

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 24, 1976

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The Senate will come to order. Prayer by Reverend  
3. Eugene A. Frost, Cherry Hills Baptist Church, Springfield,  
4. Illinois.

5. REVEREND FROST:

6. Shall we bow for prayer together? Gracious and eternal  
7. Father, we pray that it will be no perfunctory thing  
8. that we do here this morning as we pause for prayer at the  
9. beginning of this day's Session. We look to Thee because  
10. we do not have the resources within ourselves to cope with  
11. the profundities and the complexities of the times upon which  
12. we have been cast. We recognize You to be the God of creation  
13. and the God of history. And while people may seem at times  
14. to have lost their way, we are confident that our destinies  
15. are in wiser and more provident hands than our own, and so  
16. we give to You this morning the devotion of our hearts and  
17. we trust You for the guidance and succor that You have promised  
18. to those who are created in Your image. In this day's deli-  
19. berations may the wisdom and discernment that comes only from  
20. the Holy Spirit of God upon the basis for constructive and  
21. worthy determinations prevent all motions of hearts that  
22. would be dictated by self-interest. Let Your love make noble  
23. and generous the deeds which we perform this day. Forgive us  
24. for the willfulness that spurned divine counsel in days past  
25. and help us to rectify the evils and injustices that came to  
26. be, because of our selfish actions. Be rejoiced then in the  
27. tasks that are before us. We pray that we may take them up  
28. with a sense of divine partnership and purposeful destiny.  
29. May there be many of our citizenry who will rejoice in the  
30. deliberateness with which these men shall now act. May they  
31. rejoice, also, in the high principles of justice and equity  
32. that shall guide Thee as in their various determinations. And,  
33. finally, may they find great satisfaction in the courageous

1. commitment of these legislators to act in the best interest  
2. of the people of this sovereign State in all of this day's  
3. affairs. And so, Lord, make us grateful for the unique  
4. heritage that is ours as we enjoy the fruits of a faithful  
5. commitment on the part of our forefathers to values that have  
6. their base in biblical truth. They sowed conscientiously  
7. and well and we reap the noble harvest of their labors. In  
8. recent years it seems that we have been more inclined to  
9. sow to the wind and as a result we have reaped the whirl  
10. wind. Turn us back, then, oh God, by Your mercies to a  
11. sowing that produces the harvest of peace and prosperity, of  
12. justice and equity for all in our fair land. And now, oh  
13. Lord, as these petitions are heard by You and as You answer  
14. bountifully from Heaven in what we have asked, we bind our  
15. hearts to be careful to acknowledge your faithfulness and  
16. to give You our praise and our thanksgiving as we pray in  
17. the name of Your Son, our Saviour, the Lord Jesus Christ.  
18. Amen.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Reading of the Journal. .Senator Johns.

21. SENATOR JOHNS:

22. Mr. President, I move that reading and approval of the  
23. Journals of Friday, June the 11th, 1976, Monday, June the  
24. 14th, 1976, Tuesday, June the 15th, 1976, Wednesday, June the  
25. 16th, 1976, Thursday, June the 17th, 1976, Friday, June the  
26. 18th, 1976, Monday, June the 21st, 1976, Tuesday, June the  
27. 22nd, 1976 and Wednesday, June the 23rd, 1976, be postponed  
28. pending arrival of the printed Journals.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. You've heard the motion. All those in favor indicate by  
31. saying Aye. Those opposed Nay. The Ayes have it. The motion  
32. carries. Committee reports. Just a moment. That would be  
33. reading the bills of the Senate. All right. Committee reports.

1. SECRETARY:

2. On the Committee report of yesterday, why, I reported  
3. out House Bill 3955 out of Local Government with the recom-  
4. mendation Do Pass. That was an error. The bill is still  
5. in Committee, and on House Bill 3891 it was read on the  
6. report as 3981 from Public Health, Welfare and Corrections  
7. and this is only to correct the records.

8. Senator Savickas, Chairman of Labor and Commerce, re-  
9. ports out Senate Bill 1749 with the recommendation Do Pass  
10. as Amended. House Bill 3318 and 3633 with the recommendation  
11. Do Pass.

12. Senator Savickas, Chairman of the Committee on Labor  
13. and Commerce, reports that the Committee by a record vote  
14. sponsors a bill of the following title for introduction in  
15. the Senate:

16. (Secretary reads title of bill)

17. Senator Savickas, Chairman of the Committee on Labor  
18. and Commerce, reports that the Committee by a record vote  
19. sponsors a bill of the following title for introduction in  
20. the Senate:

21. (Secretary reads title of bill)

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Introduction of Bills.

24. SECRETARY:

25. Senate Bill 2013, introduced by the Committee on Labor  
26. and Commerce. Senator Savickas is the sponsor.

27. Senate Bill 2014, introduced by the Committee on Labor  
28. and Commerce. Senator Savickas is the sponsor.

29. Senate Bill 2015, introduced by Senator Donnewald.

30. Senate Bill 2016, introduced by Senators Harber Hall, Bell,  
31. and Sommer.

32. Senate Bill 2017, introduced by Senators Bell, Sommer,  
33. Harber Hall and Don Moore.

1. Senate Bill 2018, introduced by the same sponsors.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Rules. Senator Savickas, for what purpose do you  
4. arise?

5. SENATOR SAVICKAS:

6. Yes, I would just like to move Senate Bill 2013 and  
7. 2014, advance to 2nd reading without reference to Committee  
8. again.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Well, the posture of those bills...they are in the  
11. Committee on Rules and the motion...the appropriate motion  
12. would be to discharge the Committee on Rules and also to  
13. discharge the Committee on Assignment of Bills from further  
14. disposition and place the bills on the order of 2nd reading.  
15. Is that your motion?

16. SENATOR SAVICKAS:

17. That's the motion.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there discussion? Senator Harris.

20. SENATOR HARRIS:

21. This is the bill that you discussed with me. I was...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. No, Sir, it is not.

24. SENATOR HARRIS:

25. Is this a Senate Bill?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Yes, it's a Committee...Committee bill, Senator. The  
28. numbers that Senator Savickas...the motion was in regard to  
29. Senate Bills 2013 and 2014. The bill that I introduced is  
30. 2015.

31. SENATOR HARRIS:

32. Okay. Well, I would like to have an opportunity to take  
33. a look at the bill before we acknowledge that. It's certainly

1. moving awfully fast without any...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Savickas, could you withhold the motion at this  
4. time? Senator Savickas.

5. SENATOR SAVICKAS:

6. Well, I...this courtesy extended...was extended to the  
7. RTA bill before. I don't see why that this Senator should  
8. be denied the same opportunity.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Harris.

11. SENATOR HARRIS:

12. Well, Mr. President, I am not denying anything. I asked  
13. for an opportunity to take a look at the bill and see what it's  
14. about, that's all. I know that the Senator thoroughly under-  
15. stood the RTA bill and that was on a motion and I think there  
16. were...I...I just would like to take a look at the bill and  
17. see what it does. There may be no problem whatsoever.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. Well, why don't we just leave it on 2nd reading and hold  
22. it there till everybody gets a good chance to look at it.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. It's the...the Chair...I have to have leave of the Body  
25. before that can be done and that would leave...we would con-  
26. sider leave. Is there objection? There is objection. Senator  
27. Egan, I...as to Senate Bill 2015. All right. Messages from  
28. the House.

29. SECRETARY:

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

31. Mr. President - I am directed to inform the Senate  
32. that the House of Representatives has adopted the following  
33. Joint Resolution in the adoption of which, I am instructed

1. to ask concurrence of the Senate, to-wit:
2. House Joint Resolution 96.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Secretary's Desk. Executive. Senator...Committee
5. reports.
6. SECRETARY:
7. Rules Committee met on June the 23rd, 1976 pursuant
8. to notice. The following members were present: Senators
9. Partee, Rock, Donnewald, Howard Mohr and Harris. By unani-
10. mous vote of the following bills were reported out of com-
11. mittee, ordered read a first time and referred to the Com-
12. mittee on the Assignment of Bills. House Bill 3222, 3609,
13. 3610, 3611, 3612, 3787, 3803, 3652, 3653, 3848 and 3901.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. House Bills on 1st reading.
16. SECRETARY:
17. House Bill 3222.
18. (Secretary reads title of bill)
19. House Bill...House Bill 3609.
20. (Secretary reads title of bill)
21. House Bill 3610.
22. (Secretary reads title of bill)
23. House Bill 3611.
24. (Secretary reads title of bill)
25. House Bill 3612.
26. (Secretary reads title of bill)
27. House Bill 3652.
28. (Secretary reads title of bill)
29. House Bill 3653.
30. (Secretary reads title of bill)
31. House Bill 3787.
32. (Secretary reads title of bill)
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. It's only Thursday. Let's settle down.

2. (Secretary continues reading title of bill)

3. House Bill 3803.

4. (Secretary reads title of bill)

5. House Bill 3848.

6. (Secretary reads title of bill)

7. 1st reading of the foregoing bills.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Committee reports.

10. SECRETARY:

11. Senator Donnewald, Chairman of the Assignment of Bills,

12. assigns the following bills to Committee. Education, House

13. Bill 3848; Executive, House Bill...

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Could we disband all of the caucuses? Would the members

16. please be in their seats and all unauthorized persons remove

17. themselves.

18. SECRETARY:

19. ...Executive, House Bills 3803, 3652 and 3653; Local

20. Government, House Bills 3609, 3610, 3611 and 3612; Pensions,

21. Personnel and Veterans Affairs, House Bill 3787; Public Health,

22. Welfare and Corrections, House Bill 3222; Revenue, House Bill

23. 3918.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Vadalabene.

26. SENATOR VADALABENE:

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

28. I would like to have leave now to have House Bill 3609, 3610,

29. 3611 and 3612 advanced to the order of 2nd reading. These

30. are the library bills. I've cleared it with the leadership

31. on both sides of the aisle and the Chairman of the Local Govern-

32. ment Committee.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. The motion is to...you've heard the motion. All those  
2. in favor indicate by saying Aye. Those opposed Nay. The  
3. Ayes have it. The motion carries. The bills are on 2nd  
4. reading. Senator Egan.

5. SENATOR EGAN:

6. Yeah. Thank you, Mr. President and members of the Senate.  
7. I have two bills which I would ask leave of the Body to bypass  
8. the Rules Committee. However, Senator...Senator Harris was  
9. checking one of them out and I haven't yet received his re-  
10. ply, but as to the first bill, Senate Bill 20...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. One, five.

13. SENATOR EGAN:

14. ...1-5. I would ask leave of the Body to bypass the  
15. Rules Committee with the approval of all of the members.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. I understand that that is an easement bill.

18. SENATOR EGAN:

19. That's correct.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. The motion is, to discharge the Committee on Rules and  
22. have the bill read a first time and advanced to the order of  
23. 2nd reading without reference to committee.

24. SENATOR EGAN:

25. Thank you, Mr. President.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there leave? Leave is granted.

28. SENATOR EGAN:

29. Also, with House Bill 3648 with the approval of Senator  
30. Harris.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Just...just a moment...just a moment, Senator. As to...  
33. just...the bill previously read 2015 is now on the order of...



1. read the bill. It has to be read a first time.

2. SECRETARY:

3. House Bill 2015..

4. (Secretary starts to read title of bill)

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senate...Senate Bill.

7. SECRETARY:

8. Rather Senate Bill, right.

9. (Secretary finishes reading title of bill)

10. 1st reading of the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. 2nd reading. Senator Egan.

13. SENATOR EGAN:

14. Yes, Sir, Mr. President and members of the Senate. I

15. have checked with the Democratic members of the Rules Com-

16. mittee relative to House Bill 3648. It will enable the...

17. or the State Employees Retirement System to gain information

18. from the Department of Labor relative to those people who

19. are on pensions receiving money and also working in violation

20. of the...of the pension regulations, and it...it has no

21. fiscal impact whatsoever other than to help the System. It

22. has gotten out of the House. The Democratic members on the

23. Rules Committee have approved it, it's passage, and I...I

24. just await Senator Harris' approval so that it's unanimous,

25. and I...

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Harris.

28. SENATOR HARRIS:

29. Well, Mr. President, I've said to Senator Egan I would

30. like to have an opportunity to take a look at the bill. My

31. staff representative has not had that time. You spoke to me

32. not more than seven or eight minutes ago and I...just as

33. quickly as I get a response from him...I...I want to be, you

1. know, be helpful, but I just...I haven't had time to get a  
2. reply back..

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

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

6. SENATOR MITCHLER:

7. On a motion, Mr. President. House Bill 3787 was voted  
8. out of the Rules Committee yesterday. This is a bill that  
9. provides for a veterans appointment representative to be  
10. assigned at each full service office in the Illinois State  
11. Employment Service. It's all funded by the Federal U.S.  
12. Department of Labor and my motion would be to discharge the  
13. Committee on Assignment of Bills and have it advanced to  
14. the order of 2nd reading.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. The...

17. SENATOR MITCHLER:

18. Have it cleared...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. ...the bill has been reported to a Committee and the  
21. proper motion would be to discharge that committee.

22. SENATOR MITCHLER:

23. Discharge the Senate Personnel, Pensions and Veterans...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. You've heard the motion. All those in favor indicate  
26. by saying Aye. Those opposed. The Ayes have it. Motion  
27. carries. Senator Nimrod.

28. SENATOR NIMROD:

29. Yes, Mr. President, House Bill 3803 is on Assignment  
30. of Bills. That might have been assigned to a committee.  
31. I...I'm not sure, but I would...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. It is...it is assigned and the Secretary...we'll stand

1. at ease a moment. Senator Nimrod moves that the Executive  
2. Committee be discharged from further consideration of House  
3. Bill 3803 and advanced to the order of 2nd reading. Do we  
4. have leave? Leave is granted. 2nd reading. Senate Bills  
5. on 2nd reading. Senate Bill 1766, Senator Lemke. Well,  
6. is it your desire to move the bill and return it to the  
7. order of 2nd reading? Read the bill.

8. SECRETARY:

9. Senate Bill 1766.

10. (Secretary reads title of bill)

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

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Lemke moves the adoption of Committee Amendment  
15. No. 1 on House Bill 1766. All those in favor indicate by  
16. saying Aye. That is a Senate Bill. Those opposed No. The  
17. Ayes have it. The amendment is adopted. Are there further  
18. amendments? With the understanding that the bill will be  
19. returned if there are other amendments requested or to be con-  
20. sidered. 3rd reading. Senate Bill 2007, Senator Hickey.  
21. Senate Bill 2008. Senate Bill 2009, Senator Wooten. Read  
22. the bill.

23. SECRETARY:

24. Senate Bill 2009.

25. (Secretary reads title of bill)

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

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Are there amendments from the Floor? 3rd reading. Senate  
29. Bills on 3rd reading. Senate Bill 1516, Senator Carroll.  
30. Senate Bill 1584, Senator Shapiro. Senator Shapiro. Senate  
31. Bill 1801, Senator Bruce. 1802. 1867, Senator Bruce. Read  
32. the bill.

33. SECRETARY:

1. Senate Bill 1867.

2. (Secretary reads title of bill)

3. 2nd...3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you, Mr. President and members of the Senate.

8. This is the annual appropriation of the Wabash Valley Inter-  
9. state Commission. Senator Weaver had some amendments. I  
10. am willing to indicate that there are problems in the fund-  
11. ing of this for next year. That we've got to take a very  
12. big look at the way they withdraw the money and what they  
13. do with it, but I think that we have reached substantial  
14. agreement that the twenty-five thousand dollars is down  
15. from thirty-four thousand dollars last year. I feel that is necessary  
16. that they are now on warning that next year the General  
17. Assembly in the State of Indiana, we're going to have to cooper-  
18. ate, as to the funding level. Indiana has taken a different  
19. approach in the manner of funding this particular Commission,  
20. and I would ask for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Weaver.

23. SENATOR WEAVER:

24. Thank you, Mr. President. Well, certainly, I tried to  
25. put a couple of amendments on this that would be realistic  
26. in my judgement. This commission has sufficient money in  
27. bank accounts and in certificate of deposits in the amount  
28. of about sixty-four thousand dollars that they can...certainly  
29. operate for the next fiscal year without any appropriation  
30. by either Indiana or Illinois. Their average expenditures  
31. through the years in the last ten years have been in the neigh-  
32. borhood of fifty thousand dollars and that would still leave  
33. them with a balance of about fourteen thousand dollars at

1. the end of the next fiscal year. Most of their expenditures  
2. go to the payment of salaries of the Executive Director and  
3. travel and I think this is one area where we could appropri-  
4. ate nothing and still not affect the operation of the Commission.  
5. So, I certainly stand in opposition to the passage of this  
6. bill.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Mitchler.

9. SENATOR MITCHLER:

10. Mr. President and members of the Senate. I would recom-  
11. mend and Senator Wooten, could I have your attention, this  
12. appropriation for the Wabash Valley Interstate Commission...  
13. I think that our Water Resources Commission should work closely  
14. with them and if there's any additional appropriation next  
15. year, have a definite recommendation as to whether we should  
16. continue the funding into this appropriation or not, because it  
17. works closely with work of the Water Resources Commission,  
18. and I think that recommendation should come possibly from our  
19. Commission. I just make that a comment in the passage and  
20. the action on this appropriation.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Senator Bruce may close  
23. the debate.

24. SENATOR BRUCE:

25. Roll call.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. You wish a roll call?

28. SENATOR BRUCE:

29. Roll call.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. The question is, shall Senate Bill 1867 pass? Those in  
32. favor vote Aye. Those opposed Nay. The voting is open. Have  
33. all those voted who wish? Have all those voted who wish? Take

1. the record. On that question the Ayes are 28, the Nays are  
2. 17, none Voting Present. Senator Bruce. Senator Bruce.  
3. SENATOR BRUCE:  
4. I'd like to postpone consideration.  
5. PRESIDING OFFICER: (SENATOR DONNEWALD)  
6. Consideration postponed. Senate Bill 1878, Senator  
7. Demuzio. Senate Bill 1849, Senator Knuppel. Read the bill.  
8. Stand by a moment. Senator Rock's machine is fouled up.  
9. Senator Rock.  
10. SENATOR ROCK:  
11. Thank you. While we're standing by I've just been in-  
12. formed by the House that the Conference Committee with re-  
13. spect to the Department of Veterans Affairs, which had been  
14. scheduled to meet downstairs, will meet, in fact, on the  
15. east side of the House in the corridor. They have setup a  
16. conference table and chairs on the east side of the House  
17. in the corridor. They wish to meet at 11:00 o'clock and  
18. this concerns Senators Buzbee, Weaver, Shapiro, Kosinski  
19. and Joyce.  
20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. Senate Bill 1949. Read the bill.  
22. SECRETARY:  
23. Senate Bill 1949.  
24. (Secretary reads title of bill)  
25. 3rd reading of the bill.  
26. PRESIDING OFFICER: (SENATOR DONNEWALD)  
27. Senator Knuppel.  
28. SENATOR KNUPPEL:  
29. It's a very simple bill. All it does is extend the re-  
30. porting date and the life of the State's Attorney Study Com-  
31. mission and there's a mistake in your...in your Calendar to  
32. September 30th, 1976 and the life of the Model School for  
33. Deaf and Hard of Hearing until May 1st, 1977. I...it's a

1. very small bill as far as importance is concerned. Some work  
2. has occurred, but we got delayed and I'd like a favorable  
3. roll call.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? Question is, shall Senate  
6. Bill 1949 pass? Those in favor vote Aye. Those opposed Nay.  
7. The voting is open. Have all those voted who wish? Take  
8. the record. On that question the Ayes are 46, the Nays are  
9. 2, none Voting Present. Senate Bill 1949 having received  
10. the constitutional majority is declared passed. Senate Bill  
11. 2010, Senator Daley. Senate Bill 2011, Senator Daley. House  
12. Bills 3rd reading. House Bill 1304, Senator Davidson. House  
13. Bill 2115, Senator Vadalabene. Read the bill.

14. SECRETARY:

15. House Bill 2115.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Thank you, Mr. President and members of the Senate. I  
22. don't have my file here, but this is identical to Senate Bill  
23. 1719, the Usury Bill, this is the House version that came over  
24. here. We amended it exactly like Senate Bill 1719 and I  
25. would appreciate a favorable vote.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? The question is, shall House  
28. Bill 2115 pass? Those in favor vote Aye. Those opposed Nay.  
29. The voting is open. Have all those voted who wish? Take the  
30. record. On that question the Ayes are 48, the Nays are none,  
31. 1 Voting Present. House Bill 2115 having received the consti-  
32. tutional majority is declared passed. House Bill 3155, Senator  
33. Knuppel. House Bill 3197, Senator Shapiro. Read...Senator

1. Shapiro.

2. SENATOR SHAPIRO:

3. Mr. President, I'd like to go past this bill for the  
4. present with the leave of the Senate to come back to it  
5. later if the opportunity affords itself.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Do we have leave? Leave is granted. House Bill 3202,  
8. Senator Hynes. House Bill 3225, Senator Knuppel. Read the  
9. bill.

10. SECRETARY:

11. House Bill 3225.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Knuppel.

16. SENATOR KNUPPTEL:

17. Mr. President, this is a simple bill. What it does is  
18. transfer the jurisdiction of the Veterans' Home in Quincy,  
19. Illinois, in my legislative district, from the Department  
20. of Children and Family Services to the Department of Veterans  
21. Affairs. This bill passed the House. It was a McClain bill  
22. in the House, McClain and DiPrima. It's supported by, as I  
23. understand it, all veterans organizations in the State of  
24. Illinois. They have problems that are peculiar to them and  
25. most of them are aged as opposed to the Department of Children  
26. and Family Services, and I would seek a favorable roll call.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question...oh, Senator Netsch

29. SENATOR NETSCH:

30. Senator Knuppel, would you yield for a question?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. He indicates he will.

33. SENATOR NETSCH:



1. What...what is the position of the State agencies in-  
2. volved?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Of course, you understand both agencies are under the  
7. Government...Governor. The Director of the Veterans...Veterans  
8. group has made no comment. He will accept it if it's transferred.  
9. He's not in a position where he can take a position. I under-  
10. stand that only yesterday that Mary Lee Leahy finally has  
11. taken a position on opposition. She was given an opportunity,  
12. she was talked to and Mr. McClain...Representative McClain  
13. was here just a moment ago and told me she was consulted before  
14. the bill was put in, she was consulted before the committee  
15. hearing, she never has been...has made her position known un-  
16. til yesterday. One of her representatives contacted  
17. me in the front of the...or in the Rotunda here and I assume,  
18. based on that context, that she opposes it.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Ozinga.

