's been amended out, but I take it what we're talking

1 about is that part of the bill that says that one half of one
2 percent of the State income tax allocated will go to township
3 roads. Is that right?

4 SENATOR DAVIDSON:

5 That's correct. That would amount to seven million, two hundred
6 thousand dollars.

7 SENATOR BRUCE:

8 And who sustains the loss? Cities, counties?

9 SENATOR DAVIDSON:

10 No, Sir. This would be out of the General Revenue Fund. It
11 would have no...nothing to do with the city or the county share.
12 This would be a new section of the division out of the financial act
13 out of the General Revenue of the...the income tax to the townships, ...

14 SENATOR BRUCE:

15 Right.

16 SENATOR DAVIDSON:

17 ...and locked into the road district fund only.

18 SENATOR BRUCE:

19 So, is it save to say that the seven and half million dollar
20 is a general...is a General Revenue loss to the State of Illinois
21 then?

22 SENATOR DAVIDSON:

23 Correct.

24 SENATOR BRUCE:

25 Well, I...I...I would, Mr. President, now that we've clarified
26 the issue stand in opposition to the legislation at hand. It trans-
27 fers seven and half million dollars out of General Revenue to town-
28 ships. We have passed a series of bills under the director...direction
29 of Senator Davidson and Senator Vadalabene allowing them to raise
30 their rates for ten years for the Road and Bridge Fund. We've done
31 a great deal for townships already, and to say to the State of Illinois is
32 going into a seven and a half million dollar reduction in General Revenue
33 for this purpose is just not serious consideration, I hope at this time.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Senator Joyce.

3 SENATOR JOYCE:

4 Well, I rise in support of this bill, and I might say that
5 the...I was a township supervisor when the State income tax came
6 in and everyone at that time thought that the townships would
7 get a percentage of this income tax, you know. And the county
8 that I come from, at the present rate of financing, the building
9 of bridges, the ones that are in need of being replaced right now,
10 it will take a hundred years before they're done. And, you know,
11 school buses and everything else go over these bridges. A truck
12 can go over the bridge, wreck the structure underneath and not
13 even know it, and a school bus can come along a little later and
14 go through it. And I think that this one half of one percent going
15 to the townships would just help them out immensely out of a problem
16 that I just don't know how they'll get out of otherwise.

17 PRESIDING OFFICER: (SENATOR DONNEWALD)

18 Senator Clarke.

19 SENATOR CLARKE:

20 Mr. President, I'd just like to go back a few years to when
21 we had a fellow on the Democratic side in the House, fellow by the name...
22 who's now a judge in Cook County, by the name of Paul Elward. He
23 was constantly trying to do away with all the special funds so that
24 all of the money would go into the road...into the General Fund and
25 could be allocated in the best instance. Now, we're talking about
26 the income tax. We originally gave one-twelfth away to the municipi-
27 palities and cities to get the bill passed in the first place. We've
28 got another bill increasing that two percent this time...or for eight
29 percent to ten percent, and this is another one half percent that we're
30 allocating or earmarking of the income tax fund. And I think that's
31 wrong. I think that the fact that we passed the lottery without ear-
32 marking was a step forward, and even though I feel stongly about the
33 township needs, I think this is the wrong way to go about it.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Senator Harris.

3 SENATOR HARRIS:

4 Well, I just want to make a comment about the considerations
5 that the General Assembly gave to the question of revenue sharing
6 back in 1969. I don't know whether anybody in other units of Government,
7 and of course, Illinois has the dubious distinction of having the
8 most units of local government of any State in the country, thought
9 that they were going to on a individual unit of local government basis
10 be considered, but the fact is that the General Assembly gave very
11 serious thought to sharing the proceeds of the income tax, and after
12 a lot of evaluation determined that the absolutely most fair basis
13 was to mandate on a per capita basis to those most significant units
14 of local government, the counties and cities, on a population basis
15 that one-twelfth of the income tax proceeds would be redistributed
16 and that every Illinois individual be...would be counted once on that
17 basis.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 May we have order.

20 SENATOR HARRIS:

21 And Illinois outstandingly was the first sovereign to really
22 provide revenue sharing of a State tax source with no strings
23 attached, with absolute simplicity to local government. And, of
24 course, it would be wonderful to share with every other one of
25 the several kinds of units of local government. But, the fact is
26 that the sovereign is in a severe bind of its own, and it continues
27 on a monthly basis to share one-twelfth of the income tax money
28 with the twelve plus million head count of the State of Illinois.
29 And, of course, I'd like to share with the townships, and I'd like
30 to share with the park districts, and I'd point out that many of
31 the local units of government in Illinois do not share in Federal
32 revenue sharing, but as a matter of fact, the townships do. And
33 so, though the case for hardship can be made for townships, I urge

1 this Body to recognize the basic wisdom that we had in 1969, and
2 stick with that formula and not succumb to the of course pressing
3 needs, but the needs of the State are superior and measures like
4 this just have to be rejected. I urge a No vote.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Is there further discussion? The question is shall House Bill
7 2140 pass. Those in favor vote Aye. Those opposed No. Just a moment.
8 Sorry, Senator Davidson, you may close the debate.

9 SENATOR DAVIDSON:

10 Thank you, Mr. President, I think there's a couple of things
11 you should address yourself, or all of us should address ourselves
12 to the need and necessity. Now, everyone of you that are residing
13 within this Chamber tonight are going to have need a viable township
14 road. I'm not talking about a highway or any other such thing. I'm
15 talking about a passable road. Now, we sat down in Appropriations
16 the other night and we passed out more money to do nine miles to
17 Chadwick slab than it would take to help the township roads in the
18 entire State for one year. Now, we're talking about something that's
19 basic, be able to get people back and forth from their homes, to their
20 jobs, their children to school and to see their, whoever they need to
21 see for their health, buy their groceries, but more important, get
22 the produce from the farm to the market. Now, I want to tell you
23 Gentlemen, if you think you've had screams and people need help, they
24 need help, and the DOT, Department of Transportation, in a direct
25 questioning in their Appropriation Committee yesterday morning in the
26 House absolutely refused that they had anything in the program to
27 do anything for township government. For the sake of the people who
28 are going to feed you and I, I urge you to vote Aye.

29 PRESIDING OFFICER: (SENATOR DONNEWALD)

30 The question is shall House Bill 2140 pass. Those in favor
31 vote Aye. Those opposed No. The voting is open. Have all those
32 voted who wish? Senator Davidson moves to postpone consideration.
33 Consideration is postponed. House Bill 2142, Senator Knuppel.

1 Senator Knuppel. 2142. Senator Partee, are you prepared?

2 SENATOR PARTEE:

3 I hope. That's on House Bill 2075. I ask leave to bring
4 it back to the order of 2nd reading for the purpose of an amendment.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Is there leave? Leave is granted.

7 SENATOR PARTEE:

8 The amendment is on the members desk's. All it says is that
9 the facility shall serve not less than fifty, nor more than one
10 hundred. This is for the specialized living centers. And there
11 was some question that people thought they were going to build high-
12 rises and that sort of thing, but I want to make sure that if they
13 are built, they will not accommodate more than fifty or more than
14 a hundred people. I move the adoption of the amendment.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Is there further discussion? Question is shall Amendment No.
17 1 to House Bill 2075 be adopted. Those in favor indicate by saying
18 Aye. Those opposed No. The Ayes have it. The amendment is adopted.
19 Are there further amendments? 3rd reading. 2170, Senator Hickey.
20 Read the bill. Read the bill.

21 SECRETARY:

22 2170.

23 (Secretary reads title of bill)

24 3rd reading of the bill.

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Senator Hickey.

27 SENATOR HICKEY:

28 My President and members of the Senate, the three quart carton,
29 which most of you have had in your hands tonight, is the issue of this
30 bill. We do have legislation which does name other units of measure for
31 the packaging of milk, and this simply adds three quarts to all of the
32 other great long lists. I gave you a blue sheet giving the facts about
33 this, how it does save materials of which there is a shortage, and that

1 it is the best...does give the best ratio of fluid milk to packaging
2 materials of all milk cartons. I solicit your support. Would be
3 glad to try to answer questions.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Is there further discussion? Senator Course.

6 SENATOR COURSE:

7 Yes, Mr. President and members of the Senate, I rise to oppose
8 this legislation on the grounds that whenever milk goes up in price,
9 the first person we blame, or the first organization we blame is the
10 farmer. The farmers are making more money and they're getting rich.
11 Now, this isn't true all the time. In this particular case, what's
12 going to happen here, the dairies are going to have to get special equip-
13 ment to carton this milk. The carton manufacturers are going to have
14 to get special machinery to make the new carton. The dairies are
15 also going to have to get new cases to handle the...the three quart
16 container. Now, I'm surprised that the Senate sponsor of this House
17 Bill coming in here, especially a person who is so pro ERA, now, these
18 ...always looking for something for the women, they're going to...
19 Equal Rights are going to give them better jobs, more jobs, any kind
20 of jobs that they want. Now, what are we going to do when they go
21 into digging ditches. Are we going to have a special shovel for the
22 women because, well, it's a woman we're going have a...she can't use
23 the same shovel that a man is going to use, and in Committee, her
24 argument was the three quart container is going to be much easier for
25 the woman to handle. Now, if we're going to talk about the woman
26 being equal to a man, well then she should be able to handle the...the
27 half gallon carton or the gallon carton, because the gallon carton has
28 a...it has a handle on there that makes it easy to pour. Now, we know
29 this is going to result in increased cost, Ladies and Gentlemen, if we
30 ...we know that the cost of milk is high enough the way it is. Now,
31 if we want to add more to it, well, that's up to us. We can vote for
32 this legislation, but you contact the dairy...the dairy...the dairies
33 in your...your district, and they'll tell you that this is going to

1 result in increased cost to consumer. And this is what we're going
2 to do if we pass this legislation.

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 Just...Senator Graham wants some quiet, I believe. Senator
5 Graham.

6 SENATOR GRAHAM:

7 I'm on a point of inquiry. Are we in Session, or do we have
8 a joint Democrat-Republican caucus. I couldn't tell.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 I kind of think you're right. Now, you could...can we please
11 have order. Senator Course, you may proceed.

12 SENATOR COURSE:

13 I've finished, Mr. President, and I'd suggest that we oppose this
14 legislation.

15 PRESIDING OFFICER: (SENATOR DONNEWALD)

16 Senator Chew.

17 SENATOR COURSE:

18 ...for the consumer's sake.