21. SENATOR OZINGA:

22. This is a good bill. Believe me, we have visited out  
23. there at Quincy three, four, five times and the way this  
24. place has been mandated to run should be for the benefit of  
25. the veterans and the veterans widows, and each time we  
26. have gone there they have recommended that we present this  
27. type of legislation. Finally, it's got here and I think that  
28. it's for the best of everybody concerned, including the Chil-  
29. dren and Family Services.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Question is, shall House  
32. Bill 3225 pass? Those in favor vote Aye. Those opposed Nay.  
33. The voting is open. Have all those voted who wish? Take the

1. record. On that question the Ayes are 51, the Nays are none.  
2. House Bill 3225 having received the constitutional majority  
3. is declared passed. House Bill 3332, Senator Graham. House  
4. Bill 3374, Senator Bruce. House Bill 33...House Bill 3376,  
5. Senator Knuppel. Read the bill.  
6. SECRETARY:  
7. House Bill 3376.  
8. (Secretary reads title of bill)  
9. 3rd reading of the bill.  
10. PRESIDING OFFICER: (SENATOR DONNEWALD)  
11. Senator Knuppel.  
12. SENATOR KNUPPEL:  
13. Mr. President, this is the annual appropriation for the  
14. Department of Public Health and I would like a favorable roll  
15. call.  
16. PRESIDING OFFICER: (SENATOR DONNEWALD)  
17. Is there further discussion? Question is, shall House  
18. Bill 3376 pass? Those in favor vote Aye. Those opposed  
19. Nay. The voting is open. Have all those voted who wish?  
20. Take the record. On that question the Ayes are 50, the Nays  
21. are 1. House Bill 3376 having received the constitutional  
22. majority is declared passed. House Bill 3379, Senator Bruce.  
23. House Bill 3380, Senator Palmer. Senator Rock.  
24. SENATOR ROCK:  
25. I would ask at this time that consideration be given  
26. Senators Bruce, Joyce, Shapiro and there's a number that are  
27. on Conference Committees over in the House and if we can have  
28. leave of this Body to come back when they return to the Floor  
29. I think it would be appreciated by everybody.  
30. PRESIDING OFFICER: (SENATOR DONNEWALD)  
31. Is there leave? Leave is granted. House Bill 3389,  
32. Senator Knuppel. Read the bill. Senator Knuppel.  
33. SENATOR KNUPPEL:

1. I'm asking leave to pass it at this time and come back  
2. to it later.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there leave? Leave is granted. House Bill 3403,  
5. Senator Demuzio. House Bill 3425, Senator Glass. Read the  
6. bill. No. Senator Glass. We're on page 4 of House Bills  
7. 3rd reading, Senator.

8. SENATOR GLASS:

9. No, I'm sorry. I...I was looking at the next bill down.  
10. I...I'm not ready to call it, Mr. President.

11.  
12.  
13.  
14.  
15.  
16.  
17.  
18.  
19.  
20.  
21.  
22.  
23.  
24.  
25.  
26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

(Continued on next page)

C/24/16  
HB = 475

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. All right. 30...House Bill 3475, Senator Smith. Read
3. the bill.
4. SECRETARY:
5. House Bill 3475
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator Smith.
10. SENATOR SMITH:
11. The bill just called 34...House Bill 3475 is the annual
12. appropriation for the Department of Public Aid. The bill was
13. up yesterday. Certain amendments were had. The bill is in the
14. shape that the sponsor wishes it to be, and in the interest of
15. saving time, I see no need in saying anything further. If,
16. however, debate does follow, I should like to reserve the balance
17. of my present time, so that I may use it in answering.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. So...it shall be. Senator Bell.
20. SENATOR BELL:
21. Thank you, Mr. President and members of the Senate.
22. Well, I suppose this Body will have to...have to vote out HB 3475
23. in the present form that it's in. I'd like to make mention of the
24. fact that yesterday on 2nd reading we attempted to put on six
25. different amendments that would have cut out a hundred and
26. seventy million dollars of funding for this particular agency
27. that has had such monies ripped off and misuse of eye glasses,
28. misuse of medicare and medicaid, and these are programs that the
29. agency can do without without affecting Federal dollar funding.
30. You know, we came down here this year with the knowledge that
31. we were going to have to slash budget, that we're going to have
32. to try to have some way to commit ourselves to fully funding or
33. handling the problems of our schools throughout this State, and yet

1. we've had this kind of misuse of funds to the Département  
2. of Public Aid. We had an opportunity yesterday on 2nd reading  
3. to address ourselves to that, for this legislative Body to say  
4. to the people of the State of Illinois that we are not going  
5. to tolerate that kind of thing any longer, and yet we saw fit  
6. as a Body not to make that kind of statement. Well, I'm not  
7. going to vote for 3475, and I think that there's many of...few  
8. others that ought to feel the same way. Public Aid is indeed  
9. important to the people of Illinois that have need for that kind of  
10. support. And the actions that I took yesterday and the actions  
11. that I'm taking today have no bearing on saying to the truly  
12. needy and those that are down and out, that I don't want to  
13. help them, but it does state that there is a limit to the type  
14. of help that the State of Illinois can afford. Thank you.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Howard Mohr.

17. SENATOR HOWARD MOHR:

18. Yes, Mr. President, I would second the comments made  
19. by Senator Bell, and I'm not going into a long dissertation on  
20. this subject, but I have supported public aid in the past and  
21. swallowed hard many times to do that, but after having a bill in the  
22. Public Health and Welfare Committee dealing with what I consider  
23. ...concern...public aid fraud is something that's on the minds  
24. of most people, and I maintain, Mr. President, that we could do a  
25. better job for those people that really need it and are on Public Aid  
26. if we were to seriously go after some of the people that are  
27. cheating. I know the Public Aid Commission has...has done a  
28. fine job. I had a bill that would have helped that Commission,  
29. in my opinion, by putting people that are able to work, willing  
30. to work that are on general assistance, give them jobs in...  
31. in local government. Local government at all levels can use  
32. some of this additional help. But that Committee decided that  
33. that the bill should not be passed out of Committee, and I am

1. going to take action the only way that I know how and vote No  
2. on this bill based on the Committee's action or inaction in...  
3. in trying to help solve or reduce the expenditure in that area.  
4. So, I am going to vote No on this bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Don Moore.

7. SENATOR MOORE:

8. Thank you, Mr. President and members of the House, I  
9. believe that the appropriation to the Department of Public Aid  
10. this year is almost realistic. I say that with...with some  
11. reservations. I feel that there is a...or will be a shortage  
12. in the medical line item. I believe there will be a surplus  
13. in the aid to dependent children line item. I don't think that  
14. we will be looking at the hundred and fifty or a hundred and  
15. seventy-five million dollar deficiencies like we have for the  
16. past two years if the department can get the medical manage-  
17. ment information service, the computer thing, all in operation  
18. by this fall, so that we can...adequately track our vendors.  
19. I think that there will be a possibility that we could live  
20. within this budget. Until we do get further computerized though,  
21. and develop a more sophisticated way of...of handling and watching  
22. over our medical vendors, I'm fearful that we may be a little  
23. bit short in that line item, but I think the budget is half-way  
24. realistic this time for a change, and I urge support of the members  
25. on this side of the aisle.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Mr. President and members of the Senate, this is my fourth  
30. year in this Body and in the three previous years I have supported  
31. the Public Aid budget. This year I cannot bring myself to do  
32. it. I'm totally convinced that the Department has not done, I  
33. would say, even a major fraction of what should be done to combat

1/24/74

1. fraud. In some areas, I...I even question their willingness to  
 2. fight certain types of over utilization in fraud. It also saddens  
 3. me that we're down here setting priorities for State spending  
 4. and we seem to be saying one hundred percent funding for Public  
 5. Aid even though we all acknowledge that there's between a hundred  
 6. fifty and two hundred and fifty million dollars worth of fraud.  
 7. We all seem to be willing to say one hundred percent funding for  
 8. the RTA, even although we all acknowledge the waste in CTA and  
 9. the questionable management of Chairman Pikarsky, and yet we  
 10. don't seem to be able to find the money to adequately fund  
 11. education. Well, I told the people of my district that education  
 12. was going to be a high priority, and the highest priority for  
 13. me when I came down here, and that priority transcends funding  
 14. wel...welfare fraud and mismanagement on the RTA, and I  
 15. intend to oppose the appropriations for both.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Soper.

18. SENATOR SOPER:

19. All right, thank you, Mr. President. I take the same  
 20. position on this as Senator Mohr does. You know, many states  
 21. have taken it upon themselves to ask the able-bodied and those  
 22. that say that they're willing to work, to do a little something  
 23. for this...for this public aid that they receive. And they  
 24. found that those able-bodied and those willing to work really  
 25. don't come to work, and they take them off the relief rolls,  
 26. because what they do is, they have a job on the side which they  
 27. get paid cash and we neither receive the income tax or anything  
 28. else from that funding. But furthermore, if they are able-bodied  
 29. and they can't find a job, there are a lot of jobs that  
 30. municipalities need done that they can't afford to have done in  
 31. which the citizens of that municipality are contributing toward  
 32. this over two billion dollars a year that we spend on public  
 33. aid. Nobody wants to take the blind to halt, the people that can't

1. work, and...and the mothers and the children that need this aid,  
2. but I'm talking toward the...the people that are on Public Aid  
3. that shouldn't be on public aid and those that really want to  
4. help the municipalities, the counties and the State to do jobs  
5. that are necessarily left undone because the fact that we do  
6. not have the dollars in the municipalities to do this. Now, if  
7. other states can do this, why can't we do it? Why can't we  
8. take and have...have some of the rivers cleaned or some of...  
9. some of this garbage that's thrown around taken care of? Why can't  
10. we take care of some of our parks? Why we can't we people...  
11. put these people to work and give them the...give them the  
12. ambition back that they need? And then in the meantime we'd  
13. find the people really that don't want to work, that won't  
14. report, and we'd take them off the public aid. Now, when I first  
15. came to the Senate, we had a...a budget of two hundred and sixty-five  
16. million. Now, you know, you say two billion, nobody...about half  
17. the public don't know what two billion dollars is, but two  
18. billion dollars is two thousand million, two thousand million.  
19. You know when you write in the newspapers and you put down 2.5  
20. billion, well, it may be two dollars and a half to somebody,  
21. but you write the whole figure out, two thousand million, and  
22. you put the figures in there and you'll find out what the public  
23. will tell you. And I think the public deserves something  
24. better than what we're giving them. Let's find out who wants  
25. to work, who's able to work, let's get some of these jobs done  
26. for which we're all paying, for I can't vote for this unless that's  
27. done.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the  
32. Senate. I rise in support of House Bill 3475. We have heard,  
33. I think, a number of pious platitudes about why somebody cannot



6/24/78

1. support this kind of legislation. Education is, in fact, our  
2. number one priority. We all admit that, and yet the other day  
3. when the budget was cut, I saw a lot of people thundering  
4. to be on that cut. There is, in fact, a certain degree of  
5. fraud. I think we've all admitted that. I think the department,  
6. the Legislative Advisory Committee on Public Aid is doing  
7. their utmost to abate that situation. But to say...that because  
8. there is a little bit of that involved that we should deny  
9. the needy, to me just doesn't make any sense. There are, in  
10. fact, some people receiving assistance who probably could and  
11. should go to work. Unemployment is rampant. We hope to change  
12. that with the election of a Democratic President. The time is  
13. now, the money is needed. I urge an Aye vote on House Bill 3475.  
14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Ozinga.

16. SENATOR OZINGA:

17. Mr. President, members of the Senate, this is one of those  
18. bills where you're damned if you do and you're damned if you don't.  
19. I agree with the previous speakers, practically all of them.  
20. However, I think that one of the only ways we're going to get  
21. the department to finally recognize this...now, I'm going to  
22. vote in support of the bill...we can't, like Senator Rock  
23. just said, turn our backs on the needy, however, we can and  
24. being a member of that advisory council, I think that we're on the  
25. backs of the department to such an extent now that with a new  
26. administration, we probably will be able to fulfill the wishes  
27. of an awful lot of these things. This bill that I...I...I still  
28. chagrin with, that we did not get tacked on, or passed here in the  
29. House, was this bill that would have put those that are just  
30. almost saying, refusing to get out of bed in the morning, should  
31. at least get out of bed to register to go to vote. They're  
32. able-bodied. I think every municipality in the territory...in  
33. the State of Illinois could put some of these people to work,

1. at least to doing menial tasks and get reimbursed by the department.  
2. However, we cannot turn our back on the needy, but let's say  
3. the legitimate needy. I think that the Appropriations Committee  
4. has done a yeoman job in this bill. They've cut out substantially  
5. however, a lot of us feel that something should be done to warn  
6. the department, and I'm sure there are as many on the other  
7. side of the aisle as there are on this side that love to give  
8. this a vote by just one majority and make them a little bit  
9. nervous to get off of their butts and start doing some work  
10. in correcting some of the frauds and inequities that are in this  
11. department.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Soper, we...we've got...just a moment. We have  
14. many that wish to speak the first time. Do you want to speak  
15. the second time around. Personal privilege. State your point.

16. SENATOR SOPER:

17. My point is that I was referred to with...something about  
18. the do-gooders that the...or the platitudes or whatever Senator  
19. Rock said.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. I...

22. SENATOR SOPER:

23. But...

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. ...didn't know that your name was mentioned...

26. SENATOR SOPER:

27. ...why, I...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. ...Senator.

30. SENATOR SOPER:

31. ...it was mentioned, but he referred to...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Just a moment, Senator Rock.

1. SENATOR SOPER:

2. ...those who had spoken.

3. SENATOR ROCK:

4. I did not, in fact, mention the gentleman's name, but  
5. what I did say was pious platitudes, and I will stand by that.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Does that...does that straighten it out, Senator? Senator  
8. Soper.

9. SENATOR SOPER:

10. Yes. Well, I spoke right before he did, and if it's  
11. a...a pious platitude, I'll say this, if you would elect a  
12. ...a Congress to the United States that was a Republican, you  
13. wouldn't have any trouble, because the Democrats have been in  
14. control for forty years.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator...Senator Palmer.

17. SENATOR PALMER:

18. Mr. President and members of the Senate, back on this  
19. issue of taking care of the poor and the needy, it seems that there  
20. are two sides, the Republican and Democratic side, but I just...and  
21. this is the reason that I rose, I just noticed that Senator Ozinga  
22. rose on behalf of the poor and the needy, and I want to commend  
23. him for it, but the reason that I rose, I want to tell him  
24. that there's another...I had to research this, Senator Ozinga,  
25. there's another great American that believes in that philosophy,  
26. and I'd like to quote him. I just jotted this down while you  
27. were talking, and let me quote this. "The rich, the healthy,  
28. and the strong will take care of themselves. Take care of the  
29. poor, the sick, the weak, and the children. Failure to take  
30. care of the poor, the sick, the weak, and the children therein  
31. lies disaster." And a great American Republican said that,  
32. Charles Evans Hughes. So you got support there, gentlemen, on  
33. the other side, thank you very much.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator...

3. SENATOR PALMER:

4. Said this on behalf of House Bill 3475.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. ...Senator Kenneth Hall.

7. SENATOR KENNETH HALL:

8. Thank you, Mr. President and members of the Senate. You  
9. know every time this Public Aid bill comes up, we hear the same  
10. old rhetoric. You know, the people on public aid, there's no  
11. reason why they could not have dignity like other people.  
12. There's so many here that always make reference to people who  
13. don't want to get up in the mornings, and they're lazy or they  
14. try to imply that fact. The point is this, that what do we do for  
15. these big railroads, what do we do these other people? We  
16. give them a subsidy. Now, what is a subsidy? It's the same  
17. dole, it's the same relief from the taxpayers. It's time for  
18. us to quit kidding ourselves and go on and pass this legislation.  
19. I urge your most favorable vote for this.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Senator Smith may...oh,  
22. Senator Dougherty.

23. SENATOR DOUGHERTY:

24. Thank you, Mr. President and members of the Senate. As  
25. one of the original members of the Public Aid Advisory Committee,  
26. I have been working at this for a long time, and in fact, under  
27. the original direction of Mike DeSalle, who is the Director of  
28. HEW. I've belonged ever since I've been a member. I have been  
29. amazed at the amount of work we've been able to accomplish in order  
30. to provide a proper form of living for the people who deserve  
31. it and to seek out such frauds as they may be, and we're attempting  
32. to do that. However, I believe in the interest of people of the  
33. State of Illinois that we must pass this bill immediately to...

1. we must take care of those who need to be taken care of. I ask  
2. favorable consideration of this bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Smith, do you wish to close the debate or a roll  
5. call?

6. SENATOR SMITH:

7. I should like to close the debate.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Smith.

10. SENATOR SMITH:

11. Mr. President and Ladies and Gentlemen of the Senate, I have  
12. sat here this morning and listened with rapt attention to the  
13. several speeches that have been made, first in opposition to  
14. House Bill 3475. I listened to the remarks of Senator Ozinga,  
15. Senator Dougherty, Senator...what's his name...Senator Palmer,  
16. and my leader, Senator Rock. I am not amazed, nor am I astonished  
17. at the trend of thought that possesses some of the members of  
18. this Body. I think that I should speak plainly without any  
19. passion, or without arousing myself like I have in former  
20. years, but I'm going to speak plainly, I'm going to speak from  
21. notes, that's something you've never known me to do, and I've  
22. never before done. But I think that the time calls for plain talk.  
23. First, I want to compliment a member on that side of the aisle  
24. who has risen here from time to time...now, I want you to bear  
25. in mind, Mr. President, I reserved the time that is due me from my  
26. opening address, and now...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. That's against the rules, but we'll let you go, Senator.

29. SENATOR SMITH:

30. All right, well, don't just watch that light...and we are  
31. about, as the gentlemen on that side have said, two millions  
32. of ... two billions of dollars. I would appeal to those even  
33. who have spoken against and who have spoken in the behalf of this

1. bill, that we take time, if you want additional time, you take  
2. it, but certainly I don't want to be confined to some five,  
3. six, or seven minutes in trying to explain to my brethren on the  
4. other side of the aisle the real facts. I don't think they've  
5. ever had the facts with regards to this issue of Public Aid.  
6. Now, you're back, Senator Moore, I want to compliment you. I  
7. heard a portion of your remarks, and I compliment you, not only  
8. upon those, but upon the previous arguments that you've made  
9. here from time to time. Now, I do want a little order, Mr.  
10. President, and I think it but meek and proper. I'm going to  
11. take time out myself, Mr. President, to insist that I be given  
12. the courtesy of the thinking of the thinking members on this  
13. side. I should like a little on that side of the aisle. Now,  
14. Mr. President, ...and I think I complimented brother Moore. My  
15. mind is not as confused as it was yesterday. I was angry,  
16. discouraged by reason of the type of men that were sent to  
17. supposedly advise me and it developed that they knew no more  
18. about that that they were trying to advise me about than a  
19. rabbit does when Sunday comes, and I couldn't stand it then, and  
20. I can't stand it now. I thought they should have sent able men.  
21. Now, I am going to take the liberty of telling you gentlemen,  
22. if the Chair grants me time, I want to explain the setup to you.  
23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator...Senator, I haven't the authority to grant extra  
25. time, that's up to the Body themselves.

26. SENATOR SMITH:

27. I've got confidence in the membership of this Body, Mr.  
28. President, to believe that even though we differ they want to  
29. know the facts. Now, Mr. President, I well remember when we  
30. initiated the flat grant, so-called, you don't have a flat grant  
31. system of payment here. You...well, you have a modified system of  
32. a flat grant plat here in the State of Illinois. I prepared  
33. something here and I gave it to my secretary, and she has prepared

1. it relative to the first flat grant. The first flat grant,  
2. and I say modified form of a flat grant payment, was initiated  
3. here...I'll never forget the time, because it was in the same  
4. month that one of the finest young lads that ever walked the  
5. streets of the City of Chicago was murdered in a holdup, my  
6. son, so I'll never forget the month. It was in...October  
7. nineteen hundred and seventy-three, and that's the first flat  
8. grant system and the only one, was started here in the State  
9. of Illinois. That flat grant provided a family of four with  
10. two hundred and eightv-eight dollars a month, of which one  
11. hundred and seventeen dollars was designated for rent. That  
12. left a hundred and ten dollars for four for a month, or twenty-seven  
13. dollars each per month, or ninety cents for each person per  
14. day for food and all other expenses. And now the grant has  
15. been raised twenty-nine dollars to three hundred and seventeen  
16. dollars. Now, that's the present flat grant for a family of  
17. four here in the State of Illinois, and a proportion designated  
18. for housing rose to one hundred and twenty-nine dollars per  
19. month which leaves a hundred and eighty-eight dollars per  
20. month for family of four or forty-seven dollars each per month,  
21. or a dollar and fifty-six cents each per day. And if one  
22. dollar from that dollar and fifty-six cents is left...don't  
23. stop to talk, please, please, give me a chance...and if one dollar  
24. of that dollar and fifty-six cents per day is used for food, that  
25. leaves fifty-six cents for all other family expenses. So, now my  
26. argument is...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Just...just a moment. Senator Bell, for what purpose  
29. do you arise?

30. SENATOR BELL:

31. Excuse me, Senator Smith, for interrupting, fbut I did want  
32. to make a point here in reference to your commentary that...

33. SENATOR SMITH:

1.           May I...

2.   PRESIDING OFFICER: (SENATOR DONNEWALD)

3.           Just...just a moment...

4.   SENATOR BELL:

5.           ...that...that does not include the Federal Food Stamp Program...

6.   PRESIDING OFFICER: (SENATOR DONNEWALD)

7.           ...just a moment...just a moment. You're out of order,

8.   Senator Bell. We are on closing arguments, and Senator Smith

9.   is about to close the debate.

10. SENATOR SMITH:

11.          No, I'm not.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13.          Well, Senator...no. Now, Senator, you've had...you've

14.   had treble, or quadruple time.

15. SENATOR SMITH:

16.          I know we have. I know we have. I take the Floor

17.   less than others...less often than others. I always respect

18.   leadership. I want merely to state the facts. These men need

19.   to know the facts. I have the facts, and Mr. President, with due

20.   deference to you, if you will rule that a majority will obtain a

21.   sustainment here today, I'm going to appeal...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23.          Could we have leave to give Senator Smith three more minutes?

24. SENATOR SMITH:

25.          ...that's what I'm about to do, but I want to appeal, I

26.   don't want three or four minutes.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28.          Leave. Leave is granted.

29. SENATOR SMITH:

30.          All right. Now, so then, you are appropriating a total...I

31.   don't know what I did with my glasses. I wish you wouldn't

32.   interrupt me, Mr. President. I wouldn't interrupt you...fifty-six

33.   cents per day, so I contend that well-intended as is the present



1. relief set up, that it can only do, perhaps two things. It  
2. can and it will destroy the will and it will destroy the  
3. health of the individual. And may I go further and say, that  
4. if the smooth men who set up this program, if they had deliberated  
5. for months or years, and then after due deliberation if they want-  
6. ed to destroy,..and I want to prove that it's not merely members  
7. of my ethnic group on Public Aid. I want to show you how many  
8. are in your area, Senator Bell, and any other one that wants  
9. to ask. If they had deliberately set out to destroy a group of  
10. people, a large segment of your people, they couldn't possibly  
11. have found a better way than you have in this so-called Public  
12. Relief administration. Now, reference has been made to the  
13. exorbitant amount in this bill. I admit it. I admit it. Over  
14. the years, I've seen the appropriation for Public Aid grow and grow and  
15. grow, until yes, it has reached today staggering proportions, but  
16. so has unemployment. Now, if you give me time, I'll answer my  
17. good friend, Senator Soper...and so has unemployment and so has  
18. inflation. I read just yesterday in the paper another 5.3  
19. rise, a lessening of the value of the dollar, which leaves a  
20. dollar to about...oh, you can...a dollar now, an actual dollar,  
21. will amount to...you can use it for about what sixty-three cents  
22. would have bought prior to the last...statistics that were submitted. Now,  
23. I want to show you, gentlemen, what rightfully should not be  
24. in this budget...you're talking about your amendments. In this  
25. budget, there is for the Department of Mental Health, think of  
26. it, four million five hundred thousand dollars. Don't ask me  
27. to itemize it, because he's sitting...standing there with that  
28. gavel in his hand, and that...and the DACF, that's the Department  
29. of Children and Family Services to which someone back here referred a  
30. few moments ago, nine hundred and sixty thousand dollars, for  
31. the Department of Labor, one hundred and sixty-five thousand  
32. dollars, for the OSPI...you've changed the name, that's the Office  
33. of the Superintendent of Public Instruction, five million four

1. hundred thousand dollars. But now, here's the big blow and  
2. nobody has referred to it until this moment, for medicaid and  
3. medicare in this budget, nine hundred and twelve million dollars.  
4. For administration purposes, forty-six million eighty thousand  
5. eight hundred and fifty-six dollars come out of that appropria-  
6. tion. It shouldn't be there. The only way you can do it under  
7. the rulings of Health, Education and Welfare, however, nine...  
8. that's totaled nine hundred and fifty-eight million eighty  
9. thousand eight hundred and fifty-six dollars. Now, you...you  
10. subtract that nine hundred and fifty-eight million dollars, it  
11. leaves nine hundred and thirty-six million...

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator, just a moment. Your time has long past. We...  
14. we must continue the business of the Senate.

15. SENATOR SMITH:

16. Mr. President, and I admire you, but in this instance, we  
17. are talking about two billions of dollars, and I think these  
18. men are entitled to know...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. I think that they are all aware of all of the facts, and  
21. I think that they've got...please...please conclude your  
22. remarks, Senator.

23. SENATOR SMITH:

24. ...Mr. President, out of deference to your insistence,  
25. but I think too, you stand here and you argue about the RTA  
26. and you argue about this other...you will before you close  
27. I guess, woman's right, you'll take plenty of time, but where  
28. two billions of dollars are concerned, I think these men should  
29. know the facts. All right, half of the monies comes from the  
30. State and half from the Federal government. So, the State's part  
31. if we equalize it, would be four hundred and sixty-eight million.  
32. You referred to twenty-two million. I've been here ever since  
33. it was set up, but I don't remember that day, because in those

1. days, I handled all appropriations. As far back as I can go in  
2. memory as I stand here, six hundred and sixty-six, Senator Soper,  
3. was the least. Now, I'm going to close, but I think you ought  
4. to be told something about how they spend this dollar and fifty-six  
5. cents for housing. There's not a family in the City of Chicago can  
6. live on what you allow, so they've got to go back to the surplus  
7. out of the other dollar that you left. Here are the rates.  
8. I know you want it called, you don't want to know the facts.  
9. Any man of common, average intelligence knows that the more  
10. you know, the better you realize, Senator, how little you know.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator, your time has expired again. We must continue  
13. with the business of the Senate. The question is...Senator,  
14. please...please do.

15. SENATOR SMITH:

16. Will. And I want to say to you, Ladies and Gentlemen  
17. of the Senate, that as God is my judge, I could wish that we  
18. never had this problem before us. That...that's my honest  
19. wish. I could wish that the resources of this State would  
20. develop to the point where employment would be accessible.  
21. I could wish that the day...and I like you, I realize I won't  
22. live to see it. I know I won't, you may...when the resources  
23. are so developed and employment so plentiful that every...that  
24. every man or woman that wants employment can find it and that  
25. no man, no boy, no girl or no woman would ever again have to  
26. depend upon blind charity.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. The question is, shall House Bill 3475 pass? Those in  
29. favor vote Aye. Those opposed Nay. The voting is open. Have  
30. all voted who wish? Take the record. On that question, the  
31. Ayes are 38, the Nays are 9, 6 Voting Present. House Bill 3475  
32. having received a constitutional majority is declared passed.  
33. Senator Smith moves that the vote by which this passed be reconsidered.

1. Senator Johns moves that it lie upon the Table. -All those in favor  
2. say Aye. Those opposed No. The Ayes have it. Senate Bill  
3. 34...strike that...House Bill 3494, Senator Mitchler. Read the  
4. bill.  
5. SENATOR MITCHLER:  
6. Just a second.  
7. PRESIDING OFFICER: (SENATOR DONNEWALD)  
8. Just a moment.  
9. SENATOR MITCHLER:  
10. I want to bring it back(machine cutoff)  
11. PRESIDING OFFICER: (SENATOR DONNEWALD)  
12. Senator Mitchler asks leave to bring House Bill 3494 back  
13. to the order of 2nd reading. Do we have leave? Leave is  
14. granted. The bill is now on 2nd reading. Senator Mitchler.  
15. SENATOR MITCHLER:  
16. Mr. President and members of the Senate, House Bill 3494  
17. on 2nd reading, there's an amendment on the Secretary's Desk.  
18. SECRETARY:  
19. Amendment No. 1 offered by Senator Mitchler and...Senators  
20. Mitchler and Netsch.  
21. SENATOR MITCHLER:  
22. This is the amendment that Senator Netsch brought up in  
23. the committee. We have now prepared it, and this provides that  
24. the State through the governor can accept the authority to police  
25. in the Veterans Administration property, and that's acceptable  
26. to Senator Netsch, and I think it makes the bill a much better  
27. bill, and I appreciate the cooperation...  
28. PRESIDING OFFICER: (SENATOR DONNEWALD)  
29. Is there further discussion...  
30. SENATOR MITCHLER:  
31. ...of Senator Netsch and ask for adoption of the amendment.  
32. PRESIDING OFFICER: (SENATOR DONNEWALD)  
33. ...Question is, shall Amendment No. 1 to House Bill 3494 be

1. adopted? Those in favor say Aye. Those opposed Nay. The  
2. Ayes have it. The amendment is adopted. Are there further  
3. amendments? 3rd reading. House bill 3556, Senator Knuppel.  
4. Read the bill.

5. SECRETARY:

6. House Bill 3556.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. Mr. President and members of the Body, this is the  
13. House version of a bill to sell the Peoria State Hospital  
14. grounds. The only difference between this and the bill which  
15. went out of here sponsored by myself some time ago, is that  
16. in this bill it provides that the land be offered and sold  
17. as a single tract. In my bill I provided that it be offered  
18. first in parcels and then as...as a single tract and that  
19. it be sold for the highest and best price. I have no objection  
20. to the Governor choosing the method that he wants to sell  
21. it in. I...I submit that either method, so long as we dis-  
22. pose of this land, that we've searched for purchasers for for  
23. over two years, be carried forward, and I would ask for a  
24. favorable roll call.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? Senator Sommer.

27. SENATOR SOMMER:

28. Mr. President and members, I would simply add that this  
29. place is not a hospital of bedlam. It looks like a college  
30. campus. It's a beautiful facility. We have twenty thousand  
31. dollars worth of rent being paid a month in the City of  
32. Peoria so the bureaucrats can live where they want to be. All  
33. we'd have to do is move them down there to Bartonville in those

1. nice facilities that are existent, and there are some build-  
2. ings that are beautiful, tree lined streets, the whole thing,  
3. and you would pay the maintenance cost and the State could  
4. continue to own this property and, in fact, I know people  
5. who may, in fact, rent part of it from them. To sell this  
6. is stupid, it's wrong and it's another example of mismanage-  
7. ment on the part of our State in regard to its property.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Knuppel may close  
10. the debate.

11. SENATOR KNUPPEL:

12. Mr. President, I've been here six years and nobody I  
13. know of has...has introduced a bill to force people to do  
14. this and that includes Senator Sommer. We've studied for  
15. two years and we didn't find anybody that wanted to buy it,  
16. use it, rent it and we contacted every agency of State  
17. government, gentlemen, because of the one hundred and forty  
18. thousand dollars a year to keep and maintain it. I submit  
19. we should sell it.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. The question is, shall House Bill 3556 pass? Those in  
22. favor vote Aye. Those opposed Nay. The voting is open.  
23. Have all those voted who wish? Have all those voted who wish?  
24. Take the record. On that question the Ayes are 30, the Nays  
25. are 13, 6 Voting Present. House Bill 3556 having received  
26. the constitutional majority is declared passed. House Bill  
27. 3705, Senator Glass.

28. SECRETARY:

29. House Bill 3705.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Glass.

1. SENATOR GLASS:

2. Thank you, Mr. President and Ladies and Gentlemen. This  
3. is the Legislative Reference Bureau's annual revisory bill.  
4. The Secretary's reading of the bill was correct. I'd be  
5. happy to answer any questions. It does make nonsubstantive  
6. changes and I'd urge a favorable roll call.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? Question is, shall House  
9. Bill 3705 pass? Those in favor vote Aye. Those opposed Nay.  
10. The voting is open. Have all those voted who wish? Have all  
11. those voted who wish? Take the record. On that question  
12. the Ayes are 49, the Nays are none. House Bill 3705 having  
13. received the constitutional majority is declared passed.  
14. Senator Mitchler, do you wish to return to the order of 3rd reading  
15. as to the recently amended bill which is 3494? Read the bill.

16. SECRETARY:

17. House bill 3494.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Mr. President and members of the Senate, this is the bill  
24. that we just amended to provide the option on the part of the  
25. Governor to accept the jurisdiction...retrocession of juris-  
26. diction to the State over Veterans Administration property.  
27. It is something that is needed and required by both the V.A.  
28. and the State and I would ask for a favorable roll call.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator Carroll.

31. SENATOR CARROLL:

32. Is this just another one of those annual retrocession  
33. bills, Senator Mitchler?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. Senator Mitchler says no. Senator Netsch.  
3. SENATOR CARROLL:  
4. Is...  
5. PRESIDING OFFICER: (SENATOR DONNEWALD)  
6. Oh, Senate...I'm sorry. Senator Carroll.  
7. SENATOR CARROLL:  
8. What means this retrocession?  
9. PRESIDING OFFICER: (SENATOR DONNEWALD)  
10. Senator Mitchler.  
11. SENATOR MITCHLER:  
12. Basically what it provides for is that the Veterans  
13. Administration property can be policed by the State Law  
14. Enforcement Officers and Department when requested by the  
15. V.A. Hospital. There have been problems when on the Veterans  
16. Administration property they did need this law enforcement  
17. assistance and this gives, at the request of the V. A.  
18. through the Governor and it's up to the Governor through  
19. the amendment that we put on, to give them this authority.  
20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. Senator Netsch.  
22. SENATOR NETSCH:  
23. Thank you, Mr. President. I want to assure Senator Carroll  
24. that this retrocession of jurisdiction bill is in fine order.  
25. You will be pleased with it.  
26. PRESIDING OFFICER: (SENATOR DONNEWALD)  
27. Is there further discussion? Question is, shall House  
28. Bill 3494 pass? Those in favor vote Aye. Those opposed Nay.  
29. The voting is open. Have all those voted who wish? Take the  
30. record. On that question the Ayes are 54, the Nays are none.  
31. House Bill 3494 having received the constitutional majority  
32. is declared passed. House Bill...Senator Graham, do you wish  
33. to return to House Bill 3332? Read the bill.



1. SECRETARY:  
2. House Bill 3332.  
3. (Secretary reads title of bill)  
4. 3rd reading of the bill.  
5. PRESIDING OFFICER: (SENATOR DONNEWALD)  
6. Senator Graham.  
7. SENATOR GRAHAM:  
8. Mr. President, during my absence Senator Regner handled  
9. this bill in committee. I would like to yield to him at  
10. this time.  
11. PRESIDING OFFICER: (SENATOR DONNEWALD)  
12. Senator Regner.  
13. SENATOR REGNER:  
14. Mr. President and members of the Senate. This bill is  
15. in effect for one year only and it's to validate the tax  
16. levy for the Palatine Park District...or library. I'm sorry.  
17. And what happened is, last year they were supposed to file  
18. their levy ordinance by the fourth Tuesday in September and  
19. they failed to file it on that date. The Cook County Clerk  
20. has been very cooperative and he's taken and he's levied the  
21. tax. However, it was suggested that this particular piece  
22. of legislation do pass to assure that the levy is in accor-  
23. dance and there won't be any problem with...with lawsuits  
24. and that later on. I'd ask for a favorable roll call.  
25. PRESIDING OFFICER: (SENATOR DONNEWALD)  
26. Is there further discussion? Question is, shall House  
27. Bill 3332 pass? Those in favor vote Aye. Those opposed Nay.  
28. The voting is open. Have all those voted who wish? Take  
29. the record. On that question the Ayes are 53, the Nays are  
30. 1. House Bill 3332 having received the constitutional majority  
31. is declared passed. House Bill 3389, Senator Knuppel.  
32. PRESIDING OFFICER: (SENATOR ROCK)  
33. Do you wish this called, Senator Knuppel?

1. SENATOR KNUPPEL:  
2.       Yes, I'd like to call it.  
3. PRESIDING OFFICER: (SENATOR ROCK)  
4.       Read the bill, Mr. Secretary. Oh, you're going to re-  
5. call it to 2nd. All right. Senator Knuppel has asked leave  
6. to bring House Bill 3389 back to the order of 2nd reading  
7. for purpose of an amendment. Is leave granted? All right,  
8. on the order of House Bills on 2nd reading is House Bill  
9. 3389. Are we just waiting for the Secretary to get the  
10. amendment? All right, read the amendment.  
11. SECRETARY:  
12.       Amendment No. 11 offered by Senator Knuppel.  
13. PRESIDING OFFICER: (SENATOR ROCK)  
14.       Senator Knuppel.  
15. SENATOR KNUPPEL:  
16.       This is the amendment which would authorize the Capital  
17. Development Board to issue bonds for the building of the  
18. agricultural building at the Illinois State Fair Grounds.  
19. I would move that...the adoption of this amendment.  
20. PRESIDING OFFICER: (SENATOR ROCK)  
21.       Any discussion? Senator Weaver.  
22. SENATOR WEAVER:  
23.       Thank you, Mr. President and members of the Senate.  
24. This is the addition of a building that was determined by  
25. the subcommittee on the Capital bills that could be withheld  
26. as were many other Capital projects, and certainly I don't  
27. think we...I don't think we can treat one agency or one area  
28. any different than we have others, so I would object to the  
29. adoption of this amendment.  
30. PRESIDING OFFICER: (SENATOR ROCK)  
31.       Further discussion? Senator Regner. Senator Regner.  
32. SENATOR REGNER:  
33.       Yes, Mr. President and members of the Senate. This amendment

1. is one that was tried yesterday and I guess Senator Knuppel  
2. felt he didn't have the horses yesterday, but also it was  
3. taken out of the Capital Development bill a couple of weeks  
4. ago and I think we should remain consistent with what we  
5. did with Capital Development and some fiscal sanity this  
6. year, which obviously isn't happening in the Department of  
7. Agriculture. Yesterday we couldn't even amend the bill to  
8. provide line items we appropriated by lump sums. Now, we  
9. want to put a building back in, and I think it's a bad  
10. amendment and should be defeated.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Latherow.

13. SENATOR LATHEROW:

14. Well, thank you, Mr. President and members. I...I just  
15. want to say, if the State of Illinois gets in a position  
16. where it wants to see its own buildings rot down, which is  
17. part of what this amendment is taking care of, I think we should  
18. vote against this. But, when you build a building similar to  
19. what that Emerson Building is out there, and we see no reason  
20. at all why we ought to put some improvement on it to do nothing  
21. more than to prevent the program of deterioration that's going on  
22. now because of leaky roofs and so on. I think...I think we're  
23. looking at the wrong side of the aisle on...on something like  
24. this. I probably have...have talked to some of you gentlemen  
25. and I...you remember I said I think there...is...that this is  
26. the time to start taking a look at Capital Development. May-  
27. be part of this amendment should...should be more or less  
28. two amendments, but I think we'd better at least take a look  
29. at the recovery of and care of what we have.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Fawell.

32. SENATOR FAWELL:

33. Senator Knuppel, could you answer these questions? The

1. amount of money we're talking about and are these bond funds  
2. we're talking about?  
3. PRESIDING OFFICER: (SENATOR ROCK)  
4. Senator Knuppel.  
5. SENATOR KNUPPEL:  
6. We're talking about some figure in the vicinity, I don't  
7. have it right in front of me at the moment, but, of eight  
8. million dollars for building the building at the Illinois  
9. State Fair Grounds and furnishing it.  
10. PRESIDING OFFICER: (SENATOR ROCK)  
11. And the other part of the question, Senator, bond money?  
12. SENATOR KNUPPEL:  
13. What was the other one?  
14. PRESIDING OFFICER: (SENATOR ROCK)  
15. Whether or not its out of the bond fund?  
16. SENATOR KNUPPEL:  
17. Yes, it would be out of the bond fund.  
18. PRESIDING OFFICER: (SENATOR ROCK)  
19. Senator Fawell. Oh. Senator Latherow, for what purpose  
20. do you arise?  
21. SENATOR LATHEROW:  
22. Well, Mr. Chairman...or Mr. President, I think he only  
23. answered part of the question, didn't you, Senator Knuppel.  
24. Some of these are repairs, aren't they? It's not just the  
25. building, is it?  
26. PRESIDING OFFICER: (SENATOR ROCK)  
27. Senator Knuppel.  
28. SENATOR KNUPPEL:  
29. Four hundred and some thousand dollars is for the re-  
30. pair of the Emerson Building, which is leaking and so forth  
31. and on. It can't be air conditioned. When they want to run the  
32. air conditioners they have to take one bulb out of the light  
33. fixture et cetera.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. All right. Further discussion? Question is, the adop-  
3. tion of Amendment No. 11 to House Bill 3389? Those in  
4. favor signify by saying Aye. Those opposed. The Ayes have  
5. it and a roll call is requested. Those in favor of the adoption  
6. of Amendment No. 11 will vote Aye. Those opposed will vote  
7. Nay. The voting is open. Have all voted who wish? Take  
8. the record. On that question the Ayes are 30, the Nays are  
9. 18, 1 Voting Present. Amendment No. 11 is adopted. Any  
10. further amendments? 3rd reading. Do you wish to get back  
11. to that, Senator Knuppel? Okay. On the order of House  
12. Bills 3rd reading, 3759, Senator Harris. Read the bill, Mr.  
13. Secretary.

14. SECRETARY:

15. House Bill 3759.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Harris.

20. SENATOR HARRIS:

21. Thank you, Mr. President. This bill is just exactly  
22. what the calendar states it to be. It directs the Director  
23. of the Department of Corrections to convey to St. Mary's  
24. congregation in Pontiac the present prison cemetery which  
25. adjoins St. Mary's Cemetery in Pontiac. The Department is  
26. enthusiastic about the arrangement that has been agreed to  
27. locally. The Parish agrees to maintain the property and pro-  
28. vide space for the burial of any indigent inmate of the  
29. institution who will need such a burial plot in the future,  
30. and the congregation agrees to provide that service without  
31. charge whenever that service is required. The two parties  
32. are in complete agreement on it. It does require the action  
33. of the General Assembly to consummate this arrangement. I

1. would urge a favorable roll call. Be happy to respond to  
2. any questions.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any discussion? The question is, shall House Bill  
5. 3759 pass? Those in favor vote Aye. Those opposed vote  
6. Nay. The voting is open. Senator Carroll, will you vote  
7. Senator Rock and Senator Donnewald Aye, please? Have all  
8. voted who wish? Take the record. On that question the  
9. Ayes are 49, the Nays are none, none Voting Present. House  
10. Bill 3759 having received a constitutional majority is  
11. declared passed. Senator Knuppel, are you ready to proceed?  
12. On the order of House Bills 3rd reading is House Bill 3389.  
13. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 3389.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Mr. President and members of the Body, this is the  
22. annual appropriation for the Department of Agriculture as  
23. amended. It's been argued to death. I move that we give  
24. it a favorable roll call.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any discussion? Senator Weaver.

27. SENATOR WEAVER:

28. A question of Senator Knuppel.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. He indicates he will yield. Senator Weaver.

31. SENATOR WEAVER:

32. Senator Knuppel, how much is the total appropriation  
33. over the Governor's budget now?

1. PRESIDING OFFICER: (SENATOR ROCK)  
2. Senator Knuppel.  
3. SENATOR KNUPPEL:  
4. Very frankly, I don't know. The...the Appropriations  
5. Committee and the minority there has cut the hell out of  
6. it.  
7. PRESIDING OFFICER: (SENATOR ROCK)  
8. Senator Weaver.  
9. SENATOR WEAVER:  
10. Well, it seems like you've added a little bit too. I  
11. just wondered what the...just trying to keep track of where  
12. we're...where we are in relationship to the Governor's budget.  
13. As of yesterday or a couple of days ago we were about eighty  
14. million over the Governor's budget. I just wondered how  
15. much more this added.  
16. PRESIDING OFFICER: (SENATOR ROCK)  
17. Senator Knuppel.  
18. SENATOR KNUPPEL:  
19. Well, very frankly, I don't know. There was an amend-  
20. ment put on here by one of the Republicans for a new fair  
21. building and I haven't added it up. I'm sure you have a  
22. gentleman standing right there at your shoulder who's giving  
23. you the figures, so I...I haven't added it up with the additions  
24. and subtractions.  
25. PRESIDING OFFICER: (SENATOR ROCK)  
26. Senator Weaver.  
27. SENATOR WEAVER:  
28. Well, as I go through all these amendments, everyone is  
29. an add. Amendment No. 2 added a hundred and seventy thousand,  
30. No. 3 eighty-five thousand, No. 4 twenty-two thousand five  
31. hundred, No. 5 on and on and on, and you add another eight  
32. million, so roughly we're probably nine million over in one  
33. agency. Would you agree to that?