19 SENATOR CHEW:

20 Yeah. Just a couple of questions to the sponsor.

21 PRESIDING OFFICER: (SENATOR DONNEWALD)

22 She indicates she will yield.

23 SENATOR CHEW:

24 I didn't see the blue sheet, but who originated...

25 PRESIDING OFFICER: (SENATOR DONNEWALD)

26 Just...just a moment. Could we clear the aisles and stop the
27 conferences and be at attention and very quiet. Senator Chew, you've
28 been very quiet, you're always in your seat, your attendance is per-
29 fect. Let's give him...you may proceed.

30 SENATOR CHEW:

31 I thank you, Mr. President. Next time I'm going to make you
32 President of the Senate. You...you're working hard. Senator Hickey,
33 whose idea was it that there should be a three quart container?

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Senator Hickey.

3 SENATOR HICKEY:

4 Several dairies would like to be able to that. Now, there is
5 a question really as to whether any kind of units of measure should
6 be mentioned in the statutes. But, there are. There are...there are
7 several of them. They go from one gill to a half liquid pint to
8 ten fluid ounces to one liquid pint, one liquid quart, one half gallon,
9 one gallon, one and a half gallons, two and a half gallons, they're mul-
10 tiples of a gallon. This is simply adding three quarts to that. I'm
11 sorry you didn't get the blue sheet. You do have it. Good. Would
12 you like for me to tell you what's on it or do you have time to read it?
13 Because one of the things quite contrary to what the previous Senator
14 said, there is a saving here which would be passed on to the consumer.
15 This three quart carton has the most favorable ratio of materials
16 of which there is a shortage, paper and polyethylene, the most
17 favorable ratio of milk to the packaging materials of any single milk...
18 milk packaging. So, that if...and the one dairyman that I did...talk to
19 about this said that of course it is up to the discretion of the bottler.
20 There's no question about that, but there would be a savings and that
21 it would be passed on to the consumer, if he so chose. There's certainly
22 nothing in this that would indicate any...any increased expense to the
23 consumer.

24 PRESIDING OFFICER: (SENATOR DONNEWALD)

25 Now, Senator Chew, you want to ask another question? Proceed.

26 SENATOR CHEW:

27 Well, ...if...if you'll allow me, Sir. I...I can't understand
28 how yo^u can make a three quart container and not have to set up new
29 machinery to do it, and to set up new machinery is an increased cost
30 of money which will eventually be passed on to the consumer. Now, if
31 you can explain to me how these companies are able to make three quart
32 containers without a increase in cost, then I'll support the legislation.
33 But, I just don't believe it.

1 SENATOR HICKEY:

2 Senator Chew, they...they have three quart cartons in may States.
3 I should have taken another count before tonight. I...I didn't.
4 Apparently, many dairies have felt that it was worth their while to
5 do this. One thing, this is a very handy carton to hold on to, and
6 people like it. They like it very much, and they buy it. And if
7 they buy it, in the long run, you know, any kind of product that
8 comes out of a machine somebody has to make a decision that buying
9 the machine in the long run is a benefit.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Chew.

12 SENATOR CHEW:

13 You are evading the direct question. If you don't know the
14 answer, please say it, and if you do, give it to me. I asked you
15 how can you set up machinery to manufacture cartons or glass containers,
16 because there's nothing that prohibits them from going into glass
17 containers, like a gallon jug or a three quart jug. That would have
18 to be done. How can that be done without initiating an additional
19 cost, and without that cost being passed on to the milk consumer.
20 That's the question. Please answer that if you know it, and if...

21 SENATOR HICKEY:

22 ...think that there isn't anything new that is put on the
23 market that doesn't entail new costs. But, when businessmen
24 make such investments, they figure that in the long run it will pay.
25 And people aren't going to buy something which they don't want to
26 buy and which they think is an increased unnecessary cost. And also,
27 Senator Chew, I want you to realize that this is permissive, not
28 mandatory. Nobody has to buy a new machine and start this. This
29 simply permits them to do so if they want to.

30 PRESIDING OFFICER: (SENATOR DONNEWALD)

31 Senator Chew. Senator Soper, for what purpose do you arise?
32 Just a moment, Senator Chew.

33 SENATOR SOPER:

1 Well, I...I just wanted to explain it to Senator Chew about
2 the three quart carton. Now, a...

3 PRESIDING OFFICER: (SENATOR DONNEWALD)

4 ...Senator...just a moment...just a moment.

5 SENATOR SOPER:

6 I...I just want to say this. A cow has got four faucets. You
7 only turn on three, you got three quarts.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Senator Chew, your time has expired. Would you conclude.

10 SENATOR CHEW:

11 My time expired, and I still got a green light. What's
12 the matter with you? My time can't expire when the...the distinguished
13 Senator from Cicero...

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 That... that's...

16 SENATOR CHEW:

17 ...is answering a question that he was not asked. Now, ...

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Your...your time is expired.

20 SENATOR CHEW:

21 ...now, don't try and tell me that. I got a few more questions,
22 and you just be cool until I ask them. Now, ...

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Now, just...now, just a moment.

25 SENATOR CHEW:

26 Now...now...just be cool.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Your time is expired, Senator. Senator Soper indicates he will
29 not let you use his time, and I won't either. Senator Wooten, you're
30 recognized. Turn him off. Senator Wooten. Your time had expired
31 prior to Senator Soper's...

32 SENATOR WOOTEN:

33 I can answer Senator Chew's question on the cost.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Will the Sergeant-at-Arms remove Senator Chew. The only
3 possible way that you can ask one more question is with leave
4 of the entire Body. Senator Chew, proceed.

5 SENATOR CHEW:

6 Maybe I need to come down in Breese and campaign against you.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Your welcome.

9 SENATOR CHEW:

10 Now, Senator Hickey, is it necessary, actually, to have this
11 as statutory in order to have them do it?

12 PRESIDING OFFICER: (SENATOR DONNEWALD)

13 Senator Hickey.

14 SENATOR HICKEY:

15 Yes, Senator Chew. I'm told that it is.

16 SENATOR CHEW:

17 Did you get that opinion from the Attorney General?

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Senator Chew.

20 SENATOR HICKEY:

21 ... (Machine cut-off) ... opinion come from the Attorney General
22 today as a matter of fact.

23 PRESIDING OFFICER: (SENATOR DONNEWALD)

24 Senator Wooten.

25 SENATOR WOOTEN:

26 We're in one of those postures where we're spending very little time
27 on important things, and a great deal of time on small things. Especi-
28 ally on a matter that passed out of committee with a single descending
29 vote. In terms of what it takes, the track does not have to be altered,
30 the container that you see will fit on existing tracks. It's a matter
31 of regulating the flow of milk. It's a very simple matter to convert
32 to a three quart container. They are cheaper in the long run than other
33 containers. It is true that we must have it listed. It's a stupid

1 rule, but we're stuck with it. I don't think you should put limits,
2 but the fact that we have them means that we have to actually pass
3 a bill to put this in. I can't understand all the time spent on what
4 should be a simple unanimous vote.

5 PRESIDING OFFICER: (SENATOR DONNEWALD)

6 Senator Knuppel. Senator Knuppel.

7 SENATOR KNUPPEL:

8 I think it's a hell of an idea. Wish I'd of thought of a
9 triple-teated cow.

10 PRESIDING OFFICER: (SENATOR DONNEWALD)

11 Senator Course, did you wish recognition?

12 SENATOR COURSE:

13 Yes, Mr. President. I'd like to correct Senator Wooten. There
14 was a descending vote on that committee, and that was my vote. I voted
15 no, if you will recall.

16 PRESIDING OFFICER: (SENATOR DONNEWALD)

17 Senator Wooten.

18 SENATOR WOOTEN:

19 That's what I said, Senator. With but a single descending vote.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Hickey may close...oh, Senator...Senator Mitchler.

22 SENATOR MITCHLER:

23 I'd like to ask the sponsor this. Can you tell me why there is
24 a Section 47 in this Act that does specify the type of containers
25 that these fluid dairy products must be packaged in? Why...why do
26 we have this Section in in the first place?

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 Senator Hickey.

29 SENATOR HICKEY:

30 Senator Mitchler, I'm terribly sorry, but I wasn't here when this
31 Section was put in, and I can't tell you. But, since it's there, and
32 it does seem that...that if we could without all this time add three
33 quarts to the list. Seems to me we should go ahead and do it.

1 PRESIDING OFFICER: (SENATOR DONNEWALD)

2 Senator Mitchler.

3 SENATOR MITCHLER:

4 Well, Senator Hickey, and I'm sincere about this. I would
5 like to see you hold this bill, and put an amendment on here and
6 repeal...now, listen to what I say, repeal Section 47, because if
7 there's...why tell them that they can have it in three quarts, maybe
8 they want to put on three and half quarts. Let...let the manufacturers
9 put it out whatever they think they can sell it in. Let's repeal the
10 entire Section, and then you got it. I'm sincere about that. I don't
11 know why we even have it in there in the first place, that Section.
12 Why? And you're going to go to metric system and that's going to
13 foul everything up anyway, cause it's point...it's 1.06 quarts in
14 a liter, and when you get into that, this is all going to be obsolete
15 anyway. So, you'd be doing a great favor if you'd repeal Section
16 47, and then they could package it in anyway they wanted to, and
17 you could have your three quarts.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Senator Soper, did you wish to move the previous question?

20 SENATOR SOPER:

21 One minute. Now, Mr. ...thank you, Mr. President. Now, I'm
22 going to be serious. I think that, you know, people buy a gallon
23 of milk and they...they can't use it all. And I know. I like to
24 drink milk and I get a half gallon, it's not enough, and I get a
25 gallon, it's too much. And really, you get...I'm...I'm serious now.
26 I'm serious. And...and some refrigerators won't take that big
27 gallon jug. I think it'll accommodate that jug, and I was serious
28 when I answered Senator Chew when I told him there were four faucets
29 on a cow and just take three and you'll have three quarts. But, I
30 think this is a good bill. And I think what Senator Mitchler said
31 has merit, and we're going to go...going to the metric system, but
32 I think we ought to allow this. If you got one quart and you know,
33 you start it with half pints, and quarter pints and everything else.

1 Pretty soon it'll be a shot in the arm. But, I think three quarts
2 is a good...good amount. And I'm going to vote for this bill. Thank
3 you.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 The Chair is considering putting milk in fifths. Senator Course.
6 Senator Hickey may close the debate or do you wish a roll call.