1. PRESIDING OFFICER: (SENATOR ROCK)  
2. Senator Knuppel.  
3. SENATOR KNUPPEL:  
4. Well, of course, the eight million is out of Capital Develop-  
5. ment...out of the Capital Development bonds I don't think  
6. that...with the exception of the Fair that was stuck on, that there's  
7. much changes except what the government..Governor's budget  
8. was and the way it came over from the House.  
9. PRESIDING OFFICER: (SENATOR ROCK)  
10. Senator Weaver.  
11. SENATOR WEAVER:  
12. Well, you...I'm sure you've checked this out with the  
13. Governor and he's going to go along with the additional appro-  
14. priations.  
15. PRESIDING OFFICER: (SENATOR ROCK)  
16. Senator Knuppel.  
17. SENATOR KNUPPEL:  
18. I just talked to the Governor on the phone and he said  
19. he would.  
20. PRESIDING OFFICER: (SENATOR ROCK)  
21. Further discussion? The question is, shall House Bill  
22. 3389 pass? Those in favor vote Aye. Those opposed vote Nay.  
23. The voting is open. Have all voted who wish? Take the record.  
24. On that question the Ayes are 40, the Nays are 7, 8 Voting  
25. Present. House Bill 3389 having received a constitutional  
26. majority is declared passed. 3814, Senator Graham, do you  
27. wish to call that?  
28. SENATOR GRAHAM:  
29. No.  
30. PRESIDING OFFICER: (SENATOR ROCK)  
31. 3818, Senator Bruce. 3819, Senator Kosinski. 3821,  
32. Senator Hall. 3822, Senator Netsch. 3825 is a hold. 3837,  
33. Senator Netsch. 3859, Senator Carroll. On the order of



1. House Bills 3rd reading is House Bill 3859. Read the bill,  
2. Mr. Secretary. Oh, you wish to call it back. All right,  
3. Senator Carroll is asking leave to bring House Bill 3859  
4. back to the order of 2nd reading for the purpose of an amend-  
5. ment. Is leave granted? So ordered. On the order of House  
6. Bills 2nd reading, House Bill 3859. I'm just waiting for  
7. them to find the amendment, okay? All right. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President. Now, that we are back on  
10. 2nd reading I would like to...having voted on the prevailing  
11. side reconsider the vote by which Amendment No. 2 to House  
12. Bill 3859 passed, for puposes of Tabling by way of identifica-  
13. tion to the other side of the aisle and staff. This dealt  
14. with someone by the name of Emil Peterson, who was seeking  
15. a hundred and twenty-two dollars, if I recall. Apparently,  
16. he has check in hand, so it would be inappropriate to appro-  
17. priate the money at this point. I would, therefore, request  
18. that the vote by which it was adopted be reconsidered, and  
19. then that it be Tabled.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any discussion? Senator Weaver.

22. SENATOR WEAVER:

23. Well, Senator Carroll, the information that's filtered  
24. over on this side was that this fellow wasn't worth a  
25. hundred and twenty-two dollars.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Carroll.

28. SENATOR CARROLL:

29. If that would be your reason for voting to reconsider  
30. and Tabling. I have no problem with that.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Carroll moves to reconsider the vote by which  
33. Amendment No. 2 to House Bill 3859 was adopted. All those

1. in favor signify by saying Aye. All those opposed. The  
2. Ayes have it. The vote is reconsidered. Senator Carroll  
3. now moves to Table Amendment No. 2. Those in favor signify  
4. by saying Aye. Those opposed. The Ayes have it. Amendment  
5. No. 2 is Tabled. Senator Carroll.

6. SENATOR CARROLL:

7. There is on the Secretary's Desk Amendment No. 3.

8. SECRETARY:

9. Amendment No. 3 offered by Senator Carroll.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. All right. Senator Carroll.

12. SENATOR CARROLL:

13. This is an additional award just made by the Court  
14. of Claims and as has been our tradition, while the bill is  
15. moving through the Chambers we add the awards as they come  
16. out. This is for a person by the name of Madeline Glosser  
17. and I would move the adoption of Amendment No. 3.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any discussion? Question of the amount, Senator Carroll?

20. SENATOR CARROLL:

21. As I...apparently, twenty-nine thousand eight hundred  
22. thirty-four dollars ninety-one cents.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion? Senator Carroll moves the adoption of  
25. Amendment No. 3 to House Bill 3859. All those in favor signify  
26. by saying Aye. All those opposed. The Ayes have it. Amend-  
27. ment No. 3 is adopted. Any further amendments? 3rd reading.  
28. Senator Carroll, do you wish to come back to that.

29. SENATOR CARROLL:

30. Please.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Okay. I went...went by him because you were busy in a  
33. Conference Committee. Which one do you wish called? All right.

1. On the order of House Bills on 3rd reading is House Bill  
2. 3837. Read the bill, Mr. Secretary.  
3. SECRETARY:  
4. House Bill 3837.  
5. PRESIDING OFFICER: (SENATOR ROCK)  
6. Hold it. Do you wish to bring it back for an amend-  
7. ment? Senator Netsch asks leave to bring House Bill 3837  
8. back to the order of 2nd reading for the purpose of an  
9. amendment. Is leave granted? On the order of House Bills  
10. on 2nd reading, House Bill 3837. They're trying to find a  
11. piece of paper here, Senator. Do you have the amendment,  
12. Mr. Secretary? Is the...we can't seem to find the amendment.  
13. Do you have...The Secretary does not have the amendment,  
14. Senator Netsch, and I wonder if we can make arrangements  
15. to get him some copies or present it. Senator Netsch.  
16. SENATOR NETSCH:  
17. Yes, I will. I did turn the amendment in yesterday,  
18. but I have a copy and I'll make a new set, and so why don't  
19. we take that from the...  
20. PRESIDING OFFICER: (SENATOR ROCK)  
21. Well, apparently, he's got it. We just have too many  
22. pieces of paper up here.  
23. SENATOR NETSCH:  
24. I understand.  
25. PRESIDING OFFICER: (SENATOR ROCK)  
26. All right, would you identify the amendment, Mr. Secre-  
27. tary?  
28. SECRETARY:  
29. Amendment No. 2 offered by Senator Netsch.  
30. PRESIDING OFFICER: (SENATOR ROCK)  
31. All right. On the order of House Bills 2nd reading,  
32. House Bill 3837, Amendment No. 2, Senator Netsch.  
33. SENATOR NETSCH:

1. Thank you, Mr. President. This amendment was suggested  
2. by several members of the committee while the bill was being  
3. heard including myself and was, I think it's fair to say,  
4. requested also by the nursing home people. What it attempts  
5. to do, this is the bill incidentally that deals with the  
6. directory of nursing homes. That is published by the Depart-  
7. ment every year. We are adding an evaluative rating in this  
8. bill, 3837. The amendment spells out somewhat further the  
9. procedures that are to be undertaken by the department when  
10. there is a protest from a nursing home about the evaluative  
11. rating or comments that are to be given to it. We recognize  
12. that this is an important matter and that there should be  
13. procedural safeguards, due process rights in other words,  
14. for those who are subject to it. The amendment has spelled  
15. that out somewhat more in connection with the concerns that  
16. were raised. We have worked on it with the Department of  
17. Public Health and in this case, also, with the nursing home  
18. operators and I understand from their representative here that  
19. this language is acceptable to them. It is also acceptable  
20. to the Department of Public Health. I would, therefore, move  
21. the adoption of Amendment No. 2 to House Bill 3837.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any discussion? Senator Schaffer.

24. SENATOR SCHAFFER:

25. Senator Netsch, under the provisions of this amendment,  
26. if Senator Roe were operating a nursing home and the depart-  
27. ment chose to give him a low rating, what would his options  
28. be if he wasn't happy? What were...what would relief would  
29. he have if he didn't feel that rating was justified?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Netsch..

32. SENATOR NETSCH:

33. He may, in effect, file a notice of protest. It's not

1. officially called that, but that, in effect, is what it is, with  
2. the Department of Public Health. The...the new amendment,  
3. by the way, requires that the Department notify each licensee  
4. sixty days prior to the publication of the directory of what-  
5. ever evaluations, comments, or ratings are intended to be  
6. published. The notice also informs the licensee that the  
7. whole matter is...is available for inspection, and then it  
8. goes on to say this, Senator Schaffer, "if within fifteen  
9. days of the receipt of such notice the licensee requests a  
10. hearing to contest the publication of such evaluations, com-  
11. ments or ratings, the department shall provide for a fair  
12. hearing as expeditiously as possible." Following the hearing  
13. the licensee may seek judicial review. If a licensee requests a  
14. hearing, no evaluations, comments or ratings, which are the  
15. subject of the hearing, may be published by the Department  
16. in the directory until the licensee has exhausted his administra-  
17. tive remedies including judicial review. So, what he does is  
18. ...is to initiate the hearing procedure and if the evaluations  
19. are a subject of dispute at that point they cannot be published  
20. until that dispute is resolved.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. So, in other words, this...if...if Senator Roe, in fighting  
25. this bad reputation for his right...rating of his nursing home  
26. went through the appropriate appeals of administrative and  
27. judicial review and relief, the Department would publish this  
28. ...the directory and where the rating sheet...or the rating  
29. would normally go, there would be a little announcement saying  
30. this crook is taking us to court and we...we don't think he's  
31. got a good operation, but...or...or would it just be blank?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Netsch.

1. SENATOR NETSCH:

2. The particular language that you have chosen would not  
3. be consistent with the Act. The...I think the Department  
4. would have two options. They could simply leave it blank  
5. or simply say - this matter is under review.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Schaffer.

8. SENATOR SCHAFFER:

9. Don't you think that in itself is prejudicial and would  
10. cause people to wonder if they go down page after page, A,  
11. B, C and all these ratings and then they keep finding...  
12. obviously anybody with a low rating would then appeal and...  
13. and use a...hire a good lawyer and appeal through the courts  
14. over a period of months and years until the directory was  
15. printed and then what you would have is, anybody who got a  
16. good rating would be...it would be in the book and anybody  
17. who got a low rating wouldn't be in the book, so you could  
18. just assume that the people with low ratings had the good  
19. sense to appeal, unless somebody was slow enough that he didn't  
20. get ahold of a lawyer. I don't think this provides any re-  
21. lief at all. Senator Netsch knows I'm not overly fond of  
22. the...of the bill, to say the least, but I won't oppose the  
23. amendment, but I don't think it does much to help the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Partee, for what purpose do you arise?

26. SENATOR PARTEE:

27. For an announcement, Mr. President, and may I have the...

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Will the members be in their seats. There is an announce-  
30. ment. Senator Partee.

31. SENATOR PARTEE:

32. I've just spoken with Senator Harris and the Speaker is  
33. in my office waiting to see me and there are about five or six

1. needed conferences that we probably could have and expedite  
2. the solution to all of our problems. I'm going to suggest  
3. that as soon as this bill is over, Mr. President, we have a  
4. one hour recess. Now, you know, I just want you to play fair.  
5. In other words when we leave, please be back in an hour so  
6. we can get moving again. So, an hour from the time that this  
7. bill is concluded and we'd certainly appreciate it.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Can we just say 1:30?

10. SENATOR PARTEE:

11. Yes, 1:30. That would be fine.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right. It will, in fact, after the adoption or  
14. disapproval of Amendment No. 2, be a...the Senate will then  
15. stand in recess for...until 1:30. All right. The question  
16. is, the adoption of Amendment No. 2 to House Bill 3837?  
17. Any further discussion? All those in favor signify by saying  
18. Aye. All those opposed. The Ayes have it. The amendment  
19. is adopted. Any further amendments? 3rd reading. All right,  
20. pursuant to the request of the President the Senate will now  
21. stand in recess until the hour of 1:30.

22. (Recess)

23. (After Recess)

24. PRESIDING OFFICER: (SENATOR ROCK)

25. The Senate will come to order. A Message from the House.

26. SECRETARY:

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

28. Mr. President - I am directed to inform the Senate  
29. that the House of Representatives has concurred with the Senate  
30. in the passage of a bill with the following title: Senate  
31. Bill 1939 together with House Amendment No. 1.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Secretary's Desk. Senator Netsch, you will, in fact, be

1. first with 3822 as soon as we get some...as soon as the  
2. Rotunda is clear enough for people to get in here. On the  
3. order of House Bills on 3rd reading, House Bill 3822. Read  
4. the bill, Mr. Secretary.

5. SECRETARY:

6. House Bill 3822.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Netsch.

11. SENATOR NETSCH:

12. Thank you, Mr. President. This is the annual appropri-  
13. ation for fiscal year 1977 for the various environmental  
14. agencies. It is a many omnibus bill for all of the environ-  
15. mental agencies, the Environmental Protection Agency, the  
16. Illinois...or the Institute of Environmental Quality, the  
17. Illinois Pollution Control Board and the Illinois Industrial  
18. Pollution Control Authority, Financing Authority. We have  
19. been over in committee and through the amendment process a  
20. good deal of what is in this bill. If there are questions I  
21. will be happy to answer them. If not, let's vote.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Any discussion? Question is, shall House Bill 3822 pass?  
24. Those in favor will vote Aye. Those opposed will vote Nay.  
25. The voting is open. Have all voted who wish? Take the record.  
26. On that question the Ayes are 47, the Nays are 1, 1 Voting  
27. Present. House Bill 3822 having received the constitutional  
28. majority is declared passed. All right, on the order of House  
29. Bills 3rd reading is House Bill 3837. Do...do you want...  
30. Senator Schaffer is on the Floor. No, you don't...you...you  
31. want leave...all right, Senator Netsch seeks leave to come  
32. back to that one. Senator Schaffer is in his seat. On the  
33. order of House Bills 3rd reading. Senator Savickas, I understand



1. 3952 you were going to put an amendment on? 3952, Mr...  
2. yeah. Senator Savickas seeks leave to bring House Bill 3952  
3. back to the order of 2nd reading for purpose of an amendment.  
4. Is leave granted? So ordered. On the order of House Bills  
5. on 2nd reading, House Bill 3952. Do you have the amendment,  
6. Mr. Secretary? We don't seem to have the amendment, Senator  
7. Savickas. All right. Identify the amendment, Mr. Secretary.  
8. SECRETARY:

9. Amendment No. 3, offered by Senator Savickas.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Savickas.

12. SENATOR SAVICKAS:

13. Yes, Mr. President and members of the Senate. This amend-  
14. ment corrects the problems that we created by adopting the  
15. earlier amendments. This amendment clarifies the intent of  
16. the bill that a voter may not write in a vote for a candidate  
17. when that candidate is already on the ballot. The amendment  
18. has been checked with everyone involved. In suggesting the  
19. original amendments and it should place the bill in shape for  
20. final passage. We've checked this out with the Minority  
21. spokesman on Elections, Senator Hickey, Senator Nimrod, that  
22. was interested in it. It's met with their approval, so I  
23. would at this time suggest that Amendment No. 3 be adopted.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Davidson.

26. SENATOR DAVIDSON:

27. I concur. This is amendment necessary and we support it.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. All right. The question is, the adoption of Amendment  
30. No. 3 to House Bill 3952? All those in favor signify by saying  
31. Aye. All those opposed. The Ayes have it. The amendment is  
32. adopted. Any further amendments? 3rd reading. On the order  
33. of House Bills 3rd is House Bill 3859. Senator Carroll seeks

1. leave to bring it back to the order of 2nd reading for the  
2. purpose of an amendment. Is leave granted? Leave is granted.  
3. On the order of House Bills on 2nd reading...all right. Put  
4. ...put the number up, Mr. Secretary. 3859. On the order  
5. of House Bills 2nd reading. Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President, and I had asked that this bill  
8. be returned to the order of 2nd for purposes of Tabling the  
9. amendment we had just put on. Apparently, our information was  
10. incorrect and the court was predisposing its own dispositions.  
11. They have not yet, in fact, awarded the award although they  
12. had asked us to put in the appropriation. Since the award  
13. has not yet been signed, I will not put it on the bill and I  
14. ask that that amendment be Tabled.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Which...which amendment was that?

17. SENATOR CARROLL:

18. No. 3. I would move that the...having voted on the pre-  
19. vailing side that the vote by which Amendment No. 3 to House  
20. Bill 3859 be reconsidered for purpose of Tabling.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any discussion on the motion? All right. Senator Carroll  
23. moves to reconsider the vote by which Amendment No. 3 to House  
24. Bill 3859 was adopted. All those in favor signify by saying  
25. Aye. All those opposed. The Ayes have it. The amendment is  
26. reconsidered. Senator Carroll now moves to Table Amendment  
27. No. 3. All those in favor signify by saying Aye. All those  
28. opposed. The Ayes have it. The amendment is Tabled. Any  
29. further amendments? 3rd reading. Senator Nimrod, for what pur-  
30. pose do you arise?

31. SENATOR NIMROD:

32. Yes, Mr. President and fellow Senators, on a point of  
33. personal privilege...

1. PRESIDING OFFICER: (SENATOR ROCK)

2. State your point.

3. SENATOR NIMROD:

4. I would like us to recognize...on the Floor with us is  
5. one of our former colleagues, Bob...Senator Bob Hatch, who  
6. served in the Senate with us for two terms and would we stand  
7. and recognize Bob...standing right here on the right side.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. All right, on the order of...Senator Netsch, are you  
10. ready on 3837? Senator Schaffer is, in fact, in his seat.

11. All right. On the order of House Bills 3rd reading is House  
12. Bill 3837.

13. SECRETARY:

14. House Bill 3837.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. This bill amends a fairly  
21. substantial requirement of nursing homes. It was adopted in  
22. a bill sponsored, I believe, last year by Senator Schaffer.  
23. There is, in deed, a directory of nursing homes that is pub-  
24. lished on a regional basis by the Department of Public Health.  
25. Last year we listed a number of items of information that were  
26. required to be in that directory. This year the Committee on  
27. Human Resources of the House proposed, and it was adopted by  
28. the Senate Committee, that there be added to it what I would  
29. call qualitative information. That is, information which  
30. evaluates and is intended to give consumers, particularly, some  
31. judgement about the nature of the...and kind of services that  
32. are being provided by a nursing home. The...as amended now,  
33. I think the bill does provide a great deal of protection for the

1. nursing homes and I have been informed that the representa-  
2. tive of the Nursing Home Association in Springfield has no  
3. problem with House Bill 3837 with the amendment that was  
4. adopted just a little while ago in this Chamber. I...I'm  
5. not representing that they're necessarily ecstatic about  
6. the bill in general, but I think they do feel that has now  
7. sufficient due process protections for them. I would say  
8. one thing primarily in support of the bill. This is probably  
9. one of the most important decisions that people have to  
10. make in the course of their lives, where to send the parent,  
11. a relative or even themselves in a nursing home. It is a  
12. very difficult thing to make a judgement about. You...as  
13. a consumer you have absolutely no information on which to  
14. decide what nursing home should be acceptable for your pur-  
15. poses. Without the kind of information that we are adding  
16. by House Bill 3837 that gap remains. It seems to me that it  
17. is much more critical for consumers to be able to have in-  
18. formation, and this is all we're talking about, is information  
19. and judgments, about this critical commodity, if you will,  
20. that they are purchasing. Much more important than it is  
21. about other purchased products that, indeed, are available  
22. to various laws now and with respect to disclosure. I think  
23. that as the bill is now written there is almost no way that  
24. a nursing home can be undone by it. In fact, I'm a little  
25. concerned that, perhaps, it may be too easy for a nursing  
26. home which does not want this evaluation to become public to  
27. stop it from ever being published. All they have to do is to  
28. file an objection with the Department, start the administrative  
29. procedure and the bill, as it is now written, says very clearly  
30. that that information cannot be published then until the matter  
31. in dispute is resolved. I believe that that is as much protection  
32. as it is possible to accord and, indeed, is a total protection  
33. for nursing homes against arbitrary action, and I think they do

1. have a right to be protected against arbitrary action. On  
2. that basis and on the fact that this is a critical item of  
3. information for consumers to have, I would hope that the bill  
4. would be supported.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Discussion? Senator Schaffer.

7. SENATOR SCHAFFER:

8. Mr. President, I rise in opposition to this bill for  
9. a series of reasons. Last year, it is true, I did, indeed  
10. sponsor the legislation which provided that the Department  
11. of Public Health would put out a annually...a catalog, if  
12. you will, of nursing home facilities of the various types  
13. necessary and available to the public. In that catalog we  
14. itemized those things that we felt could objectively, clearly  
15. and honestly be put into a catalog. We considered, both in  
16. drawing up the bill and the debate of the bill in both Houses,  
17. what subjective matter should be included and what should not.  
18. It was our conclusion at that time that the Department of  
19. Public Health should not include information on rating nursing  
20. homes. We did that because we felt that this was a...a very sub-  
21. jective area. We felt that the Department has its own prejudices  
22. for certain programs and perhaps certain personalities. We  
23. felt that the...this type of information in a catalog could be  
24. devastating. If you will, think of your own district and your  
25. own neighborhood when the local newspapers run an article -  
26. Smith Nursing Home found in bottom five percent of county...or  
27. of State. Why, everyone who's in there is going to demand  
28. that their relatives who are there on Public Aid be shifted  
29. and those that are there on their own means will, of course,  
30. seek...the relatives will seek to have them removed. This in  
31. effect...if it were to be an operative bill would destroy the  
32. nursing home. Senator Netsch has put an amendment on which,  
33. in effect, says that if you aren't happy with your rating you

1. have a right to go to court. If you go to court-you can just,  
2. I guess, have a blank spot left. So, all the homes that get  
3. good ratings will have their ratings along side of them and  
4. all the homes that don't get good ratings will have a blank  
5. spot which, of course, it won't take anyone with an IQ over  
6. about twelve to figure out. If there's no rating that means  
7. that they got a low rating which will have the same effect  
8. and I think...this bothers me. I don't think this provides any  
9. protection at all to the nursing home operators. And I think  
10. those of us...we should consider that when a nursing home gets  
11. a low rating one of the first people they're going to contact  
12. is their State Senator along with their State Representatives  
13. and I think you can fully expect to see a large number of  
14. nursing home people talking to you. Dr. Werckle from the De-  
15. partment said that if he had the power he would close eleven  
16. percent of the nursing homes, in the Health Committee here a couple  
17. days ago. This is one way to do it. I submit to you there's  
18. another bill on this calendar which gives the department to  
19. close it because the patients are endangered. I think that's  
20. more...a more realistic way. I don't think that we should  
21. allow nursing homes to be tried in the press and the media. I  
22. would, also, in summation, point out that this could be used  
23. as a tremendous fund raising apparatus for an unscrupulous  
24. governor with a department head who wanted to go along. I'm  
25. not implying that the department head that we have now is. I  
26. have the greatest respect for her, but I think this is a tre-  
27. mendously dangerous precedent. We rejected this concept last  
28. year with the outset and I would also point out that the De-  
29. partment of Public Aid never did publish the catalog of nursing  
30. homes until they found a way to use it as a weapon against those  
31. people they choose to attack, and they still haven't published  
32. it.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Berning.

2. SENATOR BERNING:

3. Thank you, Mr. President and members of the Senate.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Will you keep that door closed, please? Senator Berning.

6. SENATOR BERNING:

7. Thank you, Mr. President. I, too, am troubled by the

8. potentials of House Bill 3837. Let me explain it to you briefly

9. just why. Each and everyone of you I am sure have had some-

10. what the same problems arise in your area with the nursing

11. homes, nursing home operators who are continually being be-

12. sieged by representatives of the Departments of Public Aid,

13. Mental Health, Children and Family Services, yes, even Educa-

14. tion. One of the complaints registered against the nursing

15. homes by these various agencies is simply that there aren't

16. enough...I don't know, Mr...

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Will the members please be in their seats and those not

19. entitled to the Floor please clear the Floor.