7 SENATOR HICKEY:

8 I wish a roll call. Thank you.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 The question is shall House Bill 2170 pass. All those in favor
11 indicate by voting Aye. Those opposed No. The voting is open. Have
12 all those voted who wish? Take the record. On that question, the
13 Ayes are 47, the Nays are 5, 1 Voting Present. House Bill 2170 having
14 received a constitutional majority is declared passed. House Bill
15 2075, Senator Partee.

16 SENATOR PARTEE:

17 Yes, Mr. President, we've adopted the amendment. During the
18 last year, there have been meetings held with representatives of...
19 I hope you can hear me, Mr. President.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 It's very difficult. May we...just a moment. For what purpose
22 does Senator Course arise?

23 SENATOR COURSE:

24 Well, I'm sorry to see so many affirmative votes on there, especi-
25 ally when the sponsor of the bill doesn't think enough of the bill to
26 vote for it herself.

27 PRESIDING OFFICER: (SENATOR DONNEWALD)

28 I see. Well, that vote is over with, and we are now on the...
29 we are on House Bill 2075. Senator Partee. Oh, Senator Hickey, for
30 what purpose do you arise?

31 SENATOR HICKEY:

32 I did come and did touch my green button. I know that I did. I
33 don't know whether somebody turned my key or what, but I want to be

1 recorded as voting Yes.

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 The record will so show. You just didn't hit it hard enough
4 Viv. Senator Partee.

5 SENATOR PARTEE:

6 Are we on 2075 now? Read the bill.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 Read the bill.

9 ACTING SECRETARY: (MR. FERNANDES)

10 House Bill 2075.

11 (Secretary reads title of bill)

12 3rd reading of the bill.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Senator Partee.

15 SENATOR PARTEE:

16 Well, for about a year, there were meetings held with representa-
17 tives of private mental health centers about the mental...mental health
18 care in our State. This committee was formed to investigate the
19 possible use of non-profit community residential facilities. And this
20 was to be developed as a third alternative to State operated
21 institutions, and a third alternative, of course,...for profit nursing
22 and shelter care homes. And they came up with what they described as
23 specialized living centers. Now this bill is a companion to House Bill
24 2076 which started out with...with an appropriation of some forty million
25 dollars. It's now been cut to fifteen million dollars, and not one
26 dime of the money comes out of the General Revenue Fund. The amendment
27 on the 2076 will suggest that the money will not come out of the
28 General Revenue Fund, but will come out of bond money. So, I'm
29 asking first of all that we pass this bill, because this is the
30 authorization and sets up the methodology for it. And then when 2076
31 comes along to support it, then I, of course, would ask your support
32 on it. I think actually...I've told you what it's about, and I'll
33 appreciate a favorable roll call.

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Any discussion? Senator Glass.

3 SENATOR GLASS:

4 I would like to ask Senator Partee a question. I...

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 He...he indicates he will yield.

7 SENATOR GLASS:

8 Senator Partee, the facilities that will be constructed by
9 the State and sold back to the sponsoring organizations, do you
10 have, and I apologize if you covered this, but do you have an
11 estimate as to the cost of constructing those.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Senator Partee.

14 SENATOR PARTEE:

15 Well, of course, it's fluctuative. There's been some discussion
16 as to what size they'll be. They'll be either fifty or a hundred bed
17 units, but in any event, they'll be paid back by the persons building
18 the not-for-profit organizations.

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 Senator Glass. Is there further debate? The question is shall
21 House Bill 2075 pass. Those in favor vote Aye. Those opposed vote
22 Nay. The voting is open. Have all voted who wish? Take the record.
23 On that question, the Ayes are 41, the Nays are 1, 4 Voting Present.
24 House Bill 2075 having received a constitutional majority is declared
25 passed. House Bill 2215, Senator Kenneth Hall. Read the bill, Mr.
26 Secretary. For what purpose does Senator Hall arise?

27 SENATOR HALL:

28 Mr. President, I'd like leave of the Body to return this bill
29 to 2nd reading for the purpose of an amendment.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Is there leave? Leave is granted.

32 SENATOR HALL:

33 Senator Rock has an amendment.

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Bill is on the order of 2nd reading. Senator Rock.

3 SENATOR ROCK:

4 What is the number of the...Amendment No. 1 to this bill?

5 This is an amendment suggested by the Secretary of State. The
6 appropriations were to be to the Secretary of State. The Secretary
7 has indicated, as he did last year, that the bills were drafted
8 in error. They should...I think it concerns the Vehicle Recycling
9 Board. Is that not correct?

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Senator Hall.

12 SENATOR HALL:

13 That is...this is in his safety package, Senator Rock.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Senator Rock.

16 SENATOR ROCK:

17 Well, the point is that the appropriation is to be made by the
18 General Assembly to the Board as opposed to the Secretary of State.
19 There is no other substantive change. The appropriation just runs
20 to the Board...instead of to the Secretary. It's the same thing we
21 did last year, and the bills were drafted in error by the Reference
22 Bureau. I'd move the adoption of Amendment No. 1.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Is there debate? Senator Rock's moved the adoption of Amendment
25 No. 1 to House Bill 2215. All in favor say Aye. Opposed Nay. The
26 Ayes have it. The amendment is adopted. Any further amendments?
27 3rd reading. House Bill 2229, Senator Partee.

28 SENATOR PARTEE:

29 Yes, Mr. President and members of the Senate. This is...

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Secretary will...excuse me.

32 SENATOR PARTEE:

33 Has the bill been read? I'm sorry.

H B 2229
3rd Reading
June 24 - 1975

1 SECRETARY:

2 House Bill 2229.

3 (Secretary reads title of bill)

4 3rd reading of the bill.

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 Senator Partee.

7 SENATOR PARTEE:

8 In the last few years in this country, there has been a great
9 deal of what we call franchising where a parent company would sell
10 the methodology, the trade name and the product to their franchisees
11 throughout the country. Unfortunately, there...they grew up with
12 such rapidity, that a large number of good substantial citizens lost their
13 earnings buying these franchises because the franchisors were not
14 overly regulated. We passed the...Franchise Disclosure Act, and we
15 have found through the Secretary of State's Office, the Comptroller's
16 Office that there are some loopholes that still need to be cleared
17 up. This bill as amended, both in the House and the Senate, in my
18 view now makes our Franchise Disclosure Act an excellent bill and
19 will be very protective of persons in this State who desire to go
20 into business under the Franchise System. It gives to them the
21 measure of protection which it is our duty to extend, and I would
22 appreciate a favorable roll call.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Is there further discussion? Senator Harber Hall.

25 SENATOR HALL:

26 Briefly, I rise to support this bill. We've had a lot of problems
27 with these franchisees. As Senator Partee stated, many people have
28 lost their life savings, and, in fact, borrowed money they didn't have
29 to buy worthless franchises to sell something that really wasn't saleable.
30 I think the Attorney General...successfully prosecuted an outfit called
31 Cosca, and I think he's still working on some other ones similar to
32 this. I think this bill will help, and I...solicit everyone's support
33 of it.

HB 2229
3rd Reading
June 24, 1975

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Is there further debate? The question is shall House Bill 2229
3 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
4 is open. Have all voted who wish? Take the record. On that question,
5 the Ayes are 53, the Nays are 1, 1 Voting Present. House Bill 2229
6 having received a constitutional majority is declared passed. House
7 Bill 2215. Read the bill, Mr. Secretary.

8 SECRETARY:

9 House Bill 2215.

10 (Secretary reads title of bill)

11 3rd reading of the bill.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Senator Kenneth Hall.

14 SENATOR HALL:

15 Thank you, Mr. President and members of the Senate, House Bill
16 2215 is the bill that was...with a number of bills that I was handling
17 for the Secretary of State. At the time, at the request of Senator
18 Harris, we withheld this until he was satisfied and to date I have
19 his assurance that he is now satisfied with the bill. Senator Rock
20 explained to you that the amendment that he put on, so, now, this
21 simply allows the Secretary of State to return fees collected in
22 error upon determination by the Secretary that is due. This simplifies
23 the refunding process and allows all refunds to be made by check rather
24 than cash. I ask your most favorable support for this bill.

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 Is there further debate? The question is shall House Bill 2215
27 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
28 is open. Have all voted who wish? Take the record. On that question,
29 the Ayes are 55, the Nays are none, none Voting Present. House Bill
30 2215 having received a constitutional majority is declared passed.

31 House Bill 2258, Senator Partee. Read the bill, Mr. Secretary.

32 SECRETARY:

33 House Bill 2258.

1 (Secretary reads title of bill)

2 3rd reading of the bill.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Senator Partee.

5 SENATOR PARTEE:

6 Very simple bill. It authorizes the Secretary of State to
7 create a new series of numerical and lettered numerical combinations
8 for license plates which shall not be subject to the right of reassign-
9 ment. Appreciate...this is a Secretary of State's bill. I'd appreciate
10 a...roll call.

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 Is there further debate? Senator Mitchler.

13 SENATOR MITCHLER:

14 Well, Mr. President, I have to ask the sponsor a question.
15 Senator Partee, does this bill not, in fact, have a mandatory
16 motorcycle safety helmet law for the passanger and operator of
17 a motorcycle required?

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Senator Partee.

20 SENATOR PARTEE:

21 ...if there's an amendment on here...

22 PRESIDING OFFICER: (SENATOR BRUCE)

23 Senator Partee.

24 SENATOR PARTEE:

25 If there's an amendment on here, take it out of the record. I
26 thought we'd taken it off. No, cause I don't want those same people
27 at my house that where at yours.

28 SENATOR MITCHLER:

29 All right. Thank you.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Take it out of the record. House Bill 2260, Senator Egan. For
32 what purpose does Senator Chew arise?

33 SENATOR CHEW:

1 Personal...purpose of inquiry.

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 State your inquiry.

4 SENATOR CHEW:

5 To Senator Partee. On 2058, Senator, you just took it out of

6 the record. Did you take it out of the record for the purpose

7 of removing that amendment?

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 Senator Partee.

10 SENATOR PARTEE:

11 Y-e-s.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Secretary will read House Bill 2260.

14 SECRETARY:

15 House Bill 2260.

16 (Secretary reads title of bill)

17 3rd reading of the bill.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Senator Egan.

20 SENATOR EGAN:

21 I would ask leave to return House Bill 2260 to the order of 2nd

22 reading. There was an amendment put on that we wish to Table and

23 substitute another amendment so that we may then proceed.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Senator Egan asks leave to move...move 2260 to the order of

26 2nd reading. Is leave granted? Leave is granted. Bill is on

27 the order of 2nd reading. What...what amendment do you wish to Table,

28 Senato Egan? Senator Berning.

29 SENATOR BERNING:

30 Thank you, Mr. President. Having voted on the prevailing side,

31 by which Amendment No. 1 was adopted, I move to reconsider the vote

32 by which that amendment passed.

33 PRESIDING OFFICER: (SENATOR BRUCE)

1 Senator Berning moves to reconsider the vote by which Amendment
2 No. 1 was adopted to House Bill 2260. All in favor say Aye. Opposed
3 Nay. The Ayes have it. The amendment is reconsidered. Now, Senator
4 Berning moves to Table Amendment No. 1 to House Bill 2260. All in
5 favor say Aye. All opposed Nay. The amendment is Tabled. Any
6 further amendments? Senator Egan.

7 SENATOR EGAN:

8 Yes, I have Amendment No. 2...does the Secretary have a copy?

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Secretary does not have a copy of the amendment.

11 SENATOR EGAN:

12 I'm sorry.

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 Would one of the Pages please bring a copy of the amendment down
15 to the Secretary.

16 SENATOR EGAN:

17 Amendment No. 2 restricts the people that are originally within
18 the bill, itself. This is the agreement that we had in the committee,
19 and I move the adoption of Amendment No. 2.

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Senator Egan moves the adoption of Amendment No. 2. Is there
22 discussion? Senator Berning.

23 SENATOR BERNING:

24 Thank you, Mr. President. I concur in the adoption of Amendment
25 No. 2. It incorporates what we had originally in Amendment No. 1,
26 but further clarifies the restrictions that we wanted in the bill.
27 This will make the bill much more desirable, and I concur in the
28 adoption of Amendment No. 2.

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 Is there further debate? The question is on the adoption of
31 Amendment No. 2. All in favor say Aye. All opposed Nay. Ayes have
32 it. The amendment is adopted. Any further amendments? 3rd reading.
33 House Bill 2258. Senator Partee.

1 SENATOR PARTEE:

2 Mr. Chairman, I seek leave to take House Bill 2258 from the
3 order of 3rd reading to place it on the order of 2nd reading for
4 the purpose of Tabling an amendment.

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 Is there leave? Leave is granted? The bill is on the order
7 of 2nd reading.

8 SENATOR PARTEE:

9 Now, having voted on the prevailing side of the adoption of
10 Committee Amendment No. 1 to House Bill 2258, I move to reconsider
11 the vote by which that amendment was adopted.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Senator Partee moves to reconsider the vote by which Amendment
14 No. 1 was adopted to House Bill 2258. Any further discussion? All
15 in favor say Aye. All opposed Nay. The motion is reconsidered.
16 Senator Partee now moves to Table Amendment No. 1 to House Bill 2258.
17 Is there discussion? All in favor say Aye. All opposed Nay. The
18 Ayes have it. The amendment is Tabled. Any further amendments? 3rd
19 reading. House Bill 2260, Senator Egan. Read the bill, Mr. Secretary.

20 SECRETARY:

21 House Bill 2260.

22 (Secretary reads title of bill)

23 3rd reading of the bill.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Senator Egan.

26 SENATOR EGAN:

27 Thank you, Mr. President and members of the Senate, this bill
28 amends the Pension Code to allow a few, very few, holdover magistrates
29 to participate in the Amendment that was agreed upon that we just
30 adopted. Increases the contribution due to the date of contribution.
31 I know of no opposition to the bill. I ask for your favorable support.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Is there further debate? The question is shall House Bill 2260

1 pass. Those in favor vote Aye. Those opposed vote Nay. The voting
2 is open. Have all voted who wish? Take the record. On that question,
3 the Ayes are 49, the Nays are 1, 2 Voting Present. House Bill 2260
4 having received a constitutional majority is declared passed. 2258,
5 Senator Partee. 2258. Read the bill, Mr. Secretary.

6 SECRETARY:

7 House Bill 2258.

8 (Secretary reads title of bill)

9 3rd reading of the bill.

10 PRESIDING OFFICER: (SENATOR BRUCE)

11 Senator Partee.

12 SENATOR PARTEE:

13 And I especially want the attention of Senator Mitchler, as
14 I call this bill for a roll call. I appreciate your catching that.
15 We had discussed it the other day. We fully intended to take the
16 amendment off, and I'm glad that you caught it. It's off now, and
17 I'm asking for a favorable roll call.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Is there...is there further debate? The question is shall House
20 Bill 22...Senator Wooten.

21 SENATOR WOOTEN:

22 Mr. President, I'm sorry. I missed what the bill does.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Senator Partee.

25 SENATOR PARTEE:

26 This is a bill for the Secretary of State. Under the new numerical
27 and alphabetical licensing system for automobile plates, people order
28 plates and then the next year they ask for the same plate again. Some
29 times the plate which the first person has ordered has inadvertently
30 been sent to another person necessitating the Secretary of State asking
31 the second person receiving that numerical or alphabetical designation
32 to return the plate so that the first person who ordered it could have
33 it. He proposes to structure a new set, a new type of license plates

1 which will be non..what's the word...non-reassignable, so that
2 they won't have that problem in the future. That's all the bill
3 does.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Is there further debate? Senator Hickey.

6 SENATOR HICKEY:

7 I wonder if the sponsor would yield for a question.

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 Indicates he will yield.

10 SENATOR HICKEY:

11 Senator Partee, I wonder if you could just tell us what the amend-
12 ment was that we just Tabled, that was...

13 SENATOR PARTEE:

14 I thought we said that before. It relates to...

15 SENATOR HICKEY:

16 I'm sorry.

17 SENATOR PARTEE:

18 ...motorcycle helmets and making motorcycle helmets compulsory.
19 We Tabled that amendment.

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Senator Hickey. Is there further debate? Senator Latherow.

22 SENATOR LATHEROW:

23 Senator Partee, did I understand you to say there would be no more
24 reassignments, otherwise a continuation of your...or this is another

25 SENATOR PARTEE:

26 No, Sir. No, Sir. Not at all.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Senator Partee.

29 SENATOR PARTEE:

30 No, Sir. Not at all. There'll just be two kinds of assignable
31 license. Those which one gets, he has the right to have it reassigned,
32 and there will be another kind which will be of the same nature, but
33 will not have the reassignment rights attached thereto.

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Senator Davidson.

3 SENATOR DAVIDSON:

4 Are you saying that we now have a permanent license plate?

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 Senator Partee.

7 SENATOR PARTEE:

8 I think I'll sell my car. No, I didn't say that, Senator.
9 I didn't say anything about a permanent license plate. I said
10 that there are two kinds of assignable license plates, and I'm
11 not...I'm just having a little fun with you, Senator. Hope you're not
12 offended. But listen the next time, will you?

13 SENATOR DAVIDSON:

14 I'm...I'm trying to listen, and you got me so confused I don't
15 understand it.

16 SENATOR PARTEE:

17 All right. Fine. Fine. No, right now when a person gets the
18 license plate, it may have JD1 on it. Right? The next year someone
19 else will order JD1. JD1 will go to the second person rather than
20 the first person. The first person will then write the Secretary
21 of State and say - hey, I saw somebody else with JD1. I ordered it
22 first. I want it back. Secretary of State then has to get JD1 back
23 from the second person to give it to the first person. Now, you have
24 the new system...do you understand that? It's a very simple problem.

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 Senator Davidson. Senator Carroll.

27 SENATOR CARROLL:

28 I think what Senator Partee meant to say, if I may explain what
29 the bill means. If...

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 For what purpose does Senator Partee arise?

32 SENATOR PARTEE:

33 You tell them Wells Fargo. I can't express myself.

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Senator Carroll.

3 SENATOR CARROLL:

4 It'll be my pleasure, Mr. President. What has happened is, they
5 want to provide a series for the over-the-counter sales, like at a
6 bank or currency exchange or something like that where it's a lot
7 less expensive for the Secretary of the State next year to just send them
8 back to that facility to sell again over-the-counter. There was
9 never an original request for that particular series. So they've got
10 a six number series being sold at the First National Bank of
11 Springfield over-the-counter for anybody who walks in the last week
12 to get it. Next year they don't have to worry about spending the expense
13 of pulling those out of the different packs. They just send it back
14 to the bank, and let them sell them over-the-counter again.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Senator Rock sought recognition. Senator Chew.

17 SENATOR CHEW:

18 Yeah. The statute now is clear. Any person who holds an Illinois
19 license plate has a right to reassignment providing that holder makes
20 application at a deadline date certain. After that deadline, he is
21 not by statute entitled to that same number. Now, if the license
22 holder fails to make that request for reassignment, and that plate
23 is assigned to someone else, then the first assignee has no right by
24 statute to get that plate. So, consequently, the Secretary of State
25 does not have to recall that plate, because it has been assigned to
26 someone else. But, by statute, it has to be reassigned by the first
27 owner in event he makes the request. Now, what Senator Partee is
28 saying, as I understand it, that a new series of plates will be
29 manufactured. These plates will not come under the statutory laws which
30 we operate on now. Now, a question to Mr. Partee. Is it necessary
31 to repeal the statute in which we operate on now or how can we do it
32 because under the law now, all plates are subjected to reassignment
33 upon request of the holder. The question is how do we deal with that

1 to get the new series in.

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Senator Partee. Senator Partee.

4 SENATOR PARTEE:

5 What started out as a very simplicated...simplified bill is
6 for some reason become complicated. The...the actually the answer
7 that Senator Carroll gave with reference to how the Secretary of
8 State seeks to avoid those who seek to have the same number assigned
9 who had had it the first year who did not get the assignment by virtue
10 of a request, but who got it from an over-the-counter sale, and this
11 permits the Secretary of State to have some that go out based on
12 a request, on a reassignment request, and others which go out which are
13 not reassignable or enforcable as reassignable plates.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Senator Chew.

16 SENATOR CHEW:

17 The question that I asked you, you did not answer. How do we
18 deal with the statute. Is it necessary to repeal the statute now that
19 gives the right to recall...to reassignment or how can we include it
20 there. I'm for the bill. I've got no problem with that. But I
21 want to know because I don't want this bill to eliminate the fact
22 that any license plate can be reassigned.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Senator Chew's time has elapsed, but I'm sure Senator Partee
25 would like to reply. Senator Partee.