20. SENATOR BERNING:

21. Thank you, Mr. President.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Berning.

24. SENATOR BERNING:

25. Briefly what I'm trying to emphasize is, that we, the

26. State of Illinois, in almost every instance are requiring our

27. nursing homes to operate at a rate of reimbursement that is

28. below their operating cost, and what that simply means is, that

29. other private, rate-paying patients are carrying the burden for

30. those...or a portion of the burden for those placed in the homes

31. or residential institutions by the State of Illinois. One of

32. the continuing complaints by the homes, as well as the depart-

33. ments, is that the personnel is not available to take care of

34. patients properly and one of the answers for that is, the homes

1. must provide their staff personnel to be continually on call  
2. when representatives of the Department of Mental Health,  
3. Public Aid and so on and on and on, are there for inspections,  
4. for the requirement of filling out various and sundry forms,  
5. diminishing the available time that those employees have and  
6. are rightfully expected to have to care for patients, and I  
7. submit, Mr. President, that it's all well and good to set a  
8. new requirement on the nursing homes if we are in a position  
9. to say we will help you...we will assure you of covering  
10. the cost attendant thereon. Now, there isn't any effort, so  
11. far as I am able to determine, being seriously proposed by  
12. either the Department of Mental Health budget or the Public  
13. Aid budget which will reimburse patient care on a actual cost  
14. basis. If for no other reason aside from the very legitimate  
15. and logical point made by Senator Schaffer, House Bill 3837  
16. ought not to be passed at this time.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Glass.

19. SENATOR GLASS:

20. Thank you, Mr. President. I would like to address a  
21. question to the sponsor.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. The sponsor indicates she will yield.

24. SENATOR GLASS:

25. Senator Netsch, this is my first reading of the bill and  
26. I think the concern I have has already been well stated by  
27. the previous Senators, but I would like to highlight this point  
28. and ask you if this paragraph is still in the bill and possibly  
29. for an explanation of it, and let me preface that by saying that  
30. it seems to me that if the department were to report their  
31. specific findings on these nursing homes...that is, and make those  
32. available, that is, if they do an inspection and find that the in-  
33. dividual nursing home meets the various requirements of the



1. Department or does not meet those requirements, that objective  
2. information can be reported, but on page 2 of the bill beginning  
3. on line 50 appears the line, "the department shall notify each  
4. institution of any comments or evaluative ratings in the direc-  
5. tory concerning the "institutions", and I guess other language calls  
6. for the rating of the quality of care, and that, I guess, is  
7. what everybody else has been saying, but it seems to me that we  
8. are treading on dangerous grounds in...in asking this agency to...  
9. to subjectively rate the quality of the homes and I suggest to  
10. you that that is dangerous and wonder if you feel that ought to  
11. remain in the bill and if the amendment does anything about that?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Netsch.

14. SENATOR NETSCH:

15. You're...it's a little difficult to hear over here, Senator  
16. Glass, but I believe that the question you asked was, is the  
17. language and the quality of care in line 29 on page 1 still a  
18. part of the bill or was...the answer is yes, it is. The...the  
19. amendment begins with line 31 and makes changes with respect  
20. to the procedures, but that particular language is still in the  
21. bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Glass.

24. SENATOR GLASS:

25. Well, then...then I think I share the concerns of the  
26. other speakers and I just wonder if you...if you feel that is  
27. necessary to the bill. I think the question really is, do you  
28. want the department rating and reporting their opinion as to  
29. the quality of care?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Netsch.

32. SENATOR NETSCH:

33. The answer is yes and no, Senator Glass, which I'm sure

1. will satisfy your concerns. The whole point of what is being  
2. sought here is something that goes beyond purely factual in-  
3. formation. That is the cost of the particular care that is  
4. being offered and the name of the licensing and so forth.  
5. What is attempted to be given here is something that reflects  
6. the responsibility that the Department of Public Health has  
7. for inspecting and seeing that nursing homes maintain a par-  
8. ticular standard of quality. The...the problem being that  
9. that information never becomes in any way available to the  
10. public so that the public can make an evaluation of what it  
11. is purchasing when...from the nursing homes, and of course as  
12. we know one of the principle purchasers of nursing home care  
13. is the State of Illinois and the Federal government. But, we  
14. have...we do not have that information. So, that if you took  
15. out completely that which sought the...how good the program  
16. was, what kind of an institution was being run, then it seems to me  
17. you no longer have an evaluation. If...if it's particular word-  
18. ing that disturbs you rather than that concept then there might  
19. be some room for movement. I'm...that's why I say the answer  
20. is both yes and no.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Ozinga.

23. SENATOR OZINGA:

24. Question of the sponsor.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Indicates she will yield. Senator Ozinga.

27. SENATOR OZINGA:

28. What recourse would the owner of a nursing home have if  
29. the ratings were published which he objected to or printed out?  
30. Let's just take as an example, that a good nursing home gets a  
31. bad rating, objects to it and they're still printed. Now, what  
32. recourse does he have then?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Well, I...sue me for one thing. He could go into court  
4. and get an injunction to stop further distribution of the  
5. ...of the directory and in...indeed a mandatory injunction  
6. to require removal of that particular sheet from the directory.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Ozinga.

9. SENATOR OZINGA:

10. That's fine, but this is out in the hands of the general  
11. public. Now, an injunction isn't going to do much good if  
12. you start going around to try and tear a page out of a book  
13. that's going to give him them a bad rap.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Netsch.

16. SENATOR NETSCH:

17. Well, I...it is not in the hands of the general public  
18. all that widely and all that rapidly, Senator Ozinga. It is  
19. made available on a regional basis, but there are not hundreds  
20. of thousands of these copies printed up and placed all over,  
21. which incidentally has been one of the problems with the  
22. directory in the past. I...I still think that the injunction  
23. would be of considerable use. I would suppose, also, that if  
24. that action were taken in direct defiance of the Act that there  
25. probably would be recourse to damages. That's going to be a  
26. long time coming though.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Ozinga.

29. SENATOR OZINGA:

30. Well, under the circumstance with all the good that is  
31. attempted by this bill I think that irreparable damages could  
32. probably done to an individual who even by inadvertence failed  
33. to see until it got into his hands as an owner of a nursing

1. home the rating of his own home, and then found that it  
2. was detrimental to his cause. Consequently, we could be doing  
3. harm with this bill. More harm than good. Result being that  
4. ...I don't think we should go and take a chance along this  
5. line. I...I just can't conceive of the good that might be  
6. accomplished overdoing the bad that might be done.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Bloom.

9. SENATOR BLOOM:

10. Thank you. Senator, do you believe in licensing or...excuse  
11. me, in rating architects and lawyers? Think that the regulatory  
12. people should be rating them too?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Netsch.

15. SENATOR NETSCH:

16. It probably would not be a bad idea as a matter-of-fact.  
17. I would suggest, however, that there is a major distinction  
18. between the categories. For one thing it is we who buy most  
19. of the nursing home care. It is our money that is being spent.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Bloom.

22. SENATOR BLOOM:

23. Yeah, but, by the same token, what happens if some individual  
24. license or shelter care operator doesn't get along with the  
25. inspector, I mean, you know, what standards, what object of standards  
26. do you have built into this rating system?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Netsch.

29. SENATOR NETSCH:

30. The question you asked was, what alternative does that  
31. person have, what option if he objects to it. And...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. No, Senator...Senator Bloom.

1. SENATOR BLOOM:  
2.           No, that isn't what I asked. I asked, you know, what  
3.           ...what criteria...what objective criteria are being used  
4.           that can be applied evenhandedly and how do you guard against  
5.           using subjective criteria? This seems to be the crux of the  
6.           issue here.  
7. PRESIDING OFFICER: (SENATOR ROCK)  
8.           Senator Netsch.  
9. SENATOR NETSCH:  
10.           Well, you understand that the Department is currently  
11.           required to license and regulate and set standards for every  
12.           nursing home that is covered by this Act.  
13. PRESIDING OFFICER: (SENATOR ROCK)  
14.           Senator Bloom.  
15. SENATOR BLOOM:  
16.           Yes, I do understand that. Now, answer my question,  
17.           please, you know.  
18. PRESIDING OFFICER: (SENATOR ROCK)  
19.           Senator Netsch.  
20. SENATOR BLOOM:  
21.           What are...what are the objective criteria and what are  
22.           the subjective criteria and what are the safeguards?  
23. PRESIDING OFFICER: (SENATOR ROCK)  
24.           Senator Netsch.  
25. SENATOR NETSCH:  
26.           The criteria are developed by the Department pursuant  
27.           to its mandate to regulate and the license and the Depart-  
28.           ment has indicated that...to the nursing home people and to  
29.           those of us who have worked on the bill that the course that  
30.           it will take is to adopt rules and regulations which spell  
31.           out in more detail what those standards are and how they are  
32.           to be determined.  
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Bloom.

2. SENATOR BLOOM:

3. Well, yeah, okay, so, what you're saying is you...you...

4. you can't say what specific objective criteria are used or

5. subjective. Right?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Netsch.

8. SENATOR NETSCH:

9. They are no different from those that they use right

10. now in their responsibilities for regulation and licensing

11. of nursing homes.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Fawell.

14. SENATOR FAWELL:

15. Senator Netsch, I...I'm assuming that the amendment that

16. I have on my desk here was adopted so that there is a notifi-

17. cation given by personal delivery to the licensee of the fact

18. that the directory is coming out and the ratings et cetera.

19. Is that right?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Netsch.

22. SENATOR NETSCH:

23. That is correct.

24. SENATOR FAWELL:

25. And I...I note that judicial review of the decision of

26. the rating is set forth in this amendment. The one point that

27. I have, and I think Senator Bloom was hitting on this point, is

28. the fact that what good is judicial review if you do not have

29. objective criteria by which the court can measure whether or

30. not the administrative decision was or was not correct. It

31. seems to me that from reviewing the bill that the Department

32. is simply said...given the authority to evaluate. There's no

33. criteria objectively or subjectively, really, by which they are

1. to arrive at this decision. Now, judicial review means  
2. nothing and would frustrate any judge, I think, if he were  
3. to look at this and say - well, how in the world am I suppose  
4. to tell whether or not the Department did abide by the cri-  
5. teria when there is no criteria. It...it is...it's close  
6. to being a rather meaningless review then isn't it or...or  
7. is there in your view the necessary criteria to be able to  
8. avoid this dilemma?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Netsch.

11. SENATOR NETSCH:

12. Two points to that, Senator Fawell, and I...they may  
13. be simply repetitious of those that I responded to Senator Bloom  
14. and others. One, is that the Department assumes that it  
15. will adopt rules and regulations. The only reason why it  
16. was not written into this particular bill is, that this is  
17. an amendment to the overall Licensing Act and under the over-  
18. all Licensing Act the Department does have the authority to  
19. adopt rules and regulations to carry out the provisions of  
20. the Act and it was my own feeling that it was redundant to  
21. reestablish that in this particular bill, which is simply an  
22. amendment. So, that it is assumed that there will be rules  
23. and regulations written and I think that it is...at least to  
24. me it is clear from the language that is used here that we  
25. are not talking about subjective criteria in, perhaps, the way  
26. that Senator Bloom meant. This is to be based on inspection  
27. reports and on standards of quality, yes, but not purely arbi-  
28. trary personal standards of...or subjective, if you will,  
29. standards of what constitutes quality. So, that I think the  
30. ...the objectivity is almost inherent in the bill. In fact,  
31. you can't really delegate a nonobjective standard to an adminis-  
32. trative agency, and that that will be further carried out by  
33. the rules and regulations that would be adopted by the Department

1. of Public Health.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Excuse me, Senator, we're going to have to have some  
4. order. It's difficult...becoming very difficult to hear in  
5. the Chamber. I would ask the doorkeeper to please keep that  
6. backdoor closed. All right, will the members please be in  
7. their seats and will those not entitled to the Floor please  
8. vacate. Senator Fawell.

9. SENATOR FAWELL:

10. All right. I...I'm in basic accord with the bill. My  
11. only fear here and I should have mentioned this to you sooner  
12. than this, is that without objective criteria you run the risk,  
13. which is high here I think, of a unconstitutional delegation  
14. of legislative authority. Are you listening or are you listen-  
15. ing to Senator Demuzio?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Netsch.

18. SENATOR FAWELL:

19. The...the...the problem I see is the fact that you have  
20. an unconstitutional delegation of authority unless you have  
21. the criteria. And that I think is a real...a real problem  
22. here that a court will say - well, there is no criteria.  
23. There's a delegation, therefore, of legislative authority with-  
24. out proper...the proper criteria, and that may be able to be  
25. rectified if it goes into a Conference Committee. I would...  
26. I would suggest that you think very strongly on that point if  
27. this bill passes and gets into a Conference Committee.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Yes, Mr. President, I wonder if the sponsor would yield  
32. to a question?

33. PRESIDING OFFICER: (SENATOR ROCK)



1.           Indicates she will yield. Senator Nimrod.

2.           SENATOR NIMROD:

3.           Yes. Senator Netsch, you referred to the standards

4.           for licensing over which the Department has the authority

5.           to set rules and regulations. Now, I think both Senator

6.           Bloom and Senator Fawell are trying to make a point that

7.           I don't seem to hear an answer back on, and when they set

8.           those standards they determine rather or not they qualify

9.           for a license or not. Is that correct?

10.          PRESIDING OFFICER: (SENATOR ROCK)

11.          Senator Netsch.

12.          SENATOR NETSCH:

13.          Well, that also is true, yes.

14.          PRESIDING OFFICER: (SENATOR ROCK)

15.          Senator Nimrod.

16.          SENATOR NIMROD:

17.          Not also. That's the question. Is...is that what...

18.          the authority they have now?

19.          PRESIDING OFFICER: (SENATOR ROCK)

20.          Senator Netsch.

21.          SENATOR NETSCH:

22.          Yes.

23.          PRESIDING OFFICER: (SENATOR ROCK)

24.          Senator Nimrod.

25.          SENATOR NIMROD:

26.          If, in fact, that's the authority that they have now,

27.          what we are doing, then, is to give them the additional authority

28.          in this bill to set quality, and in that they will determine

29.          rules and regulations for quality, and on that issue, if that's

30.          what we're doing, then I think we're introducing a whole new

31.          authority for them to set rules and regulations that govern

32.          the quality of service, or quality of service that they're

33.          going to be providing. Is that true, is that what this bill does?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Netsch.

3. SENATOR NETSCH:

4. Well, if...if I understand the...your question, the  
5. thrust of your question. I think the answer is yes. The...  
6. the point of this...let me see if this responsive to you...  
7. the point of this is that the Department, with advice from  
8. the Long Term Care Advisory Committee, which it already has  
9. in existence, will determine the standards of quality which  
10. now will be reflected in the directory. Is that responsive  
11. to your question?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Nimrod.

14. SENATOR NIMROD:

15. Yes, and to that I would like to address a...a short  
16. response. I...I do not believe that it was the intent of  
17. the original Act to give the Department of Public Health  
18. any more authority than to set standards for licensing pur-  
19. poses, and what you are doing here by this particular bill  
20. is, in fact, giving them additional authority to set quality  
21. and this is a whole new area and a whole new realm of involvement.  
22. I do not believe that the agencies, the Department of Health,  
23. should be the area to determine quality and I think that on that  
24. particular case I would have to oppose this particular bill,  
25. because I think that what you're doing is, by inference here,  
26. giving them authority to set quality standards and certainly  
27. that is not the function or the responsibility of the Department  
28. of Public Health.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Mitchler.

31. SENATOR MITCHLER:

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

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Indicates she will yield. Senator Mitchler.

2. SENATOR MITCHLER:

3. Senator Netsch, you recall our former colleague the  
4. late Senator Sours and he always had a question that I  
5. always became alerted to when he posed it and that was,  
6. who, and he'd always say - not who but who wants this bill?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Netsch.

9. SENATOR NETSCH:

10. Well, I will start with the Department of Public Health,  
11. which is the licensing authority over nursing homes for the  
12. State of Illinois. The Department of Public Health requested  
13. this authority and I guess most particularly within the De-  
14. partment of Public Health, Dr. Werckle, who has the primary  
15. responsibility for overseeing nursing homes, feels very strongly  
16. that this is a very important piece of legislation. That  
17. same concern was conveyed to the House Committee on Human  
18. Resources, which held hearings, a number of hearings, their  
19. subcommittee on Long Term Care on a variety of problems in-  
20. volving long term care facilities or nursing homes, and one  
21. of the proposals that they felt was necessary was this bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. All right, now, we've determined that Dr. Werckle in the  
26. Department of Public Health wants this bill. Is he the same  
27. one that has the authority to set rates for nursing homes?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Netsch.

30. SENATOR NETSCH:

31. No, let me just correct your information, Senator Mitchler.  
32. The particular person I referred to is Dr. Werckle. I did not  
33. mean to say that he is the only one in the Department of Public

1. Health. I said the Department, itself, had requested this  
2. and he had presented himself as a witness specifically be-  
3. cause he has the responsibility for the licensing. The  
4. answer is, he does not have the authority to set the rates.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Mitchler.

7. SENATOR MITCHLER:

8. Well, from my...the answer that you have given me,  
9. Senator Netsch, this...this comes from one of the bureaucracies  
10. in State government and this is additional authority that  
11. the bureaucrats would like to have. Now, this didn't come  
12. from the people and we haven't heard that word "the people"  
13. for about the last year. We heard a lot of it several years  
14. ago when we were talking about what the people wanted, but  
15. I don't have any human cry from the people of my district  
16. and I don't think Senator Schaffer or the others, Senator  
17. Fawell or the others that have spoken on this, but again  
18. we have a bureaucracy wanting more authority in order to  
19. go out and to infiltrate into the private enterprises and our  
20. system of...of free enterprise. So, I don't know, I look on  
21. this...if it come from the people and you can convince me of  
22. that maybe I'll take a little better look, but I think the  
23. bureaucrats have enough authority now.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Soper.

26. SENATOR SOPER:

27. Thank you, Mr. President. Now, we've heard about whether  
28. this is constitutional or unconstitutional and about the bureau-  
29. crats and the people and I think we've heard enough of this  
30. bill. I move the previous question.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Soper has moved the previous question. All in favor  
33. signify by saying Aye. All those opposed. The Ayes have it.

1. Senator Netsch to close.

2. SENATOR NETSCH:

3. Thank you. To respond quickly to a couple of the points  
4. that were raised. Senator Mitchler, that was just the be-  
5. ginning of my list. There are others that might qualify as  
6. people in your...definition. Those who represent...the people  
7. who have someone in...who is mentally retarded and often are  
8. in the homes that we are talking about have been very supportive  
9. of this particular legislation. If I would be qualified to  
10. ...as a people I would also indicate that I personally think  
11. it is a very, very important thing. Partly, because again,  
12. remember it is our money largely that...that makes up the  
13. income for nursing homes, about seventy percent of it. Let  
14. me come back now to the other points. The...again, on the  
15. procedure. I think that it's important to point out that there  
16. must be sixty days notice given to the nursing home of what-  
17. ever evaluative rating or report is included in this to be  
18. published material. If the objection is filed that cannot  
19. be published. It is halted at that point until the entire  
20. matter is...in dispute is resolved. I would also add that  
21. there is no extra burden on the nursing homes. They don't have  
22. to file any additional reports, so that problems that we have  
23. talked about earlier are not involved in this bill at all. I  
24. think also one thing you ought to understand is that a...a  
25. report on the quality of care, an evaluative rating, doesn't  
26. mean that it's going to come out that nursing home A is all  
27. good or all bad. That is really not the way this, in fact,  
28. works. What it means is that there are certain programs that  
29. are strong, certain programs that are not strong. The...the  
30. food may differ from one to another, it may be an important  
31. point in one, not in another. These are relatively objective  
32. facts that we're talking about. It's not going to be just a  
33. simple - oh, nursing home A is just jim-dandy and nursing home

1. B is horrible. You'd never want to send your mother there.  
2. It's a very different kind of thing that goes into this  
3. report and I think it's important to understand that in order  
4. to realize...Senator Fawell, particularly, that this is not  
5. a subjective kind of rating that we are talking about. And,  
6. finally, let me just say one thing, that I'm not really sure  
7. that I want to protect one hundred percent or shed large  
8. buckets of crocodile tears for nursing homes that really de-  
9. serve a...a low rating in terms of what they represent them-  
10. selves to be. It seems to me that again, in part, because it  
11. is a large part our money that is...goes into the nursing  
12. homes that we have a right to know what we are getting for  
13. our money and that is really all we are talking about. We  
14. are talking about our right as consumers and payers of this  
15. service to have some idea of what our money is purchasing.  
16. I think that is the central issue. I think it is an idea  
17. whose time has long since come. I would urge your support of  
18. House Bill 3837.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. All right. The question is, shall House Bill 3837 pass?  
21. Those in favor will vote Aye. Those opposed will vote Nay.  
22. The voting is open. Have all voted who wish? Take the record.  
23. Oh...Senator Netsch has moved to postpone consideration.  
24. The bill will be placed on the order of postponed consideration.  
25. On the order of House Bills 3rd reading is House Bill 3859.  
26. Mr. Secretary, read the bill.

27. SECRETARY:

28. House Bill 3859.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President and members of the Senate.  
2. This is the annual awards appropriation for the Court of  
3. Claims to cover the awards actually made by the Court dur-  
4. ing the last twelve months. I would move for a favorable  
5. roll call.  
6. PRESIDING OFFICER: (SENATOR ROCK)  
7. Any discussion? The question is, shall House Bill  
8. 3859 pass? Those in favor vote Aye. Those opposed vote  
9. Nay. The voting is open. Senator Carroll, will you hit  
10. ...have all voted who wish? Take the record. On that ques-  
11. tion the Ayes are 54, the Nays are none, none Voting Present.  
12. House Bill 3859 having received the constitutional majority  
13. is declared passed. Senator Savickas, do you wish to pro-  
14. ceed on 3952?  
15. SENATOR SAVICKAS:  
16. Yes.  
17. PRESIDING OFFICER: (SENATOR ROCK)  
18. All right. On the order of House Bills 3rd reading.  
19. Senators Bruce and McCarthy and...I can't...I can't even see  
20. the...the Lieutenant Governor was being requested to move  
21. his conference. On the order of House Bills 3rd reading is  
22. House Bill 3952. Read the bill, Mr. Secretary.  
23. SECRETARY:  
24. House Bill 3952.  
25. (Secretary reads title of bill)  
26. 3rd reading of the bill.  
27. PRESIDING OFFICER: (SENATOR ROCK)  
28. Senator Savickas.  
29. SENATOR SAVICKAS:  
30. Yes, Mr. President and members of the Senate. This bill,  
31. now, as it has been amended clarifies the intent of the bill  
32. that a voter may not write in a vote for a candidate when that  
33. candidate is already on the ballot. I'm sure that we've discussed

1. this amendment. It's received approval of both sides of  
2. the aisle and the Elections Committee and I would ask for a  
3. favorable vote.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Is there any discussion? Senator Demuzio.

6. SENATOR DEMUZIO:

7. Will the sponsor yield to a question?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Indicates he will yield. Senator Demuzio.

10. SENATOR DEMUZIO:

11. Senator Savickas, does this bill indicate that no per-  
12. son who is a write-in candidate, that stipulates that those  
13. individuals cannot be counted.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Savickas.

16. SENATOR SAVICKAS:

17. If their names are already on the ballot for that par-  
18. ticular office then they can't be counted.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. So, in other words, this only applies to those individuals  
23. who are write-in candidates if their name appears printed on  
24. the ballot for that particular office. It does not have any-  
25. thing to do with any other write-in candidates at all?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Savickas.

28. SENATOR SAVICKAS:

29. That's correct. It only applies to those people that  
30. have their names already printed on the ballot for that par-  
31. ticular office.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any further discussion? Senator Nimrod.



1. SENATOR NIMROD:
2. Yes, a...a question of the sponsor.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Indicates he will yield. Senator Nimrod.
5. SENATOR NIMROD:
6. Senator Savickas, on that amendment that was put on
7. which says you cannot vote for...if your name is on the
8. ballot you cannot have a write-in, but that's only where
9. there are machines. Where there are not machines then you
10. can appear on both and you'll only be counting for one.
11. It's the...it's the machine which we have in Cook County
12. that is the problem. Is that...is that correct, because
13. that'll straighten out Senator Demuzio's question, I think.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Savickas.
16. SENATOR SAVICKAS:
17. That's perfectly correct, Senator Nimrod.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Any further discussion? The question is, shall House
20. Bill 3952 pass? Those in favor will vote Aye. Those opposed
21. will vote Nay. The voting is open. Have all voted who wish?
22. Take the record. On that question the Ayes are 53, the Nays
23. are none, none Voting Present. House Bill 3952 having re-
24. ceived a constitutional majority is declared passed. Senator
25. Welsh, for what purpose do you arise?
26. SENATOR WELSH:
27. On a point of personal privilege, Mr. President.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. State your point. State your point, Sir.
30. SENATOR WELSH:
31. Seated in the President's Gallery, Mr. President and
32. colleagues, the former Whitesox baseball star and played with
33. the New York Yankees, did a tremendous job while he was in

1. the big leagues, Moose Skowron.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Will Moose please stand and be recognized? Senator  
4. Egan, do you wish to proceed on 3971? All right. On the  
5. order of House Bills 3rd reading is House Bill 3971.

6. Mr. Secretary, read the bill.

7. SECRETARY:

8. House Bill 3971.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Egan.

13. SENATOR EGAN:

14. Thank you, Mr. President and members of the Senate.  
15. Just a couple of years ago the General Assembly approved  
16. a plan known as the State Employees Deferred Compensation  
17. Plan which is to be approved and adopted by the Illinois  
18. State Board of Investments and just recently the Internal  
19. Revenue Service, to whom and from whom, the Board must seek  
20. approval of the plan, requested a minor change in the law,  
21. so that it can be implemented. This bill does just that.  
22. It's...it...it is not any substantial change, but it has the  
23. approval of all of the members of the Board, it has the  
24. approval of the leadership on both sides. I know of no con-  
25. troversy, Mr. President, and I seek your favorable support.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Is there further discussion? Senator Bloom.

28. SENATOR BLOOM:

29. Just a question, Senator Egan. It deletes provision  
30. which subject the investment of the funds to the consent of  
31. the employer. You're taking the consent of them away. I...  
32. I just, you know, wondered how it operated mechanically and  
33. why the IRS would want you to make this change?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Egan.

3. SENATOR EGAN:

4. Well, Senator Bloom, that is their requirement that  
5. it be not restricted in that way and for whatever reason  
6. the IRS decided I can't answer that, but it is their re-  
7. quirement. We must accede to it otherwise we cannot im-  
8. plement the plan.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? The question is, shall  
11. House Bill 3971 pass? Those in favor vote Aye. Those  
12. opposed Nay. The voting is open. Have all those voted who  
13. wish? Take the record. On that question the Ayes are 52,  
14. the Nays are 1, 1 Voting Present. House Bill 3971 having  
15. received the constitutional majority is declared passed.  
16. Do we have leave to revert to the order of Senate Bills on  
17. 2nd reading? Leave is granted. Senator Hickey as to 2007.  
18. Read the bill.

19. SECRETARY:

20. Senate Bill 2007.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. The Committee on Revenue offers  
23. two amendments.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Hickey. The Committee on Revenue has offered  
26. two amendments. Senator Hickey.

27. SENATOR HICKEY:

28. Let's see...I...I'm...what I wanted to do was to bring  
29. them back tomorrow and take these amendments off and put  
30. some others on, so should I take these off now and then I'll  
31. add the others tomorrow?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. You can...you can adopt the amendments, Senator, and then...

1. SENATOR HICKEY:  
2.           Go ahead and adopt them? All right.  
3. PRESIDING OFFICER: (SENATOR DONNEWALD)  
4.           ...move it to 3rd and...  
5. SENATOR HICKEY:  
6.           Okay.  
7. PRESIDING OFFICER: (SENATOR DONNEWALD)  
8.           ...then tomorrow come back and take them off.  
9. SENATOR HICKEY:  
10.          Okay, all right.  
11. PRESIDING OFFICER: (SENATOR DONNEWALD)  
12.          That way you do not lose a legislative day.  
13. SENATOR HICKEY:  
14.          Right. That's what I want to do.  
15. PRESIDING OFFICER: (SENATOR DONNEWALD)  
16.          Amendment No. 1. Senator Hickey moves that Amendment  
17. No. 1 to Senate Bill 2007 be adopted. Those in favor indi-  
18. cate by saying Aye. Those opposed. The Ayes have it. Amend-  
19. ment No. 1 is adopted. Amendment No. 2. Same motion by  
20. Senator Hickey to adopt Amendment No. 2 to Senate Bill 2007.  
21. Those in favor indicate by saying Aye. Those opposed Nay.  
22. The Ayes have it. The amendment is adopted. Are there further  
23. amendments? 3rd reading. With the understanding, of course,  
24. that the bill will be brought back. Senate Bill 2008. Read  
25. the bill.  
26. SECRETARY:  
27.          Senate Bill 2008.  
28.                 (Secretary reads title of bill)  
29. 2nd reading of the bill. The Committee on Revenue offers  
30. one amendment.  
31. PRESIDING OFFICER: (SENATOR DONNEWALD)  
32.          Senator Hickey moves to adopt Amendment No. 1 to Senate  
33. Bill 2008. All those in favor indicate by saying Aye. Those

1. opposed Nay. The Ayes have it. Amendment No. 1 to Senate  
2. Bill 2008 is adopted. Are there amendments from the Floor?  
3. 3rd reading with the same understanding that the bill will  
4. be brought back to the order of 2nd reading. Senate Bill...  
5. do we have leave to go to the order of Senate Bills on 3rd?  
6. Leave is granted. Senate Bill 1516, Senator Carroll. Senator  
7. Carroll moves to re-refer Senate Bill 1516 to the Committee  
8. on Revenue. Do we have leave? Leave is granted. Senator  
9. Shapiro as to 1584. Senator Bruce as to 1801, Senate Bill.  
10. Senator Demuzio as to 1878. Senator Daley as to Senate Bill  
11. 2010. Read the bill.

12. SECRETARY:

13. Senate Bill 2010.

14. (Secretary reads title of bill)

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

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Daley.

18. SENATOR DALEY:

19. Mr. President and fellow Senators. Senate Bill 2010  
20. deals with the banks and Senate Bill 2011...

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Just...just a moment. Just a moment. I think that we  
23. had better read the bill again. I think that the bill is,  
24. in fact, on 3rd reading. Would the Secretary read the bill.  
25. We're on the order of 3rd reading.

26. SECRETARY:

27. Senate Bill 2010.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Daley.

32. SENATOR DALEY:

33. Mr. President and fellow Senators, I will explain Senate

1. Bill 2010 and also Senate Bill 2011 which deals with the  
2. Savings and Loan Industry. This bill protects customer's  
3. accounts in a bank or savings and loan. It protects your  
4. checking account, your savings account or any other transaction  
5. with a bank. Presently, under this bill it will prohibit dis-  
6. closure of financial records by a bank or a savings and loan  
7. unless a customer has authorized it, or two, the records are  
8. ...are disclosed in response to a lawful subpoena upon a  
9. bank and the customer or upon the bank alone. There are pro-  
10. visions whereby it allows the banks to furnish information  
11. to maintain their financial records and audit; two, to fur-  
12. nish information to the appropriate banking commissioner of  
13. the State of Illinois and also other appropriate agencies by  
14. law who they must disclose to. Also, certain Federal agencies  
15. by law that they must disclose to. Three, the publication of  
16. general data. Four, in response to the reports to be filed  
17. by the Internal Revenue Code. The next item is also informa-  
18. tion required on the Uniform Commercial Code. The next item  
19. is exchanging information between banks in the ordinary course  
20. of business. There is a violation...anyone who commits a  
21. violation of this Act is a business offense of not more than  
22. one hundred dollars...I would ask for a favorable roll call  
23. and also answer any questions.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Ozinga.

26. SENATOR OZINGA:

27. Just one question.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. He indicates he will respond.

30. SENATOR OZINGA:

31. As you know, I am in the banking business. Now, during  
32. the course of the last year the Department of Registration  
33. and Education have taken a little cute stand with regard to a

1. renewal of a license where they have sent out to each broker  
2. a renewal form, which about seventy-five percent of these  
3. renewal forms with a lot of complimentary words are handed  
4. to the banker and said - okay, will you sign this for us  
5. that we have an account here, but it's none of their business  
6. what's in that account. Now, we get a doubleheader deal here.  
7. It's...it's a little bit peculiar, and don't get me wrong,  
8. I'm with the bill and I think it should be passed, but the  
9. question is this. With your regulatory agency, such as the  
10. Department of Insurance, the Department of Registration and  
11. Education, where does this bill leave the banks?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Daley.

14. SENATOR DALEY:

15. Are...are you responding to a customer's account or  
16. are you responding to the bank's position in regards to...  
17. are they asking information...

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Ozinga.

20. SENATOR OZINGA:

21. The Department of Registration will send the form out  
22. to the licensee. The licensee, in turn, in order to get his  
23. license renewed must submit a form and on the bottom of that  
24. form it says that the bank...that they authorize the bank  
25. to issue it. Now, with the same token these customers are  
26. coming in and says - okay, we're asking you to sign this  
27. that our account is in here, but we refuse to give you the  
28. information that they want. Now, that consent that's on the  
29. bottom is an arm twisting on the Department of Registration and  
30. Education, I'll grant you, but where does this leave the bank?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Daley.

33. SENATOR DALEY:

1. If the customer gives his consent, full consent, you  
2. disclose. He has to give the consent.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Ozinga.

5. SENATOR OZINGA:

6. There's only one form. Now, we would ask in turn for  
7. a duplicate of that form I understand, but where it is not  
8. consented to and it's left there, the banker then says -  
9. okay, we don't have the consent of the customer, he refuses  
10. to sign it and now comes along his Registration and Education  
11. application.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Daley.

14. SENATOR DALEY:

15. Well, I think the bank is off the hook, then.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? Senator Netsch.

18. SENATOR NETSCH:

19. Will the sponsor yield to one question?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. He indicates he will.

22. SENATOR NETSCH:

23. As I understand at the least the summary of the amendment,  
24. and I...I just don't have the text of the amendment in front  
25. of me, it does now make it clear that appropriate information  
26. can be furnished to the Federal regulatory agencies. Is it  
27. also clear that appropriate information can be furnished to the  
28. State regulatory agencies?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Daley.

31. SENATOR DALEY:

32. Yes, it would go through the Commissioner of the Banks and  
33. Trust Companies and also the Commissioner of Savings and Loan.



1. That's how it would go through in the State.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Netsch.

4. SENATOR NETSCH:

5. You meant the Illinois Commissioner of Savings and Loan  
6. and the Illinois Commissioner of Banks. Fine. And I under-  
7. stand also, and again, I don't have the text of the amendment  
8. in front of me, but the...the summary of it indicates that it  
9. is now quite clear that, of course, this information can be  
10. made available pursuant to a Grand Jury's subpoena or any  
11. other law enforcement purpose.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Daley.

14. SENATOR DALEY:

15. Correct.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? The ques...the question is,  
18. shall Senate Bill 20...just a moment. Senator Fawell.

19. SENATOR FAWELL:

20. Senator Daley, I've...I remember looking at this bill when  
21. it was under another number and I...I can't find the specific  
22. citation. I...I just got the bill here in my desk, but as I  
23. recall, Senator Daley, the...if you have a legitimate purpose  
24. in a case pending in a court for these bank records, do you  
25. alter the law in regard to the right in a case to subpoena  
26. these records?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Daley.

29. SENATOR DALEY:

30. No, we don't. Under the bill here it provides that a  
31. lawful subpoena must be served on the customer in a State  
32. bank unless the court for good cause waives that service on  
33. a customer and it can just serve the bank alone.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Fawell.

3. SENATOR FAWELL:

4. Well, isn't that an alteration, though? You..you have  
5. to serve both now. You cannot simply serve the bank a subpoena  
6. for the records, and maybe I'm not correct on this, but supposing  
7. ...supposing you can't find the defendant in the case?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Daley.

10. SENATOR DALEY:

11. The court can then waive, you know, the notice on the customer  
12. If you cannot...if you come in a court and you cannot find the  
13. customer at all then I think the court can waive notice to the  
14. customer and serve it upon the bank.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Fawell.

17. SENATOR FAWELL:

18. Well, the point, I guess, I'm making then is that that  
19. is an alteration of the existing law. Now, you are going to  
20. have to serve both customer and the bank rather than simply  
21. serving the custodian of the records, the bank.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? Senator Ozinga. The second  
24. time around.

25. SENATOR OZINGA:

26. I just wanted to correct an impression. I don't want to  
27. give anybody the impression that I'm against this bill in any  
28. way, shape or form. I think it's a good bill. However, being  
29. in the banking business is why we're on the hook with some of  
30. these things and I...I would say it's a good bill and in answer  
31. to that subpoena question, this is the way that ninety-nine  
32. percent of the banks will even disclose anything as would be  
33. by way of a subpoena.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? Question is, shall Senate  
3. Bill 2010 pass? Those in favor vote Aye. Those opposed Nay.  
4. The voting is open. Have all those voted who wish? Take the  
5. record. On that question the Ayes are 53, the Nays are none,  
6. 1 Voting Present. Senate Bill 2010 having received the con-  
7. stitutional majority is declared passed. Senate Bill 2011.  
8. Read the bill.

9. SECRETARY:

10. Senate Bill 2011.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Daley.

15. SENATOR DALEY:

16. Mr. President and fellow Senators, this has identical  
17. reasoning as the last bill. It only deals with the saving  
18. ...savings and loan industry. I would ask for a favorable  
19. roll call.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Question is, shall...shall  
22. Senate Bill 2011 pass? Those in favor vote Aye. Those opposed  
23. Nay. The voting is open. Have all those voted who wish?  
24. Have all those voted who wish? Take the record. On that question  
25. the Ayes are 54, the Nays are none, 3 Voting Present. Senate  
26. Bill 2011 having received the constitutional majority is de-  
27. clared passed.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Committee reports.

30. SECRETARY:

31. Senator Kosinski, Chairman of Elections and Reapportionment,  
32. reports out House Bill 3810 with a Do Pass...Do Pass as Amended  
33. recommendation. House Bill 3949 with a Do Pass recommendation.

1. Senator Nudelman, Vice Chairman of Judiciary Committee,  
2. reports out House Bill 3138 with a Do Not Pass recommendation  
3. and House Bill 3704 with a Do Pass recommendation. House Bills  
4. numbered 1618, 1619, 1621, 1622, 1623, 1624, 1626, 1627, 1628,  
5. 1629, 1630, 1631, 1633, 1635, 1636, 1637 and 1641 were re-referred  
6. to the Committee on Rules, and House Bill 1634 was re-referred  
7. to the Committee on Rules.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Yes, thank you, Mr. President and members of the Senate.  
12. I move that the Senate resolve itself into Executive Session  
13. for the purpose of acting on the Governor's appointments set  
14. forth in the Governor's messages of November 21, 1975, March  
15. 3rd, March 31, April 12 and June 11th, 1976.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Vadalabene moves that the Senate resolve itself  
18. into Executive Session. All those in favor indicate by saying  
19. Aye. Those opposed Nay. The Ayes have it. We are now in  
20. Executive Session. Senator Vadalabene.

21. SENATOR VADALABENE:

22. Yes, thank you, Mr. President and members of the Senate.  
23. With respect to the Governor's messages of March 3rd, March  
24. 31st and June 11th, 1976 I will read the names of the unsalaried  
25. appointments which the Committee on Executive Appointments  
26. and Administration recommends that the Senate advise and consent  
27. to. And after reading the names I intend to ask leave to con-  
28. sider all of the unsalaried appointments on one roll call unless  
29. any Senator has objection to any particular name.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. There...is there leave? Leave is granted.

32. SENATOR VADALABENE:

33. To be a member of the State Board of Investment for a term

1. expiring January 17th, 1977, Donald A. Belgrad of Highland  
2. Park. To be a member of the State Board of Investment for  
3. a term expiring January 16th, 1978, Daniel D. Sugerman of  
4. Chicago. To be a member of the State Board of Investment  
5. for a term expiring January 15th, 1979, A. D. Van Meter, Jr.  
6. of Springfield. To be a member of the Illinois Commission  
7. on Delinquency Prevention for a term expiring January 17th,  
8. 1977, Mary Lee Leahy of Springfield. To be a member of the  
9. Illinois Commission on Delinquency Prevention for a term  
10. expiring January 16th, 1978, Katherine Mann of Chicago and  
11. to be a member of the Illinois Commission on Delinquency  
12. Prevention for a term expiring January 15th, 1979, Susan B.  
13. Gende of Moline and to be a member of the Industrial Pollution  
14. Control Financing Authority for a term expiring June 30th,  
15. 1977, Norman F. Gelfand of Chicago and to be a member of the  
16. Illinois Housing Development Authority for a term expiring  
17. January 15th, 1979, John J. Viera of Des Plaines and to be a member  
18. of the Dangerous Drugs Commission for a term expiring January 16th,  
19. 1978, Patricia D. Craig of Johnson City, and now, Mr. President,  
20. having read the names of the unsalaried appointments, I now  
21. seek leave to consider all of these names on one roll call  
22. unless some Senator has objection to specific names.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there leave? Leave is granted.

25. SENATOR VADALABENE:

26. Mr. President, will you put the question as required  
27. by our rules?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Question is, does the Senate advise and consent to the  
30. nomination just made...the nominations just made? Those in  
31. favor vote Aye. Those opposed Nay. The voting is open. Have  
32. all those voted who wish? Have all those voted who wish?  
33. Take the record. On that question the Ayes are 52, the Nays

1. are none. A majority of the Senate as elected concurring  
2. by record vote, the Senate does advise and consent to the  
3. nominations just made. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Thank you, Mr. President. And now with respect to the  
6. Governor's messages of November 21, 1975 and June 11th, 1976.  
7. I will read the names of the salaried appointments which the  
8. Committee on Executive Appointments and Administration recom-  
9. mends that the Senate advise and consent to. And after read-  
10. ing the names I intend to ask leave to consider all of the  
11. salaried appointments on one roll call unless any...unless  
12. any Senator has objection to any particular name.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is leave granted? Leave is granted.

15. SENATOR VADALABENE:

16. To be a member of the Illinois Commerce Commission for  
17. a term expiring January 21, 1980, Alfred H. Reichman of  
18. Champaign. And to be a member of the Illinois Commerce  
19. Commission for a term expiring January 19th, 1981, C. B.  
20. Bud Nelson of Rockford. To be members of the Illinois Racing  
21. Board for terms expiring July 1, 1978, Herbert Channick of  
22. Highland Park and Ray Freeark of Belleville and to be members  
23. of the Illinois Racing Board for terms expiring July 1, 1980,  
24. Patricia Wiman Hewitt of East Moline and Mrs. Lucy Reum of  
25. Oak Park. And to be members of the Illinois Racing Board for  
26. terms expiring July 1, 1984, Ray H. Garrison of Flossmoor and  
27. Anthony Scariano of Chicago Heights and Cecil Troy of Chicago,  
28. and now, Mr. President, having read the names of the salaried  
29. appointments I now seek leave to consider all of these names  
30. on one roll call unless some Senator has objection to specific  
31. names.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there leave? Leave is granted. Question is, does the

1. Senate advise and consent to the nominations just made? Those  
2. in favor vote Aye. Those opposed Nay. The voting is open.  
3. Have all those voted who wish? On that question the Ayes are  
4. 52, the Nays are none, 1 Voting Present. Just a moment. Take  
5. the record. On that question the Ayes are 52, the Nays are  
6. none, 1 Voting Present. A majority of the Senators elected  
7. concurring by record vote, the Senate does advise and consent  
8. to the nominations just made. Senator Vadala bene.

9. SENATOR VADALABENE:

10. Yes, thank you, Mr. President and members of the Senate.  
11. There are two appointments which should be considered separately  
12. because the Committee failed to support a motion to recommend  
13. that the Senate advise and consent to the following nominees  
14. involved. In order that the full Senate be aware of their  
15. position...of the position of the Committee I'm going to offer  
16. these appointments separately. The first appointment is Timothy  
17. E. Griffin of Springfield to be a Commissioner on the Savings  
18. and Loans Commission for a term expiring July 1, 1980. The  
19. Committee on a motion to recommend, advise and consent was  
20. 7 Ayes and 8 Nays with 1 member Voting Present. The Committee,  
21. therefore, is not making a positive recommendation to the full  
22. Senate. With that in mind, Mr. President, will you put the  
23. question, as required, by our rules.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there discussion? Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President and members of the Senate. I  
28. had spoke in Committee and feel that I must advise the Senate  
29. as to why I had opposed and still oppose the reappointment  
30. of Commissioner Griffin to the Commission on Savings and Loan.  
31. And that Commission really being a department, it's a very  
32. simple reason. I serve on this Body's Committee on Financial  
33. Institutions and Finance and Credit, which has some authority

1. over that particular department, and in that capacity I have  
2. found that the Commissioner has been less than candid with  
3. that committee in presenting legislation before us. It is  
4. my personal feeling as a member of this Body that when a  
5. director appears before a committee of the Senate or of the  
6. House, the least we can require is candor to that committee.  
7. There were specific bills before that committee at various  
8. times. The answers, in my opinion, not only not adequate,  
9. but very often hidden. I do feel that since this appoint-  
10. ment is for a long duration, and I had recommended to the  
11. Executive Branch an alternate course of conduct that would  
12. have not brought this moment to bear. They chose not to use  
13. that course of conduct and I am forced to take the Floor to  
14. make these statements. I do feel that that particular Com-  
15. mission as well as all other departments of State Government,  
16. the Commissioner involved should not necessarily be an advocate  
17. of that industry but should be a watchdog, should be the  
18. government and the people's representative in administering  
19. that agency and administering the financial institution that  
20. they regulate. We have found, I have found him to be, rather  
21. than a regulator and an administrator, a proponent and again  
22. sometimes, in my opinion, to the use of various forms of  
23. subterfuge. I, for that reason, will be opposing his reappoint-  
24. ment for the length of time that this appointment calls for.  
25. Thank you.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Netsch.