26 SENATOR PARTEE:

27 There's nothing in this bill that would in any way interfere
28 with the right of reassignability. Nothing whatsoever. You can
29 always have CH 00 as long as you get you request in and keep it
30 coming in on time.

31 PRESIDING OFFICER: (SENATOR BRUCE)

32 I have Senator Harris, Senator Wooten and Senator Latherow.
33 Senator Harris.

1 SENATOR HARRIS:

2 Well, I think the membership should be aware that the bill very
3 clearly says that the Secretary of State is authorized to issue
4 a new combination of license plate numbers, and these new combinations
5 can be registered on a calendar year or on a fiscal year whether the
6 license be issued for one or more years. Now, that authorizes the
7 administrator of this law the option to issue plates for more than
8 one year. And, the new combination so specified shall not be subject
9 to the right of reassignment, and no right of reassignment thereto
10 may at any future time be acquired. Now, it's very clear in the
11 bill that the present right of reassignment will be continued, but
12 there will be new combinations authorized by the terms of this bill
13 and those new combinations can be issued for a year or a fiscal year
14 or multiple year basis. And those new combinations are not subject
15 to reassignment. Now, that should be understood, and very frankly,
16 we are tampering with something that has become very significant.
17 I frankly, happen to think that all the expense that Illinois is
18 put to in providing for the right, the unrestricted right, to reassign-
19 ment if the person files timely is a considerable administrative expense.
20 But, the membership ought to just be aware of the provisions in this
21 bill, and they are rather significant in their departure from what
22 has been the traditional Illinois policy on reassignment. There is
23 a vast new power given to the Secretary of State, and we just ought
24 to be on notice when we make the decision on this bill.

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 Senator Wooten.

27 SENATOR WOOTEN:

28 Mr. President, I just realized that I don't really want to know
29 what this bill is all about.

30 PRESIDING OFFICER: (SENATOR BRUCE)

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

32 SENATOR PARTEE:

33 Roll call.

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 The question is shall House Bill 2258 pass. Those in favor
3 vote Aye. Those opposed vote Nay. The voting is open. Have
4 all voted who wish? Take the record. On that question, the Ayes
5 are 38, the Nays are 10, 5 Voting Present. House Bill 2258 having
6 received a constitutional majority is declared passed. ... (Machine
7 cut-off)...leave to return to House Bill 1766. The sponsor informs
8 me that the agreement has been reached. Is there leave? Leave is
9 granted. House Bill 1766. Secretary will read the bill.

10 SECRETARY:

11 House Bill 1766.

12 (Secretary reads title of bill)

13 3rd reading of the bill.

14 PRESIDING OFFICER: (SENATOR BRUCE)

15 Senator Newhouse.

16 SENATOR NEWHOUSE:

17 Thank you, Mr. President, Senators, we had begun to debate
18 this bill when it was pointed out that the amendment that had been
19 offered was not in the proper form. Staff on both sides has put
20 the amendment in proper form. Since Amendment No. 2 was taken from
21 the record, I would now move you, Mr. President, that you...we have leave
22 to move this bill back to 2nd reading for purpose of amendment.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Is there leave? Leave is granted.

25 SENATOR NEWHOUSE:

26 Now, Mr. President, Senators, this amendment reduces the total
27 amount of a...of contracts to be let under this measure from fifty
28 thousand dollars to thirty thousand dollars. It reduces the qualifying
29 amount for one as a small contractor from a million dollars gross
30 over a years period of time to a half million dollars over year...over
31 a years time, and I would move its adoption.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Senator Newhouse has moved the adoption of Amendment No. 3 to

1 House Bill 1766. Is there debate? All in favor say Aye. Opposed
2 Nay. The Ayes have it. The amendment is adopted. Any further
3 amendments? 3rd reading. House Bill 2350, Senator Rock.

4 SECRETARY:

5 House Bill 2350.

6 (Secretary reads title of bill)

7 3rd reading of the bill.

8 PRESIDING OFFICER: (SENATOR BRUCE)

9 Senator Rock.

10 SENATOR ROCK:

11 Thank you, Mr. President and Ladies and Gentlemen of the Senate,
12 House Bill 2350 is a new Act. It creates the Illinois Fairness in
13 Lending Act, and is a General Assembly response, at least in part,
14 to the subject much discussed called red lining. This bill was heard
15 in the Senate Finance Committee. I have added an amendment, which,
16 in fact, struck everything after the enacting clause and effectively,
17 substantively rewrote the bill. It is still called the Illinois
18 Fair...Fairness in Lending Act. It covers all financial institutions
19 in this State, and it charges that no financial institution may on the
20 grounds sex, marital status, race, color, creed, national origin or
21 ancestry may deny to people their services or conventional mortgages.
22 What it also says is that nothing contained, if you look at Section
23 5, as Senator Merritt and I discussed in Committee, that nothing
24 contained in this Act shall preclude a financial institution from
25 considering sound underwriting practices and contemplation of any loan
26 to any person. Now, the whole purpose, I think, of any anti-red lining
27 or anti-alleged red lining legislation is to assure the people and
28 insure the fact that a person otherwise qualified is not, in fact,
29 denied a conventional mortgage merely on the basis of geography. That
30 if, in fact, the collateral is good and the buyer or the prospective
31 buyer is credit worthy, that a financial institution in this State should
32 not, in fact, refuse to lend money conventionally because of geography.
33 We have, by virtue of 2350, said that any person who is aggrieved as

1 as a result of a violation of Sections 3 or 4 of this Act may bring
2 an action in the Circuit Court in the county in which the particular
3 financial institution involved is located; and upon a finding that
4 the financial institution has committed a violation of Section 3 or
5 4, the court may award actual damages and may in its discretion award
6 court costs. Period. Now, what is a violation? The violations are
7 enumerated, as I said before, in Sections 3 and 4. And it says again
8 very simply, no financial institution may on the grounds of sex, marital
9 status, race, color, creed, national origin or ancestry deny any person
10 any of the services normally offered by such an institution. Section
11 4 says subject to Section 5, which again incorporates the Savings and
12 Loan Commission current regulations as to sound underwriting practices,
13 subject to those - no financial institution in contemplation of any
14 loan to any person may deny or vary the terms of a loan on the basis
15 that a specific parcel of real estate offered as security is located
16 in a specific geographical area. That I submit, Ladies and Gentlemen
17 of the Senate, as the sum and substance of House Bill 2350 as amended.
18 The denial on the basis of a specific geographic location is, in fact,
19 prohibited. It also says that no financial institution may deny or
20 vary the terms of a loan without having considered all of the regular
21 and dependable income of each person, nor may a financial institution
22 deny or vary the terms of a loan on the sole basis of the child bearing
23 capacity of the applicant, nor may the financial institution utilize
24 lending standards that have no economic basis and which are discrimi-
25 natory in effect. Now, each of those proscriptions and prohibitions
26 are subject again, and I repeat, to Section 5. And Section 5 outlines
27 those current rules and regulations of the Savings and Loan Commissioner
28 and the Commissioner on Banks as to what are, in fact, sound underwriting
29 practices. I think the bill as amended is a good one. It deserves the
30 support of all of us. Red lining if, in fact, practiced, as alleged,
31 is an odious practice and one we should do everything as a General
32 Assembly to preclude. I would urge a favorable vote.

33 PRESIDING OFFICER: (SENATOR BRUCE)

1 Is there debate? Senator Nudelman. Senator Nudelman, did you
2 seek recognition?

3 SENATOR NUDELMAN:

4 Yes, Mr. President, thank you. I merely wanted to commend Senator
5 Rock on an excellent job. I think this is a good bill. I think this
6 should go out of here 59 to nothing. It does what it should. It
7 deals with the problem directly. If there is a problem and anybody
8 guilty of a violation should be subject to the penalties. Thank you.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 Senator Merritt.

11 SENATOR MERRITT:

12 Yes, Mr. President, members of the Senate, I, likewise, would
13 want to commend Senator Rock for the amendment. It certainly puts
14 it in much better form than it was originally, but I still think
15 it leaves many unanswered questions, many questions that our financial
16 institutions are going to have to grope with, day by day, in their
17 operations. And I just call your attention, in fact, Senator Rock
18 in Section 2-C of the amendment which defines the varying, the
19 terms of the loan to include one, two, three, four different items
20 after that. For instance, under the item one they're requiring a greater
21 than average down payment than as usual for the particular type of
22 loan involved. Well, I submit...or I ask the question, would this
23 be usual for this institution or for any other institution? What
24 might be usual in one case certainly could vary in another, and I
25 think under the terms of this bill you'd be prohibited.

26 PRESIDING OFFICER: (SENATOR BRUCE)

27 Senator Rock.

28 SENATOR ROCK:

29 No, again, Senator. In direct response to your question, I
30 think...I think that your fear is misplaced. What it says is that
31 if I go into a particular institution and given...given all the
32 givens...you and I walk in on a equal basis, we are equally credit
33 worthy, the collateral is equal and if they ask you for a fifty-five

1 percent down payment and only require of me a thirty percent down
2 payment, I have grounds, I think, to go into court..

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Senator Merritt.

5 SENATOR MERRITT:

6 Well, I wouldn't attempt to debate the law with you, but I
7 still submit on...for the particular type loan involved, if I walk
8 in there and I've got a property that's considerably run-down and
9 you have one that's been...maybe it's an old property...been kept
10 up, well maintained over the years, you can't help but say that, for
11 instance, that that individual might get somewhat better terms than
12 would the other.

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 Senator Rock.

15 SENATOR ROCK:

16 No, and this bill doesn't attempt to say that either, Senator.
17 What this bill does say is that if a particular financial institution
18 such as in my community offers five hundred conventional loans on
19 pieces of property in the community which are within a given obvious
20 economic ratio, and they require of a prospective purchaser who is,
21 in fact, credit worthy a down payment of twenty-five or thirty percent
22 and all of sudden if you or I walk in and attempt to buy the same kind
23 of property, given this fact that we are credit worthy, and they look
24 to us for a sixty-five percent down payment, I think we have grounds
25 again to question their judgement. And again, these practices are
26 subject to Section 5. And Section 5 says in unmistakable terms that
27 nothing contained in this Act shall preclude a financial institution
28 from considering sound underwriting practices, and if you look at item
29 B, it says the market value of any real estate or other item of property
30 proposed as security. So if your property is kept up and mine is
31 run-down, that is, in fact, to be considered, and is a given as a sound
32 underwriting practice.

33 PRESIDING OFFICER: (SENATOR BRUCE)

1 Senator Glass. Senator Merritt, your time has expired. You
2 will be afforded an opportunity to speak a second time after other
3 Senators have spoken a first time. Senator Glass.

4 SENATOR GLASS:

5 Thank you, Mr. President. To follow up on Senator Merritt's
6 questions to Senator Rock, if he will yield?

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Indicates he will yield.

9 SENATOR GLASS:

10 Senator Rock, I think the concept of the bill is very good. I
11 do have major problems with what it seems to me to be some vagueness
12 in the Section Senator Merritt was referring to, and let me ask you
13 this question. Under Section 2-C subparagraph 1 varying the terms
14 of the loan defined as including requiring a greater than average
15 down payment than is usual for the particular type of loan involved.
16 Now, how do you determine that average? Are you going to take all
17 the loans that were made within a year and average them out, and if
18 ...if the...loan being offered at a down payment that is greater...
19 greater than average...I just think that there ought to be some way
20 of more...getting more of a definition that could be sustained in
21 court. I think that it's so vague that I question whether a court
22 could really enforce this. And I...I just wonder if...where the
23 language came from and if...if there is any chance of tightening it
24 up?

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 Senator Rock.

27 SENATOR ROCK:

28 Well, I suppose with every statute, Senator, and with every
29 contract that you and I look at, as two attorneys looking at the
30 same document, one could say one could always tighten up the other
31 one's language. This was, in fact, heard in committee. I did, in
32 fact, strike everything in...after the enacting clause. As...as it
33 came over from the House, I thought, frankly, was unenforceable. I...

1 I think we have tightened it up to the point where it is tight enough,
2 and I, frankly, have more confidence in the...in the Judiciary, because
3 the remedy provided under the Illinois Fairness in Lending Act, as
4 proposed in House Bill 2350, is, in fact, a civil suit in the circuit
5 court wherein the party who claims to have been aggrieved has to prove
6 this action. And if he can prove that you and I, again, can walk in
7 and look for a mortgage on Fifty-Eight Forty, Midway Park, where I
8 live, and all of a sudden I find out that a particular financial insti-
9 tution while it lends conventionally in your neighborhood at a required
10 down payment of twenty percent, when it gets into my neighborhood,
11 it requires sixty-five percent, I think I have a right to go to court.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Senator Glass. Let's see, Senator Netsch. Senator Netsch.

14 SENATOR NETSCH:

15 Thank you, Mr. President. I don't think I had sought recognition,
16 but since you have thrust it upon me, I will...

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 I'm sorry, Senator Netsch.

19 SENATOR NETSCH:

20 No, I'll be happy to take advantage of it.

21 PRESIDING OFFICER: (SENATOR BRUCE)

22 Well, the...

23 SENATOR NETSCH:

24 The...and I will make it very brief. Senator Rock is right. This
25 is a very important part of the attack on red lining. It both compli-
26 ments and is a necessary follow-through for the bill that was passed
27 earlier today, and I hope very much that it will be supported by an
28 overwhelming vote.

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 Thank you for your comment. Senator Soper, who did seek
31 recognition, I guess.

32 SENATOR SOPER:

33 Well, I did. Here I am. Thank you. Thank you, Mr. President.

1 Senator Rock, there's only one or two things that bother me with
2 this bill, and you know that you may have a neighborhood and in
3 that neighborhood, you'll have a number of loans. Then all of a
4 sudden...Senator Rock...Senator Rock...yeah, thank you very much...
5 and all of a sudden money dries up a little bit, and instead of
6 asking for ten percent down, they haven't got the money, they ask
7 for twenty or thirty percent, they'd be houses next door to each other.
8 And that happens to be just the times and the amount of money that's
9 in the savings and loan or into the bank. Now, if the bank finally
10 decided that money was tight and they...they didn't want a take loan for
11 ten percent in the neighborhood or the next block or the block after,
12 then they could be sued, is that it?

13 PRESIDING OFFICER: (SENATOR BRUCE)

14 Senator Rock.

15 SENATOR ROCK:

16 No.

17 SENATOR SOPER:

18 No. They gave everybody else a loan for ten percent down and
19 now they want twenty or twenty-five, and you say that your explanation
20 is that they...they wouldn't be subject to a civil suit.

21 PRESIDING OFFICER: (SENATOR BRUCE)

22 Senator Rock.

23 SENATOR ROCK:

24 Well, you know, anybody who has fifty-five dollars in our county
25 can file a civil suit. That's not the point of House Bill 2350. Do
26 you happen to know what Tolman is charging right now?

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Senator Soper.

29 SENATOR ROCK:

30 They're at forty percent, because there...the money...money is short
31 and everybody agrees to that. But the quarrel is...the quarrel is...
32 now wait just a minute...the quarrel is that if they want a mortgage
33 on Fifty-Eight Forty, Midway Park and instead of asking what they're

1 asking now at forty, they ask me for seventy-five, then I can go
2 to court. Yes, sir.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Senator soper.

5 SENATOR SOPER:

6 Yeah, well, you see, you just proved my point. Times change
7 and I've seen where you could go to the savings and loan and you
8 could get a loan for ninety percent, ten percent down. Then when
9 times change, then they can only seek the better loans and loan less
10 money to spread the money around. Now, you tell me that if that
11 happens, I don't care whether it's forty-five to fifty-five or ten
12 to twenty, you haven't got a time limit on this. And times change
13 by the next week. But, I'll tell you this much, you pass this bill
14 and the first law suit you have covering this subject, there's going
15 to be a lot of money put into government bonds and out of the savings
16 and loan. Believe me. You're going...you're going to take the money
17 out of the market. You think you're doing a good deed with this, and
18 you call it red lining and it's...it's suppose to help everybody, but
19 if your money isn't safe, the savings and loan people, when they
20 loan it and they are sued, and they have to loan it, the people that
21 put it in there are going to take their money out, and you're not
22 going to help the guy that wants a loan.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Senator Rock. State your point.

25 SENATOR ROCK:

26 Well, my point of order is that again I'm subject and this House
27 Bill 2350 has been subject to some misunderstanding, and frankly, some
28 misstatement. If you'd read Section 5, it says very clearly and un-
29 mistakably that the worthiness and the financial ability of the borrower
30 to repay the loan is a sound underwriting practice, that the market
31 value of any real estate or other item of property proposed as security
32 is a sound underwriting practice, and frankly, that the diversification
33 of the financial institutions investment portfolio is a sound underwriting

1 practice, and this Act has nothing to do with those. So, I think
2 you're just badly mistaken.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 I have Senator Carroll, Senator Berning and then two Senators
5 wish to speak a second time, Senator Merritt and Senator Nudelman.
6 Senator Carroll now wishes not to speak. Senator Berning.

7 SENATOR BERNING:

8 I...I just would like clarification by the sponsor in looking
9 at this. I'm thinking in terms of my community just as you are thinking
10 in terms of your community. If I judge your responses to some of the
11 other questions. When this says no financial institution may deny and
12 sets out some provisions, under Section 5, and nothing contained in
13 this Act shall preclude a financial institution from considering sound
14 underwriting practices, what's the situation of my savings and loan
15 in my little community and someone walks in from your area or Peoria
16 or some place else, there isn't anything in here that I see that
17 really protects the individual from the necessity of complying with
18 a demand to make a loan anywhere in the State of Illinois. Is that...

19 PRESIDING OFFICER: (SENATOR BRUCE)

20 Senator Rock.

21 SENATOR ROCK:

22 No, again. We discussed this, I thought, at length in committee,
23 and you and I have a disagreement as to how this reads. If I walk into
24 the First Waukegan Savings and Loan and wish a mortgage on a convention-
25 al loan on my property which happens to be in...in the inner city, I
26 would, frankly, be totally unreasonable to ask the First Savings and
27 Loan of Waukegan to lend on a...on a conventional mortgage basis in...
28 in the city in which I live. This...this bill doesn't...neither pre-
29 cludes, prohibits, nor procribes that that action should be taken.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Senator Berning.

32 SENATOR BERNING:

33 Well, I don't know on...on what you base it when it says any

1 institution. I would be much more favorably inclined if you were
2 to say in here any financial institution within the confines of its
3 census tract and then I would know that it was nailed down.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Senator Rock.

6 SENATOR ROCK:

7 Well, and that suggestion is not altogether unreasonable, Senator.
8 One of the problems that we have had lo these many months with all
9 the allegations flying concerning the subject of red lining is what,
10 in fact, is a...is a financial institutions primary service area.
11 You know they are insured for over a hundred miles, and apparently
12 have loans even out of State. So, to define what is, in fact, a
13 primary service area, neither the Federal Government nor a benevolent
14 State Government nor anybody else that I'm aware of has, in fact,
15 defined that.

16 PRESIDING OFFICER: (SENATOR BRUCE)

17 Senator Berning. Senator Merritt. For the second speaking.

18 SENATOR MERRITT:

19 Mr. President and members of the Senate, I'm sorry that my
20 previous time was mostly taken up in answers from Senator Rock.
21 I'll try not to ask the questions this time, Senator, but will try
22 to confine my remarks as to what I consider some major problems yet
23 to deal with in the bill. For instance, going back to that Section
24 2 in C 2 regarding...requiring a shorter period of amortization
25 than is usual for this particular type of loan. Then item 3 charging
26 a higher interest rate than as usual for this particular type of loan
27 involved. Well, I submit to you, those who have anything to do with
28 financial institutions know that a customer walks in today, he is
29 not going to get exactly the same interest rate on a particular
30 type a loan as might one other customer who has been a long time
31 customer of that financial institution who maintains a strong com-
32 pensating balance. There...there are reasons for justification of
33 differences in interest rates. And the same for amortization periods.

1 I just say that...that you...you've really made some strong restrictions
2 here in that Section 2, and then thank the good Lord in Section
3 5, you have given some relief. I will admit that, but I still think
4 that it's got lots of problems for lenders.