28. SENATOR NETSCH:

29. Since something has been brought up about Commissioner  
30. Timothy Griffin, I think I would like to respond to two points.  
31. I, also, have served on the Senate Committee on Finance, I believe  
32. for the same length of time that Senator Carroll has, and I have  
33. never been conscious at all, never once of any misrepresentation



1. or otherwise before that Committee and I would only wish  
2. that if it had occurred that it had been called to the  
3. attention of other members of the Committee at that time,  
4. so that the situation could have been clarified. I...all of  
5. us would agree that it is not appropriate for an agency head  
6. to make any misrepresentation or otherwise mislead members  
7. of the Legislature. If there were suggestions that it was  
8. happening we could have done something about it then. I  
9. was never aware of it and I still do not know what instances  
10. are intended to be concerned. Secondly, I simply want to say  
11. in one area where I think that Commissioner Griffin has been  
12. very strong in exactly contrary to the way that was suggested  
13. by Senator Carroll. Senator Carroll suggested that perhaps  
14. he had become too much a part of the industry to be regulated.  
15. That as we all know is one of the great dangers of regulated  
16. industries. To the best of my knowledge that has not been  
17. true generally and it certainly has not been with respect to  
18. an issue with which I was very deeply concerned last year  
19. and that was red lining. Commissioner Griffin helped us very  
20. much to obtain the enactment of two very good, strong, tough  
21. anti-red lining bills. I think without his help we probably  
22. would not have been able to get them through. It seems...and  
23. ...and incidentally, much of that was over the opposition of  
24. the industry. It seems to me that that is exactly the kind of re-  
25. sponsible position that a regulator should be taking and for  
26. that effort I am, for one, grateful to him. I think he should  
27. be confirmed.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Bloom.

30. SENATOR BLOOM:

31. Yes, thank you. I'm on this Committee also, and I'd  
32. like to ask Senator Carroll, you know, what bills were before  
33. us and what their numbers were and what exactly he said that

1. was misleading to us?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Carroll.

4. SENATOR CARROLL:

5. Thank you, Senator Bloom. In my own remarks...of course  
6. I didn't make this specific reference and that was at that  
7. time on purpose. I will make it now because you have asked.  
8. And I might add to Senator Netsch, since my name was used, I  
9. was, as you recall, a cosponsor and coauthor of parts of  
10. that legislation and had no problems with that whatsoever  
11. and agree fully. I...the Commissioner brought before us a  
12. bill last year that his statement will show he indicated to  
13. be basically a technical bill. I don't recall the number.  
14. Had I known of the problem at the time I would have said so  
15. at the time. The point, as you'll see, was that we were not  
16. aware of it at the time it happened or it could have been  
17. raised then. It has been raised at a subsequent meeting,  
18. Senator Netsch and Senator Bloom. The last meeting of that  
19. Committee, where I brought up the subject matter and the specific  
20. reference and that dealt with the bill the Commissioner proposed alleged  
21. to make technical changes to allow him to administer more  
22. effectively his branch of government...his...his division within  
23. that branch. In that particular bill there was something...  
24. he made a statement that State institutions were not competitive  
25. with Feds and, therefore, they needed identical powers or powers  
26. that would make them, in fact, competitive to be of the same  
27. powers that the Feds, Federal chartered institutions have. With-  
28. in that bill...we held that bill the last couple days of last  
29. Session, because in finally going through it with a fine tooth  
30. comb we found several things that we pulled out of the bill by  
31. way of amendment, because those representations were, in fact,  
32. not true. We pulled out what we did find that were new law  
33. or changes that had not been debated by this General Assembly.

1. One that did pass is something that they call the negotiable  
2. order of withdrawal accounts, That is a new concept in Illinois  
3. law, not something that the Federal chartered institutions  
4. had at that time or have at this time. I was unaware of that.  
5. In my own opinion that might be a very good idea, but that is  
6. not something that goes through a department bill as a technical  
7. change or something to make the State charters equal to the Federal  
8. charters. My first knowledge of this came about a couple of  
9. months ago, maybe five, six weeks ago in reading a local paper  
10. where find the Federal committee had this idea in front of  
11. them and for the first time the testimony before that committee  
12. was, well, Illinois has it, therefore, the Feds need it to be  
13. equal to the Illinois institutions. In my own opinion, that  
14. issue as...as the others that we did pull out of that bill  
15. should have been separately debated by this Chamber as innovative  
16. legislation, not brought through the way it was as a technical  
17. change to make them equal to.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Bloom, your time is up. Senator Davidson.

20. SENATOR DAVIDSON:

21. Yes, Mr. President and members of the Senate. I don't  
22. know about the part about being captive or not captive, I  
23. only know about two things that Mr. Griffin did do as Commissioner  
24. or has done, I should say, was that there has been a reduction  
25. in the staff by eighteen percent, and a reduction of thirteen percent  
26. in appropriations and expenditures, but the most important thing  
27. is that there was a raise in the fees to the Savings and Loan  
28. Industry which has now recovered the entire one hundred percent  
29. cost of operating this department, which winds up making a savings  
30. to the Illinois taxpayers of four hundred thousand dollars. Now,  
31. we're talking about a man being an administrator and a director,  
32. that's what he's supposed to be is administrator, his office of  
33. twenty months, apparently, he's been successful. I haven't heard

6/24/76  
Kanitz

1. anybody else complain locally, and being the home...or the  
2. state office of the Illinois State Savings and Loan League,  
3. I'm sure if they had any complaints I would have heard. I  
4. think that by the record and being an administrator he's  
5. done an excellent job. I think he ought to be confirmed.  
6. Thank you.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? Senator Harris.

9. SENATOR HARRIS:

10. Well, I just briefly want to say that I have witnessed  
11. and observed the performance of this man and while I regularly  
12. have stuck with committee recommendations, particularly with  
13. respect to legislation in my service here, that has not been  
14. an absolute ironclad performance and I do believe that on this  
15. occasion a majority of the committee came to the wrong con-  
16. clusion and I do not want to make a partisan measure out of  
17. the question of confirming this appointee or nominee, but I  
18. do believe his record is worthy of our confirmation and would  
19. certainly urge the members of this side of the aisle to join  
20. me in advising and consenting to his nomination.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further discussion? Question is, does the Senate  
23. advise and consent to the nomination just made? Those in favor  
24. vote Aye. Those opposed Nay. The voting is open. Have all  
25. those voted who wish? Take the record. On that question the  
26. Ayes are 43, the Nays are 4, 7 Voting Present. A majority  
27. of the Senators concurring by record vote, the Senate does advise  
28. and consent to the nomination just made. Senator Vadalabene.

29. SENATOR VADALABENE:

30. Yes, thank you, Mr. President and members of the Senate.  
31. The second appointment is A. P. Bud Kanitz of Chicago to be  
32. a member of the Fair Employment Practices Commission for a term  
33. expiring January 15th, 1979. The Committee on a motion to Do Not

6/24/76  
Harris

1. Recommend, Advise and Consent was 15 Ayes and 1 Nay. The  
2. Committee, therefore, is not making a positive recommendation  
3. to the full Senate. With that in mind, Mr. President, will  
4. you put the question as required by our rules.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there a discussion? Senator Harris.

7. SENATOR HARRIS:

8. Well, did not the question of the legality of this  
9. gentleman's political identification come into discussion in  
10. the Committee yesterday. It's my...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Vadalabene.

13. SENATOR HARRIS:

14. ...it's my understanding that he just does not qualify.  
15. He, in fact, is a Democrat and there are already three Democrats  
16. on the Commission, so that it...I mean...his...his submission  
17. is probably an illegal nomination.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Well, that was the...the terms that, I think, decided  
22. the ruling of the Committee. However, I believe he said he  
23. was an independent. But, the Committee designated, under  
24. examination, that he truly was a Democrat rather than an in-  
25. dependent and belonged to the IDF, if I recall right.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Merritt. Senator Howard Mohr...Senator Netsch.

28. SENATOR NETSCH:

29. Yes, I wanted to pursue that and raise a question. I  
30. happen to be in the Committee listening while it took place  
31. and I was...I must admit confused. Do I understand that the  
32. statute has a precise definition of what party affiliation  
33. means for purposes of the Fair Employment Practices Commission?

6/24/76  
H. H. H.

- 1. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 2. Senator Vadalabene.
- 3. SENATOR NETSCH:
- 4. I guess I would...I guess I would direct...
- 5. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 6. Senator Vadalabene.
- 7. SENATOR VADALABENE:
- 8. Yes.
- 9. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 10. Senator Netsch.
- 11. SENATOR NETSCH:
- 12. The next part of the question, Senator Vadalabene, is,
- 13. then what does it say?
- 14. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 15. Senator Vadalabene.
- 16. SENATOR VADALABENE:
- 17. No more than three from one particular party, and I
- 18. think you were there, Senator Netsch. I believe you under-
- 19. stood it then.
- 20. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 21. Senator Netsch.
- 22. SENATOR NETSCH:
- 23. No, I'm sorry. I...I understand that you can have no
- 24. more than three from a party. What I was asking was, does the
- 25. FEPC Statute define what constitutes party affiliation? The
- 26. reason why I ask this, Senator Vadalabene, is that there are
- 27. many places in the statutes that that kind of a requirement
- 28. appears and there is no established definition of what con-
- 29. stitutes party affiliation, and I think that's one of the great
- 30. difficulties that we have had for some period of time. Par-
- 31. ticularly now, where people do vote in different part...in
- 32. different primaries from time to time. They may switch back
- 33. and forth or miss a primary. It becomes very crucial. If

6/24/74  
Hardy

1. this statute has a precise definition I think we need to  
2. know what it is.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Vadalabene.

5. SENATOR VADALABENE:

6. Yes, Mr. President and members of the Senate, I'm going  
7. to refer to my parliamentarian, President Partee.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Partee.

10. SENATOR PARTEE:

11. When the statute says three Democrats and two Republi-  
12. cans or vice versa, it is not a statutory definition. It's  
13. a common sense definition as to whether a person is a Demo-  
14. crat or a Republican, and the questions are asked of the  
15. person as to what his past has been in terms of affiliation  
16. and in his answers particularly there was a glaring omission  
17. of his affiliation in one area and only when Senator Mohr  
18. asked him about the particular thing, did he then admit that  
19. he had been a charter member of the particular organization  
20. in mind. That, in my judgement, is why fifteen members of  
21. a sixteen member voting Committee rejected him, because he  
22. was something less than candid or let's just say it like it  
23. is, because he lied to the Committee and, frankly, is what  
24. he did, and he said he was a...an independent, but his entire  
25. history has been as a Democrat. Now, let me just say to you,  
26. that whether he is a Democrat or a Republican is not really  
27. important in any given situation. What is important is, that  
28. a person who comes on to serve on a particular board comes  
29. into a committee and is truthful about what his past has been.  
30. This man was not truthful and that, in my opinion, is why  
31. fifteen members out of sixteen voted against him.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Egan. Senator Netsch, this...are you coming the

6/24/76  
Horsely

1. second time around?

2. SENATOR NETSCH:

3. No, I am trying to get an answer to my question...

4. PRESIDING OFFICER: (SENATOR DGNNEWALD)

5. All right.

6. SENATOR NETSCH:

7. ...and I do not appreciate having Senator Partee's  
8. speech charged against my time, because I was simply asking  
9. an informational question, and I gather the answer to it is  
10. no, that the Fair Employment Practices Act does not contain  
11. a definition of what constitutes party affiliation. And,  
12. again, this is a fairly important question. I do not know  
13. this man at all. I have no idea who he is or what he's done  
14. or anything else. What I am concerned about is that...that  
15. we begin to come to grips with this problem because it is  
16. plagued us before and it will continue to plague us. I heard  
17. the man say - I am an independent. I have been sitting before  
18. that Committee long enough over the years to know that, and  
19. with all due respect, gentlemen, and this excludes Senator  
20. Hickey, I don't have to include her in this one, because she  
21. hasn't said this before. You often do not accept someone's  
22. word for their judgement of what they are. I think in part  
23. because you have great difficulty accepting the fact that someone  
24. is a "independent". If I heard the man...the question of whether  
25. he's telling the truth is a different matter, Senator Partee,  
26. and if you feel that he was not telling the truth then I think  
27. you have a right to your own judgement on that, but as I...as  
28. I heard it he said - I did not vote in the last primary, I  
29. did vote in the primary before that. He is a member or he be-  
30. longs to something called the IDF, which I frankly had not  
31. heard of and I...I'm not even sure it's a membership group.  
32. My...my best judgement is, that if you made a contribution to  
33. somebody you were sort of listed as a believer to this thing,



12/1/16  
Hansley

1. but I don't think it's even a membership group. So, what  
2. I'm...what I'm trying to find out is, in a sense, who's  
3. word do we take for someone's political affiliation? This  
4. becomes fairly important and I don't think the fact that...  
5. I...I don't think it's fair to call him a liar simply because  
6. he believes that he is an independent and you reach a different  
7. conclusion based on the same set of facts, unless you believe  
8. he was literally misrepresenting the facts and that's a very  
9. different matter.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Egan. Senator Partee.

12. SENATOR PARTEE:

13. Well, I'm the one who said he didn't tell the truth and  
14. I...it's offensive to me that you think that I don't know  
15. what...what the truth is. Now, let me tell you something. If  
16. tomorrow morning I went...I was brought before a committee  
17. to serve in a particular office that required that the person  
18. be a Republican and I said I am a Democrat, I have been voting  
19. Democrat all of my life, but I have decided in light of this  
20. appointment that I'm going to be a Republican and I'm going  
21. to be a Republican the rest of my life, then that committee  
22. has the right to determine whether I'm telling the truth or  
23. not. That committee has a right to determine whether I'm a  
24. Democrat or a Republican. That's simply what this Committee did  
25. yesterday. The Committee made the determination that the man  
26. is a Democrat and it's unfair when a statute says that there  
27. should be three Democrats and two Republicans and there are already  
28. three Democrats on the committee, to appoint someone under the  
29. guise of being something else. No matter what he says he is,  
30. it's a common sense definition. It is not a statutory defini-  
31. tion. It's a situation where the committee makes a judgement  
32. as to what the person is based on what he has been and it's  
33. just that simple.

1/24/76  
Harris

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Egan.

3. SENATOR EGAN:

4. Thank you, Mr. President and members of the Senate.

5. I...I'm going to be brief, but I want to say just simply  
6. I voted against this gentleman in the Committee and I did  
7. so for a very good reason. Forget about his party affiliation,  
8. that has nothing to do with it in my opinion. When asked  
9. whether or not he voted in the primary he said no. That  
10. in and of itself is enough for me. If he doesn't have enough  
11. gumption to get out and vote in a primary, he ought not to  
12. partake in State government, and if he, in fact, said as he  
13. did, that he did not vote because he did not want to and that  
14. is false then he is dishonest and for that reason he shouldn't  
15. be appointed.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Harris.

18. SENATOR HARRIS:

19. Well, I think there's been enough said. I was just  
20. going to read the statute. The fact is that the statute  
21. says that the Fair Employment Practices Commission is created  
22. to consist of five members all of whom shall be bonafide  
23. residents of Illinois for five years last past. Appointed  
24. by the Governor with the advise and consent of the Senate,  
25. no more than three of whom shall be of the same political party,  
26. and one of whom shall be designated by the Governor as Chairman.  
27. Now, that's all the statute says and I'm somewhat inclined to  
28. recall those great words of the past that if an animal looks  
29. like a duck, walks like a duck, quacks like a duck, eats like  
30. a duck, it's a duck. If a man has lived his life as a Democrat  
31. and with the exception of the primary last past he didn't vote  
32. at all, but he contributes to Democrat "ick", Mr. Chairman,  
33. organizations, supports Democratic candidates, talks like a

1. Democrat, then he's a Democrat and there are three Democrats  
2. serving on the Fair Employment Practices Commission now. The  
3. question of whether, in fact, the man was truthful or not I  
4. don't think is contributory to our decision. This man cannot  
5. lawfully be confirmed because there are already three Democrat  
6. members of the Commission.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Ozinga.

9. SENATOR OZINGA:

10. I'll be very brief. I subscribed to what Senator Partee  
11. has said. As former of this commission...this committee we  
12. have had this thing up more than once and this man, of his own  
13. admission, declared himself to be a Democrat and there is no  
14. opening in that Committee right now for a Democrat.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Howard Mohr. Senator Bruce. Senator Bruce.

17. SENATOR BRUCE:

18. Yes, Mr. President. The problem, as I see it, and I was  
19. the only one in the Committee who voted to confirm the gentle-  
20. man under question, and that is, we have no definition of what  
21. is an independent. He was asked, as I understand it and the  
22. way I heard it, two questions. How did he vote in the 1974  
23. primary? He indicated that time he had taken a Democratic  
24. ballot. He was then asked if he had voted in the 1976 primary  
25. and he said he had not. He had decided not to vote, because  
26. in fact, he was an independent. Now, the man's integrity has  
27. been brought into question because some people say that he  
28. lied as to whether or not he's an independent. I don't know  
29. whether he lied. No one can tell whether he lied, because  
30. we have no definition of what is "an independent". He was  
31. later asked whether or not he was a charter member of the  
32. Independent Democratic Fund. He indicated in the affirmative.  
33. No one pursued that other than to indicate that by being a

4/29/76  
1/2/76

1. member of the Independent Democratic Fund he was automatically  
2. a Democrat. I don't know whether he was or not and no one  
3. asked him the question. Importantly, I think, under the examina-  
4. tion of the Committee, he was not asked if he had ever voted  
5. in a Republican primary. No one asked. No one asked if he  
6. had voted in any prior primaries to 1974 and how he had voted.  
7. We are judging the man on how he voted in 1974 primary, the  
8. fact that he did not vote in the 1976 primary, whatever that  
9. indicates, and the fact that he was a member, a charter mem-  
10. ber, of the Independent Democratic Fund. Now, to bounce him  
11. off of this Commission on those facts just does not seem to  
12. be justified. If we are going to make decisions on whether  
13. or not an individual is an independent, a Democrat or a Re-  
14. publican, it is we, not the governor, who make those definitions  
15. and we have not defined what is a Democrat. Senator Netsch  
16. and others have offered to us suggestions of what is an in-  
17. dependent, what is a Democrat, what is a Republican, but we  
18. haven't adopted those. And all I'm saying is, that without  
19. further consultation with this gentleman it seems unfair to  
20. remove him from his appointment.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Howard Mohr.

23. SENATOR MOHR:

24. Well, I think all of us wonder what an independent is, Mr.  
25. President, but when you go into the polling place you're either  
26. a Democrat or a Republican. I don't know of the third column  
27. for an independent. The statute has clearly spelled out with  
28. no more than three of one party and I questioned this gentleman  
29. and asked if he belonged to any Democratic organization and he  
30. paused and did not immediately respond to that, and I asked if  
31. he belonged to the Independent IDF and he said - well, he  
32. thought he did. I reminded him that my records show that he  
33. was a charter member of that organization, and I pointed out to him

1/2 1/16  
H. H. H.

1. that if he is in fact a Democrat he should be proud to say  
2. that and if he were a Republican he should also be proud to  
3. say that. But he had every opportunity, Mr. President, to  
4. say that he was either a Democrat, Republican or Independent  
5. whatever he happened to be, but after...after awhile I think  
6. all of us that have been in this business can pretty much  
7. tell after you talk to a person or sometimes even look at a  
8. person, you can tell whether he is a Democrat, Republican or  
9. Independent and we made that determination.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Hickey. Senator Vadalabene.

12. SENATOR VADALABENE:

13. Yes, just one short comment. As Chairman of the Com-  
14. mittee on Executive and Appointments, I'm somewhat amazed at  
15. Senator Bruce who said - why wasn't these questions asked?  
16. Now, I gave everybody on that Committee the opportunity to  
17. ask all the questions they want. I do not shut them off and  
18. for Senator Bruce to say - why weren't these questions asked  
19. of this witness - sort of amazes me. He had that opportunity  
20. in the Committee and didn't do it and now saying here on the  
21. Floor of the Senate where the man can't be asked those questions-  
22. why weren't those questions asked?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Bruce.

25. SENATOR BRUCE:

26. Well, just to defend my professional integrity...Well, wait  
27. a minute...wait a minute...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Just...just a moment.

30. SENATOR BRUCE:

31. I was taught in law schools, Senator Vadalabene, not to  
32. ask a question that I did not know the answer to. I don't know  
33. how he voted and if he had voted Democratic in the last one

1. hundred primaries I did not want to divulge that. The question  
2. if...if someone was concerned about whether he was a Democrat  
3. that...that obligation devolved to someone else. I don't know  
4. how he would have answered, but the question was not asked.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Just...just a moment. Now...now, just settle down.  
7. Senator Vadalabene your name was mentioned I know.

8. SENATOR VADALABENE:

9. Mr. President, now I didn't get a chance to go to  
10. college, you know, so I want...I want to...I want to say one  
11. thing to Senator Bruce. He doesn't represent clients in here  
12. he represents people.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Fawell.

15. SENATOR FAWELL:

16. Well, I...I got to add my...my two cents and I...it's  
17. probably worth only that much, but you know one thing I think  
18. both of us are proud of our political parties, but I think  
19. we...that what Senator Netsch has said, some of it is...is  
20. very, I think, very much on target. We may not like it, but  
21. the independents are the fastest growing political party in  
22. this nation and in this State and, although, I'm proud to  
23. call myself a Republican there are a heck of a lot of people  
24. who are not proud to call themselves Democrats or Republicans,  
25. and I think we do have to recognize that, and when someone  
26. says I am an independent then I think technically all of us  
27. lawyers would have to recognize that he's not in violation  
28. of the statute. Now, it may be and justly so that the Committee  
29. found that he was not telling the truth, but I think we should  
30. address ourselves to these definitions because more and  
31. more, ladies and gentlemen, I say to you, the independents are  
32. becoming most popular as far as the people are concerned. If  
33. we don't see the writing on the wall we are very, very obtuse

1/24/74  
Soper

- 1. and blind.
- 2. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 3. Senator Soper.
- 4. SENATOR SOPER:
- 5. Thank you, Mr. President. Not being obtuse or not being
- 6. blind I'm not going to give you my definition of an independent
- 7. one way or another, but I'll ask for the previous question.
- 8. I think we've kicked this thing around long enough.
- 9. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 10. The question is, does the Senate advise and consent to
- 11. the nomination just made? Those in favor vote Aye. Those
- 12. opposed Nay. The voting is open. Have all those voted who
- 13. wish? Take the record. On that question the Ayes are 4,
- 14. the Nays are 28, 11 Voting Present. The majority of the
- 15. Senator elected having...having...a majority of the Senators
- 16. elected having refused to give their advise and consent by
- 17. record vote, the Senate rejects the nomination of A. P. Bud
- 18. Kanitz of Chicago for the office. Senator Nudelman, for
- 19. what purpose do you arise?
- 20. SENATOR NUDELMAN:
- 21. I seem to have raised some eyebrows in this Chamber and
- 22. I would point out, Ladies and Gentlemen, that in four years
- 23. this is the first time the Governor has honored my district
- 24. with an appointee at all and if I don't vote...and if I don't
- 25. vote for him, who will? Thank you.
- 26. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 27. Senator Vadalabene moves that the...Senator Vadalabene.
- 28. SENATOR VADALABENE:
- 29. Mr. President and members of the Senate. I now move that
- 30. the Senate arise from Executive Session.
- 31. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 32. You've heard the motion. All those in favor indicate by
- 33. saying Aye. Those opposed? The Ayes have it. House Bills on

1. 2nd reading. House Bill 1815, Senator Partee. That's on  
2. page 5. Read the bill. Are going to proceed on House Bills  
3. 2nd in their proper order.