5 PRESIDING OFFICER: (SENATOR BRUCE)

6 Senator Nudelman.

7 SENATOR NUDELMAN:

8 Thank you, Mr. President. I had hoped to get up and answer
9 some of the questions that my good friends were asking, but I think,
10 in fact, Senator Rock has done so. I think that the thing that we
11 overlook or some of the conversation overlooks is that we're not
12 saying that on January 1 you must give a loan at the same rate of
13 interest as you do on July 1, nor must you give the same percentage
14 such as eighty percent loan on January 1 as you give on July 1.
15 But we are saying that if you are giving an eighty percent loan
16 at seven percent interest on July 1 to me, and you and I are equals
17 financially and ability to repay and so forth, you must give that
18 type of loan at that interest to both of us. I don't think that's
19 unreasonable, and I don't think that...that the law should be any-
20 thing else or that a savings and loan institution should want to do
21 anything else. If we are both equally able to pay, we should both
22 be required to pay on the same bases. And when...and when the loan
23 rates change, they will change for both of us, and when the amount of
24 the money loaned percentage wise, to our home purchase changes, then that
25 change will be made to both of us. That's all this bill says. It
26 says no more than that, and I don't really understand all of the
27 questions that are being raised. I think they are not fully under-
28 standing of the bill. I would once again urge a roll call and I
29 would urge a unanimous roll call.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Senator Ozinga.

32 SENATOR OZINGA:

33 Mr. President, I hesitate to talk about this bill, however, I

1 rise to move the previous question, but before doing so, I would...

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Excuse me, Senator. If we could have some order. The smaller
4 gentlemen behind Senator Rock, if they would move, be appreciated.
5 Senator Ozinga.

6 SENATOR OZINGA:

7 I would hesitate to talk about this bill, however, I was to
8 rise and move the previous question, however, before doing so, I
9 would say I think that we're just doing a little bit of nit-picking
10 on this bill. I think it's a good bill. Any prudent banker is
11 not going to be cast aside or anything else because he looks at the
12 credibility of the person making the loan. Now, prudent banking
13 is going to be involved in the picture regardless of which way the
14 thing turns, to which way the loan is made, and they're not going
15 to be casting reflections on red lining. It, to me, it seems ridicu-
16 lous to even have to talk about the situation. However, I would
17 say this is a good bill, and I agree with most of the things that
18 have been said. You're never going to satisfy all people at all
19 times with all of these silly things that they try to bring up.
20 However, in looking at this bill, I don't see any place in here other
21 than a civil action. Now, if that civil action would have to be
22 brought by the person that is being hurt. That's the only place
23 that it could possibly hurt somebody, but then it would have to be
24 specific and proven. I would recommend a Do Pass on this bill, and
25 I would say that it goes through immediately, and would now move the
26 previous question.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 I/ there further debate? Senator Rock may close.

29 SENATOR ROCK:

30 Well, I appreciate the...fact that Senator Ozinga has finally
31 seen the light and has moved the previous question. Two things,
32 I think, should be pointed out. One, that the sum and substance of
33 the bill is in Section 4. That it says no financial institution may

1 deny or vary the terms of the loan just because the security is
2 located in a specific geographical area. And secondly, to allay
3 the fears of the prudent bankers and financial institution people.
4 We are also saying in Section 5 that nothing, nothing, in the Illinois
5 Fairness in Lending Act is contained in House Bill 2350 shall preclude
6 a financial institution from considering the time honored sound
7 underwriting practices. This bill, in fact, deserves a unanimous
8 vote, and I seek it.

9 PRESIDING OFFICER: (SENATOR BRUCE)

10 The question is shall House Bill 2350 pass. Those in favor
11 vote Aye. Those opposed vote Nay. The voting is open. Have all
12 voted who wish? Take the record. On that question, the Ayes are
13 52, the Nays are 3, 2 Voting Present. House Bill 2350 having
14 received a constitutional majority is declared passed. For what
15 purpose does Senator Nudelman arise?

16 SENATOR NUDELMAN:

17 Thank you, Mr. President. I...I have the permission of the
18 sponsor of this bill. I would like leave of the Body to be shown
19 as cosponsor of House Bill 2350.

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Is there leave. Leave is granted. Senator Partee.

22 SENATOR PARTEE:

23 I...will also seek the same favor.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 Is there leave? Leave is granted. Intervening businesses having
26 occurred, now pick up House Bill 16...1766. Read the bill, Mr.
27 Secretary.

28 SECRETARY:

29 House Bill 1766.

30 (Secretary reads title of bill)

31 3rd reading of the bill.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Senator Newhouse.

1 SENATOR NEWHOUSE:

2 Thank you, Mr. President. As you recall, this bill was under
3 discussion, and I don't know if all the comments have been made as
4 yet. I would yield for whatever further questions or comments there are,
5 then I would like to close and answer some of the questions that were
6 raised.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Is there debate? Senator Merritt.

9 SENATOR MERRITT:

10 Just one quick question of the sponsor, Senator Newhouse. I
11 didn't...while I didn't read...have a chance to see your amendment
12 that you offered, I assume that the bonds are...the performance
13 bonds are still waived under the terms of the bill.

14 SENATOR NEWHOUSE:

15 That's correct, Senator.

16 SENATOR MERRITT:

17 That would make it totally unacceptable to me.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Further debate? Senator Glass.

20 SENATOR GLASS:

21 Senator Newhouse, am I correct that in...under the amendment,
22 the bonds are waived for amounts of thirty thousand or less?

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Senator Newhouse.

25 SENATOR NEWHOUSE:

26 That's correct, Senator.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Senator Glass.

29 SENATOR GLASS:

30 That...that was the effect of your amendment, I take it. To
31 reduce it from fifty to thirty. I...I still question whether that
32 is...if...is that a significant part of the bill. I agree with
33 Senator Merritt that if you're going...going to waive the performance

1 bond, you've got a problem with the bill. And I wonder if you...
2 if...if that is, in fact, an important part of the bill.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Senator Newhouse.

5 SENATOR NEWHOUSE:

6 The performance bond is the bill, Senator. That...that's been
7 the device by which minority contacts have been kept out of the
8 business, and that is the problem. What we have attempted to do,
9 however, is to set up a system that would make the...the risks so
10 low that it would be acceptable. And a...it...this is...let me just
11 say another thing about the bill. This is a bill that self-destructs
12 in two years. So, the Legislature at that point would have time to
13 look at the program to see what it has accomplished or not accomplished
14 and go on from there.

15 PRESIDING OFFICER: (SENATOR BRUCE)

16 Senator Partee.

17 SENATOR PARTEE:

18 Just this, Mr. President. The self-destruction clause that
19 he mentioned, for two years is very important. It's to aid small
20 construction firms. Now, there was some conversation this afternoon
21 about the Small Business Administration. There's no comparison here.
22 Small Business Administration lent money to people who are in competition
23 with large, large established businesses some of which deprived them of
24 the materials that they needed to go forward, the machinery and so
25 forth. Now, let me tell you what this is like. This is not the first
26 time the government has ever done this. This is like the time
27 when the Rural Electrification Authority first got started. REA that
28 so many of you know about. They went into the inner farm to...in the
29 small areas where service was not being performed by the larger
30 companies, and the government let them have money at two percent,
31 one percent, whatever they needed to get them started. Now, that's
32 all this amounts to. And this is all this is for small people, a
33 piece of the action, give them a chance. Thirty thousand dollar

1 maximum for...without bonds. Anything over thirty thousand dollars,
2 they have to be bonded like anyone else performance bond. These are
3 in the idea of what you've heard so much, set aside contracts to get
4 a small businessman started. In two years, we'll know what this is.
5 It can't possibly cost any amount of money, because there is a great
6 deal of supervision involved in working with the small business...with the
7 small contractors. The government makes a...all kinds of efforts to see
8 that they don't lose money, and on a thirty thousand dollar contract,
9 there isn't a great deal of profit anyway. So, it has to be done proper-
10 ly. I submit this as a good bill and should be supported.

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 Senator Nudelman. Senator Regner. Senator Sommer.

13 SENATOR SOMMER:

14 Mr. President, just a few comments. One...a...some years ago
15 when I was an assistant attorney general on this State...in this
16 State, I used to sign the performance bonds for all the contracts.
17 We had to approve them. And I would submit to you that a good
18 number of those are under thirty thousand dollars themselves.
19 And I secondarily submit to you, that if a sub defaults, for example,
20 if you had an electrician in there doing the job, or an air condition-
21 er or someone like this, you cannot complete the rest of the building
22 and you're stuck with just about a half a building. And if you don't
23 have a performance bond, you can't bring anybody in there to complete
24 it. And that's the problem with this.

25 PRESIDING OFFICER: (SENATOR BRUCE)

26 Senator Latherow.

27 SENATOR LATHEROW:

28 Well, Mr. President, I just like to recognize, I don't think that
29 small contractor has any more right to...to the opportunity to default
30 on thirty thousand dollars than I would an opportunity to go into a
31 bank and borrow thirty thousand without proper security.

32 PRESIDING OFFICER: (SENATOR BRUCE)

33 Is there further debate? Senator Newhouse may close.

1 SENATOR NEWHOUSE:

2 Thank you, Mr. President. I...I do want a roll call, but I
3 think a couple of things do need to be said. First of all, the
4 pre-qualification requirements for the contractors has not been
5 taken away. It still does exist. As Senator Partee says, this
6 is quite different from SBA. Secondly, we all know that these
7 contracts are supervised pretty closely so that the full extent
8 of thirty thousand will seldom be reached. This does not apply...
9 everyone who has a contract of under thirty thousand dollars will
10 not be under this. It is a small portion of the total number of
11 contracts which will be let, which will be set aside for this purpose.
12 The figure five hundred and fifty thousand was set...was mentioned
13 earlier by, I believe it was Senator Berning, as the total amount
14 that could be lost under this bill. Well, we've just reduced it
15 fifty percent. Let's assume that the half of five hundred fifty
16 thousand is a possibility, two hundred and seventy-five thousand
17 dollars. If everything went wrong. Now, it seems to me that's
18 a very small investment to make as over and against the opportunity
19 to put some small businessmen into business to spur competition in the
20 State of Illinois and to build a strong financial base among small
21 businessmen, which is what I assume many of us, in this forum are all
22 about. I would submit to a favorable roll call.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 The question is shall House Bill 1766 pass. Those in favor vote
25 Aye. Those opposed vote Nay. The voting is open. Have all voted
26 who wish? Take the record. On that question, the Ayes are 29, Nays
27 are 15, 2 Present. Sponsor moves to Postpone further consideration
28 on House Bill 1766. Further consideration will be postponed.
29 Senator Partee.

30 SENATOR PARTEE:

31 Senator Hynes, the Chairman of Appropriations...has asked me
32 to announce that House Bill 2989, the bill for the Illinois Office
33 of Education, will be heard at 8:00 o'clock in the morning in

1 Appropriations. He's not here to forelist it.

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Senator Partee, did you wish to explain further about Conference
4 Committees tomorrow between 8:00 and 10:30?

5 SENATOR PARTEE:

6 Yes, the Conference Committee schedule has been given to each
7 of you. There will not be structure along any time lines, because
8 the...the Senate or House sponsor has the duty or obligation of
9 getting together the members of the committee. But between 8:00
10 and 10:30, that activity will take place, and the Session will
11 commence at 10:30.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Motions. Senator Egan.

14 SENATOR EGAN:

15 In conjunction with the announcement that Senator Partee has
16 just made in behalf of Senator Hynes, I would like to add that on
17 the notice for the hearing of Appropriation Bills set for 8:00 o'clock
18 tomorrow morning, there is a misprint, and I would like to correct it.
19 The bill 2977 should read 29...2997. Thank you.

20 PRESIDING OFFICER: (SENATOR BRUCE)

21 Who is the sponsor of that bill, Senator Egan, so we...

22 SENATOR EGAN:

23 I have no idea.

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 All right.

26 SENATOR EGAN:

27 But the bill is listed as 2977, it should list as 2997.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Senator Philip.

30 SENATOR PHILIP:

31 Thank you, Mr. President. On 1st...House Bills 1st reading, there
32 are two bills, House Bill 3113 and 3114 which pertain to the payment
33 of withholding tax to the IRS. I would ask that we...

1 PRESIDING OFFICER: (SENATOR BRUCE)

2 Senator Philip, those have been picked up already, and moved
3 to the order of 2nd reading.

4 SENATOR PHILIP:

5 Well, fine. I...I apologize. I was completely unaware of that,
6 because I'm suppose to be the Senate sponsor.

7 PRESIDING OFFICER: (SENATOR BRUCE)

8 Well, ...I believe Senator...Partee is the sponsor. Would
9 you confer with him as to who will be the sponsor.

10 SENATOR PHILIP:

11 Fine.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 On Motions in Writing. Is there leave that the Motions in
14 Writing, except for the debate today, be set over until tomorrow.
15 Is there leave? Leave is granted. On...on motions, Senator Harris,
16 you had a motion on a bill that you passed this evening.

17 SENATOR HARRIS:

18 Yes, it's 1999. Yeah. Mr. President, having voted on the
19 prevailing side on House Bill 1999, I move to reconsider the vote
20 by which that bill passed. It was my understanding that my staff
21 effort on the amendment that Senator Chew had requested had been
22 provided for. It has not, and I want to get the bill back before
23 us so that I can follow up on his request. And so I move to get
24 the bill back before us, then we can get it on 3rd reading, and
25 then sometime in the next day or so, I'll recall it and cure the
26 problem.

27 PRESIDING OFFICER: (SENATOR BRUCE)

28 Senator Harris moves to reconsider the vote by which House Bill
29 1999 passed. All in favor say Aye. Opposed Nay. The Ayes have it.
30 The bill is reconsidered and placed on the order of 3rd reading.

31 Senator Nudelman.

32 SENATOR NUDELMAN:

33 Thank you, Mr. President. There will be a meeting of the Judiciary

1 Committee tomorrow morning at 9:30. Now, there's some confusion.
2 I had thought the meeting would be held in Room 400. I am now
3 informed it will be held C1 in the State Office Building. However,
4 I think a call to Senator Daley's secretary as late as 9:15 tomorrow
5 morning would clarify that. I'm not certain of the room.

6 PRESIDING OFFICER: (SENATOR BRUCE)

7 Senator Demuzio.

8 SENATOR DEMUZIO:

9 Yes, Mr. President. I filed a motion with the Secretary to
10 discharge the Committee on Education from consideration of House
11 Bill 3048. Like to have that motion set for tomorrow.

12 PRESIDING OFFICER: (SENATOR BRUCE)

13 Is there leave? Leave is not granted. Senator Demuzio, the
14 question is either to debate the bill at the present time or a
15 motion to suspend the rules and have the matter taken up at a later
16 time. Senator Shapiro has objected to not debating the matter at
17 this time. The choices are Senator Demuzio is to proceed at the
18 present time with the motion discharge or the alternative, make
19 a motion to suspend the rules so that it can be set out for a later
20 time.

21 SENATOR DEMUZIO:

22 Take it out of the record.

23 PRESIDING OFFICER: (SENATOR BRUCE)

24 Take it out of the record. Senator Philip, we should debate
25 one of these Motions in Writing rather than have it moved. Senator
26 Philip, would you give us the bill number?

27 SENATOR PHILIP:

28 Mr. President, the bill number is House Bill 2196, and let me
29 just say this, that in my nine years in the General Assembly, I've
30 never filed a motion to discharge committee ever. This is the first
31 time. And what happened was, it was on that...a late Friday afternoon
32 and my bill was one of the last bills to be called, and what happened
33 was, we only ended up with six people. It was a three and three tie.

1 I talked to the Chairman of the committee. I have no objection
2 to him, and I would like permission to move it out of committee
3 on 2nd reading.

4 PRESIDING OFFICER: (SENATOR BRUCE)

5 Senator McCarthy.

6 SENATOR McCARTHY:

7 What Senator Philip has recited is true. That is that when
8 it...his bill was heard on the last day, there were only six people
9 that participated in the vote. A quorum was present, however. But
10 he only got a votes participating in it by six members, and it was
11 a three to three tie which is less than a total of the full committee.
12 I, as a person, voted against it. But I told him because of the
13 committee's action, that I wasn't going to interpose any objections
14 to his motion even though my appraisal of the bill is still a negative
15 one. So, I...I pose no...interjection to his motion prevailing
16 because of those unusual circumstances.

17 PRESIDING OFFICER: (SENATOR BRUCE)

18 Is there further debate? Senator Philip has moved to discharge
19 Committee of Finance from further consideration of House Bill 2196.
20 All in favor say Aye. All opposed Nay. The Ayes have it. Motion
21 is...to discharge prevails. Senator Nudelman.

22 SENATOR NUDELMAN:

23 Thank you, Mr. President. I spoke too quickly before. I have
24 a motion on the Table, Motion in Writing, to reconsider the vote
25 on passage of House Bill 1925. You graciously set it over for tomorrow,
26 however, rather than setting it over for tomorrow, I would request
27 that it not be set over for tomorrow, but rather be Tabled tonight.

28 PRESIDING OFFICER: (SENATOR BRUCE)

29 Senator Nudelman moves to Table the motion to reconsider on
30 House Bill 1925. All in favor say Aye. Opposed Nay. The motion
31 to Table prevails. Senator Morris.

32 SENATOR MORRIS:

33 I also have a motion that was set for tonight that you set over.

1 It's a motion on Senate Bill 100. I would move to have that motion
2 Tabled also.

3 PRESIDING OFFICER: (SENATOR BRUCE)

4 Senator Morris moves to Table motion...all right...that he has
5 filed on Senate Bill 100. All in favor say Aye. Opposed Nay.
6 The motion is Tabled. With leave of the Body, the Chair will move
7 to Table House Bill 1109, a motion that Senator Bruce filed. Also
8 House Bill 3050. Is there leave to Table those motions? Leave is
9 granted. Any other sponsors that would like to Table Motions in
10 Writing? All other motions have been set over for reading tomorrow.
11 Senator McCarthy.

12 SENATOR McCARTHY:

13 Just for the purpose of an announcement, Mr. President. That is,
14 I've contacted the members of the Senate Finance Committee, but I'd
15 like to remind them that there is a meeting at 10:00 o'clock in the
16 morning, Room 122 B on the first floor. Finance, 10:00 o'clock in
17 the morning, 122 B. It should take us about fifteen minutes.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Is there further business to come before the Senate? Senator
20 Rock.

21 SENATOR ROCK:

22 I just wanted to ask Senator McCarthy and tweak him a bit,
23 are we also going to hear House Bills 3115 and 3116?

24 PRESIDING OFFICER: (SENATOR BRUCE)

25 I believe this is the time that we hear opponents on that bill,
26 Senator Rock. Any further business to come before the Senate? Senator
27 Nimrod.

28 SENATOR NIMROD:

29 I have a Congratulatory Resolution.

30 PRESIDING OFFICER: (SENATOR BRUCE)

31 Resolutions. Senator Nimrod...

32 SECRETARY:

33 Senate Resolution 118 introduced by Senator Nimrod. It's

1 congratulatory.

2 PRESIDING OFFICER: (SENATOR BRUCE)

3 Senator Nimrod moves to suspend the rules for the immediate
4 consideration and adoption of the resolution. All in favor say Aye.
5 All opposed Nay. The rules are suspended. Senator Nimrod now
6 moves the adoption of the amendment. All in favor say Aye. All
7 opposed Nay. The amendment is adopted. The resolution is adopted.

8 SECRETARY:

9 ... (Machine cut-off)...19. Senator Soper, Harris, Partee and
10 all members. It's congratulatory.

11 PRESIDING OFFICER: (SENATOR BRUCE)

12 The rules are suspended already. On the adoption by Senator
13 Soper, moves the adoption of the Resolution 119. All in favor say
14 Aye. All opposed Nay. The Ayes have it. The resolution is adopted.

15 SECRETARY:

16 Senate Joint Resolution No. 45 by Senator Ozinga and all members
17 of the Senate.

18 PRESIDING OFFICER: (SENATOR BRUCE)

19 Senator Ozinga moves the suspension of the rules for the immediate
20 consideration and adoption of joint resolution. All in favor say Aye.
21 All opposed Nay. The rules are suspended. Now moves the adoption
22 and asks leave that all Senators be shown as sponsors. On the adoption,
23 all in favor say Aye. All opposed Nay. The Ayes have it. The...
24 or the resolution is adopted. Any further business to come before
25 the Senate? Senator Newhouse at Senator Lane's desk.

26 SENATOR NEWHOUSE:

27 I'd seek leave to be listed as a cosponsor of Senate...on House
28 Bill 2350.

29 PRESIDING OFFICER: (SENATOR BRUCE)

30 Is there leave? Leave is granted. Any further business to
31 come before the Senate? Senator Harber Hall moves the Senate stand
32 adjourned until 10:30 tomorrow morning. All in favor say Aye. All opposed
33 Nay. Senate stands adjourned until 10:30, 10:30 tomorrow morning.