4. SECRETARY:

5. House Bill 1815.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator...Any amendments from the Floor? 3rd reading.  
10. House Bill 3036, Senator Dougherty. Read the bill.

11. SECRETARY:

12. House Bill 3036.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. No committee amendments. One  
15. Floor Amendment offered by Senator Dougherty.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Dougherty.

18. SENATOR DOUGHERTY:

19. Mr. President...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Immediately in front of Senator Dougherty, could you  
22. remove yourself and have a caucus? Senator Davidson and  
23. Vadalabene, please. Senator Dougherty.

24. SENATOR DOUGHERTY:

25. Thank you, Mr. President and members of the Senate.  
26. House Bill 3036 in its present form is precisely the same  
27. bill as Senate Bill 1789, which was passed out of here some  
28. time ago, sponsored by myself. This present amendment is  
29. being offered by the...commended on...the House members sent  
30. over to me to handle it. On the basis of the request of  
31. the City of Chicago and the legal department of the City of  
32. Chicago as suggested by the Chicago Regional Port District.  
33. What the amendment does is it provides that by this amendment



1. any...if the agency should acquire...

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just...just a moment, Senator. Could we have order,  
4. please? Would the members please be in their seats? Pro-  
5. ceed.

6. SENATOR DOUGHERTY:

7. ...should the Chicago Regional Port District acquire  
8. some thousand lineal feet of wharfage space that the...by  
9. the reason of this amendment it will not give anyone any  
10. right to absolute ownership and...and operation of it. It  
11. provides that at least two people be allowed to...independent  
12. one of the other, to bid in for the operation of the facility.  
13. That's all...it just provides a certain amount of legal pro-  
14. tection to they who seek to enter this...this business. It  
15. solves nothing more than a...device that would provide that  
16. all Americans who wish or all Chicagoans, people in the  
17. area who wish to enter the business be provided protection.  
18. That's all it does.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Merritt.

21. SENATOR MERRITT:

22. Yes, Senator Dougherty. This is identical, as I believe  
23. you said 7...to Senate Bill 1789 that left this Body a couple  
24. of weeks ago. My next question and I don't have the number,  
25. we passed out a like...well, a similiar bill on the same subject  
26. coming out of one of the recommendations of our commission, as  
27. your well aware. Now, I'm wondering the destiny of that bill  
28. over in the House should this one pass here?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Dougherty.

31. SENATOR DOUGHERTY:

32. I didn't quite get the terminology. There's someone  
33. standing in front of me. I couldn't hear real well. So, would

1. you repeat your question, please?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Merritt.

4. SENATOR MERRITT:

5. Well, I realize this bill is identical to Senate Bill  
6. 1789 that we passed out of here several weeks ago. Now,  
7. my...at the same time or within a day we passed out, I believe  
8. it was 1971, Senate Bill, on this same subject except it con-  
9. tains the area to a little closer definition. My question  
10. now is, what will be the eventual destiny of that, I believe  
11. it's 1971 that's currently over in the House? In other words  
12. if we're willing to pass this for the House are they willing  
13. to pass the identical Senate Bill as it left here?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Dougherty.

16. SENATOR DOUGHERTY:

17. My only answer to that is this, Sir, that this is sent  
18. to me by the House to put this bill in proper form and it  
19. just provides and I'll read the last...the last line. It's  
20. a thousand foot property, if it is required that any such  
21. property or facility shall be leased or operated if at all  
22. only by two or more unrelated contracting party...parties in  
23. parcel that is nearly equal in all respects as is practicable.  
24. In other words, when they open it up to competition without per-  
25. mitting a group of people to collaborate together resulting in co-  
26. ownership to operate the whole facility. It's merely a safety  
27. factor providing that the public is taken care of.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? The motion is, to adopt  
30. Amendment No. 1 to House Bill 3036. All those in favor indicate  
31. by saying Aye. Those opposed. The Ayes have it. The amendment  
32. is adopted. Are there further amendments? 3rd reading. House  
33. Bill 3061, Senator Clarke. Read the bill.

1. SECRETARY:  
2.           House Bill 3061.  
3.                    (Secretary reads title of bill)  
4. 2nd reading of the bill. The Committee on Revenue offers  
5. one amendment.  
6. PRESIDING OFFICER: (SENATOR DONNEWALD)  
7.           Senator Clarke.  
8. SECRETARY:  
9.                    (Secretary reads again title of bill)  
10. SENATOR CLARKE:  
11.           Oh, yeah. That's a technical amendment to change the  
12. dates to conform to this year and the future.  
13. PRESIDING OFFICER: (SENATOR DONNEWALD)  
14.           Is there further discussion?  
15. SENATOR CLARKE:  
16.           I move the adoption.  
17. PRESIDING OFFICER: (SENATOR DONNEWALD)  
18.           The question is, shall Amendment No. 1 to House Bill  
19. 3061 be adopted? Those in favor indicate by saying Aye.  
20. Those opposed Nay. The Ayes have it. The amendment is adopted.  
21. Are there further amendments?  
22. SECRETARY:  
23.           Amendment No. 2 offered by Senator Clarke.  
24. PRESIDING OFFICER: (SENATOR DONNEWALD)  
25.           Senator Clarke.  
26. SENATOR CLARKE:  
27.           This amendment, Mr. President, speaks to some of the  
28. discussion we had in the committee. It sets out the general  
29. guidelines for the operation of the commission and it indicates  
30. that the commissioner shall have no other...shall hold no other  
31. positions.  
32. PRESIDING OFFICER: (SENATOR DONNEWALD)  
33.           Is there further discussion? Question is, shall Amendment

1. No. 2 to House Bill 3061 be adopted? Those in favor...just  
2. a moment. Senator Carroll. There is discussion.

3. SENATOR CARROLL:

4. Thank you. I'm sorry, Mr. President. A question of  
5. the sponsor assuming he will yield. Is there...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. He indicates he will.

8. SENATOR CARROLL:

9. ...anything in here...thank you. Is there anything in  
10. this amendment which I just got a copy of, that provides  
11. firstly, for open meetings and requirement of meetings and  
12. transcribing of debates et cetera, and secondly, is there  
13. anything in here that provides qualifications for these offices?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Clarke.

16. SENATOR CLARKE:

17. Answer the second part first. Why, the qualifications are  
18. already set out and are not further depth defined in this amend-  
19. ment. No. The Open Meeting Act, I think, covers this  
20. commission as well as any other State agency, because...  
21. except for the exclusions in that Act, why, this would be  
22. covered under the Open Meetings Act.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Carroll.

25. SENATOR CARROLL:

26. Is there further discussion? Question is, shall Amend-  
27. ment No. 2 to House Bill 3061 be adopted? Those in favor  
28. indicate by saying Aye. Those opposed? The Ayes have it. The  
29. amendment is adopted. Are there further amendments? 3rd  
30. reading. House Bill 3062, Senator Fawell. House Bill 3124,  
31. Senator Glass. House Bill 3208, Senator Partee. House Bill  
32. 3208. Read the bill.

33. SECRETARY:

1. House Bill 3208.  
2. (Secretary reads title of bill)  
3. 2nd reading of the bill. No committee amendments.  
4. PRESIDING OFFICER: (SENATOR DONNEWALD)  
5. Are there amendments from the Floor? 3rd reading.  
6. House Bill 3217, Senator Harber Hall. Read the bill.  
7. SECRETARY:  
8. House Bill 3217.  
9. (Secretary reads title of bill)  
10. 2nd reading of the bill. No committee amendments.  
11. PRESIDING OFFICER: (SENATOR DONNEWALD)  
12. Are there amendments from the Floor? 3rd reading.  
13. House Bill 3335, Senator Schaffer. Read the bill.  
14. SECRETARY:  
15. House Bill 3335.  
16. (Secretary reads title of bill)  
17. 2nd reading of the bill. No committee amendments.  
18.  
19.  
20.  
21.  
22.  
23.  
24.  
25.  
26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

(Continued on next page)

HB 3411  
6/24/76

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Are there amendments from the Floor? 3rd reading.
3. House Bill 3377, Senator Joyce. House Bill 3417, Senator
4. Egan. Read the bill.
5. SECRETARY:
6. House Bill 3417.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. Committee on Appropriations offers
9. six amendments.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Egan.
12. SENATOR EGAN:
13. Thank you, Mr. President and members of the Senate.
14. I move the adoption of Amendment No. 1 to House Bill 3417.
15. This amendment restores two projects which were originally
16. contained in the bill but lost as it were, in the shuffle
17. of the House amendments.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Is there further discussion? The question is shall Amendment
20. No. 1 to House Bill 3417 be adopted. Those in favor indicate
21. by saying Aye. Those opposed Nay. The Ayes have it. The
22. amendment is adopted. Amendment No. 2. Senator Egan.
23. SENATOR EGAN:
24. Thank you, Mr. President and members of the Senate.
25. Amendment No. 2 removes the five percent transferability provisions
26. in the Division of Water Resources from their Capital projects.
27. It has unanimous approval and I would move its adoption.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Is there further discussion? The question is shall Amendment
30. No. 2 to House Bill 3417 be adopted? Those in favor...just a
31. moment. Senator...all those in favor of the adoption of Amendment
32. No. 2 to 3417 indicate by saying Aye. Those opposed Nay. The
33. Ayes have it. The amendment is adopted. Amendment No. 3, Senator

411  
341  
6/24/76

1. Egan.
2. SENATOR EGAN:
3. Thank you, Mr. President and members of the Senate.
4. Amendment No. 3 puts into the bill a hundred and two thousand
5. dollar appropriation for the Americans' Bottoms-Southwestern
6. Illinois Metropolitan Area for payment of Southeastern...South-
7. western Illinois Metropolitan Area Regional Planning Commission, a
8. proportionate share of the cost of continuing development
9. of a storm water control plan in Madison, St. Clair, Monroe
10. and Randolph counties. And I move...
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Is there further discussion?
13. SENATOR EGAN:
14. ...the adoption.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. The question is shall Amendment No. 3 be adopted. Those in
17. favor indicate by saying Aye. Those opposed Nay. The Ayes
18. have it. The amendment is adopted. Amendment No. 4, Senator
19. Egan.
20. SENATOR EGAN:
21. Thank you, Mr. President. Amendment No.4 removes the
22. appropriation of nine hundred twenty-five thousand dollars
23. in General Revenue funds which was added in the House for the
24. repair and reconstruction of the Batavia dam and I move its
25. adoption.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Any discussion? The question is shall Amendment No. 4 to
28. House Bill 3417 be adopted? All those in favor signify by
29. saying Aye. All those opposed. The Ayes have it. Amendment
30. No. 4 is adopted. Further amendments?
31. SECRETARY:
32. Committee Amendment No. 5.
33. PRESIDING OFFICER: (SENATOR ROCK)
34. Senator Egan.

HB  
3417  
6/24/76

1. SENATOR EGAN:

2. Thank you, Mr. President, members of the Senate.

3. Amendment No. 5 appropriates five hundred thousand dollars  
4. from the Capital Development Bond Fund for the construction  
5. of a dam in Dirksen Park, City of Pekin, and I move  
6. its adoption.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Question is the adoption of Amendment No. 5 to House  
9. Bill 3417. All those in favor signify by saying Aye. All  
10. those opposed. The Ayes have it. The amendment is adopted.  
11. Further amendments?

12. SECRETARY:

13. Committee Amendment No. 6.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Egan.

16. SENATOR EGAN:

17. Senator Weaver had requested that he move the adoption  
18. of Amendment No. 6.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Weaver.

21. SENATOR EGAN:

22. I would accede to that request.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. Committee Amendment No. 6  
27. deletes the Middle fork in the amount of five million five hundred  
28. dollars from the Capital Development Bond Fund. I'm sure Senator  
29. Merritt wishes to be heard on this amendment, so I'll defer to  
30. Senator Merritt.



1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Merritt.

3. SENATOR MERRITT:

4. Did he move for the adoption?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. No, he did not yet. He was...he yielded to you, Senator  
7. Merritt.

8. SENATOR MERRITT:

9. Well, Mr. President and members of the Senate, I rise very  
10. much in opposition to this amendment. Perhaps I could have  
11. taken an easier route by moving that this be Tabled, but anything  
12. this important I feel people ought to have the opportunity to be  
13. heard on it, and such a motion would have precluded that right.  
14. I hope I have been fair about that. I think that...I think that  
15. those of you in this Body who know me the best know that I do...do  
16. not possess any high degree of eloquent oratory and neither have  
17. I ever taken my colleagues' time to where the clock had to run on  
18. me. I've been brief in what I've had to say, but today this is  
19. perhaps the last speech and debate I'll engage in in this Session.  
20. As all of you know, I'll be retiring at the end of this term,  
21. and I do ask for that kind consideration, maybe forget the clock  
22. slightly, for what is near and dear to my heart. I truly try  
23. to represent and be responsive to the needs of the people of my  
24. 53rd District, in which is located Vermilion County, larger than  
25. all the rest of my district put together. My three State Representa-  
26. tives, Craig, Campbell, and...and Coffey all do likewise, and  
27. they did a yeoman's job in the House in keeping this intact  
28. in this bill, and perhaps to some extent, as I almost shake before  
29. you here today, ruined the health of one of them who suffered  
30. a serious heart attack last evening and is in very critical condition  
31. today out at intensive care unit of St. John's - Memorial Hospital,  
32. that being Representative Chuck Campbell. To say the least, my  
33. people really resent this attempt on the part of Senator Weaver,

1. my dear friend and colleague and he is a dear, close friend. I'm  
2. sure he's representing what he feels like is the best interest of his  
3. people especially in the Champaign area, the student population,  
4. well-meaning environmentalists, with the backing of a nationwide  
5. environmental group, Sierra Club, to see that this project is  
6. thwarted. What my people are...are really trying to say - don't  
7. try to tell them what's best for them after they've already  
8. spoken loud and clear in referendums on this subject to the ex-  
9. tent of laying their own money on the line, instead of just by  
10. mouth. If I might just trace just a little bit of the history  
11. of this project dated back to 1965, when the bill... the first  
12. bill was introduced in the Legislature for the feasibility study, at  
13. that time there was an appropriation of thirty thousand dollars.  
14. Coming out of that study by John Guillou of...then Chief of the  
15. Waterways Division, came the fact that the benefits did exceed  
16. the cost and that the project should go forward. The following  
17. year, by referendum, the voters in Vermilion County created the  
18. Vermilion County Conservation District with powers of taxation  
19. and regulation and development of that important area. The  
20. following year in the 1967 Session, Governor Kerner then saw  
21. fit to sign a bill for a million six hundred and fifty thousand  
22. dollars to begin the land acquisition. In 1974 Session...or no,  
23. I'm getting ahead of myself. Then in 1970, the Vermilion County  
24. Conservation District voted a million and a half dollar bond  
25. issue, which has been going now for six years, for the purpose of  
26. defraying their costs of making this an even better and more  
27. worthwhile project for the area. As recently as 1974, this  
28. Legislature appropriated a hundred thousand dollars for this  
29. project for the final design plans. In December 1975, a short  
30. six months ago, the citizens of Danville by nearly a two to one  
31. majority voted upon themselves a bond issue for three million  
32. plus, I believe it's three million one point five, for the purpose  
33. of paying the city's share of a needed water supply when necessary

1. and it could well be true in the next four to five years for  
2. the development of the industries as well as homes in that area  
3. for a good water supply. I'd just like to point out by chrono-  
4. logically tracing this project-for the nearly twelve  
5. years of the history. It's easily seen that this is truly the  
6. will of the people in Danville and in Vermilion County. It meets  
7. every criterion that this State should put upon these type of  
8. projects. It has high public acceptance back home as is demo-  
9. strated by the funding of this project currently at the local  
10. level in excess of five million dollars all by taxpayer's funds.  
11. Perhaps it's the only project in this list of thirty-two projects  
12. in this bill that is funded so highly by the people back home.  
13. I would also like to point out, my good friends and colleagues, that  
14. this project has been endorsed by every governor. It has received  
15. an appropriation from this General Assembly, either a new one or  
16. a reappropriation, in every year we have met since 1965. It  
17. has been sanctioned and encouraged by every State Director  
18. of Conservation during that period of time. My next question  
19. is why should the Legislature, after giving our people encourage-  
20. ment and some funding for this project for nearly the past  
21. twelve years...why must we...we must...why must we say to them  
22. at this point in time, we were all wrong? You people back home  
23. don't know what's best for you, but we do by attempting to  
24. scuttle the project in taking out, as Amendment No. 6 did, the 5.5  
25. million. I think it's also well that you understand that the  
26. Vermilion County Conservation District in issuing those GO Bonds.  
27. six years ago have already paid off many of them. The issue was  
28. to only run eighteen years. What kind of chaos are we going to  
29. be creating upon those people? I submit to you and I venture  
30. to say that it'll be a subject remaining in the courts for the  
31. next ten or twenty years as to just whose property is whose  
32. ...brought about, if this were to be enacted, what I would consider  
33. the bad faith of the Legislature in giving them those encouragement

1. over the years. I wonder also, how many times have I stood  
2. up here and voted especially...voted for many projects, but  
3. especially waterway projects, flood control projects. I don't  
4. recall that I ever stood on my feet before you, Ladies and  
5. Gentlemen, and ever voted against one. Knowing full well that  
6. you know the wishes and the desires of your people back home  
7. and we all know that capable engineers in the division know  
8. what they're doing. Just in closing, I plead and beg with you,  
9. my good fellow colleagues, in the interest and in the spirit  
10. of fair play and decency, to vote to join me in voting against  
11. this amendment as offered by Senator Weaver. It's badly conceived.  
12. I think it's ill-timed, and just in closing, if it is your  
13. will to send this Senator back home looking bad, it just won't  
14. be accomplished in this way, because I'm not running for reelection.  
15. But in the name of everything that's decent and right, don't  
16. send the message back to my people that the Legislature is going  
17. to break bad faith with them at this time. Thank you.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Mr. President and members of this Body. I've sat here for  
22. six years now, and I think what Tommy says is correct. I'll  
23. call him Tommy, Senator Merritt. I've never been much on creek  
24. bills and even the one creek bill I had this morning isn't  
25. in my district. I've never been much on creek bills and I've  
26. voted against a lot of them and this is what I call a creek bill.  
27. He voted for all of them for you people. Sammy Vadalabene has  
28. done the same thing. Now, if the people of that district  
29. don't want this project, they had the opportunity to vote these  
30. men out of office a long time ago. And I don't think anybody knows  
31. more about what the people in my district are thinking than...than  
32. the representatives and myself from that district who go out  
33. everyday to county fairs, to ice cream socials and other places.

AB 341  
6/24/76

1. I don't know the right or wrong of this. I don't know the  
2. right or wrong of the Rock Island Trail, but I voted with  
3. Senator Bloom last fall, I'm going to vote with Senator  
4. Merritt this time. And I say to you, each one of you, that  
5. you have projects and things in your district that you consider  
6. important. If you're wrong, your people will let you know.  
7. I don't think the Senate here, are the ones who should tell these  
8. elected representatives that they are the ones who are wrong.  
9. There's some reason these people have won in spite of this  
10. project, if they're all for it. They must be speaking for  
11. the vast majority of people who live in this district. Now,  
12. you may say this is a project that has extra territorial effects.  
13. Well, I think every project we vote for does. But, I'll say  
14. this and I can understand...I can understand Senator Weaver's  
15. dilemma because he lives at Champaign in Champaign County  
16. where the student body, the ecology group is centered. I can  
17. remember when they came up here a couple of years ago and he  
18. ...he supported it. I think it even went in that if you wanted  
19. to cut a tree along a drainage ditch, you had to have the permission  
20. .or not the permission, but you had to let anyone who wanted  
21. to come in before the Judge and have their say so. These  
22. proceedings in all these kind of affairs and the litigation  
23. that's drug on and on and on has become almost insurmountably  
24. expensive by reason of building a power plant, or changing a  
25. drainage ditch, or doing anything else. All I can say to you  
26. is what I said once to Congressman Findley. A group of  
27. people went to talk to him about...about the power plant  
28. at WIPCO Illinois and he wasn't particularly pleased with two  
29. percent money for rural electric co-ops. And Sam Jenkins  
30. from Quincy says, I'll talk to him, I was his next door neighbor,  
31. and he talked to him for an hour. He didn't change Findley's  
32. mind and finally, Findley had to go for a roll call and I said  
33. I just want to say one thing, Paul, I said, it's in your district.

HW 417  
6/24/76

1. They're going to spend the money. Rural electric co-op loans  
2. are going to go on at two percent. Would you rather it was in  
3. your district or someplace else. He said, you make a convincing  
4. argument. I personally, and I say this to my friends on this  
5. side of the aisle from the City of Chicago, I think I always  
6. try to vote, if it doesn't effect downstate particularly,  
7. I try to vote to help you. You've been very good to me and  
8. when it effects downstate and effects my district, you listen  
9. to me. This has always been the working arrangement we've  
10. had. I think this has been a working arrangement among all the  
11. Senators of this district and in this instance, this is  
12. important to Tommy, he's fought for it for eleven years. It's  
13. in his district. He knows what the people there think and it's  
14. for that reason that I'm going to support Senator Merritt.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Mr. President and colleagues. One of the problems  
19. in this particular measure, there's several, is that it has  
20. somehow become identified as an environmentalist issue. Let's  
21. forget that right away. I handled the creek bill the first  
22. two years I was here, and went along with Senator Merritt because  
23. he made a very emotional, persuasive pleas to me and the Body  
24. at that time, even though I had and I admit it, no confidence  
25. in the project. Our difficulty now, is we are at the point of  
26. no return. Land has been acquired there which would serve  
27. nicely as a state park as it stands. The plain fact is that  
28. five thousand people in the City of Danville, not in the county,  
29. but in the city have voted for this, and the State of Illinois  
30. is going to obligate a total of some twenty-five million  
31. dollars. Now, the first installment comes this year. As Vice-  
32. Chairman of the Water Resources Commission, I want to report  
33. to you that we met on this and other aspects of the creek bill, as

411  
3417  
6124176

1. we normally do. I must say right away that at that Session  
2. Senator Latherow was not in attendance nor was Senator Mitchler.  
3. We unanimously voted that this project should be stricken from  
4. the list. The cost benefit ratio almost doesn't exist.  
5. There is not a need for water supply. The cost to the State  
6. is absolutely out of proportion to the local effort, and I  
7. simply want to tell you that if we go this route, in a county  
8. of fifty thousand people, people in the City of Danville  
9. only allowed to vote, five thousand vote for it, three  
10. thousand against it, the property does not effect Danville,  
11. it's north of Danville and the State is going to come in with  
12. about five thousand dollars per vote. I just want to tell you  
13. that my district is going to be next for that kind of money.  
14. You can argue, as many people have, about the beauty of the river  
15. and it's a fine recreational area. Let's put that aside because  
16. we tend to get too emotional and our responses are too conditioned.  
17. Just look at the money. This is just the beginning. If we take  
18. this step, we're not going to go back, we're going to have  
19. to appropriate similar sums for the next few years. For the  
20. next few years. I suggest that the money that has been  
21. spent there now, we talked very carefully to Water Resources,  
22. they could stop right now, we would have a beautiful recreational  
23. area as is. But I tell you if you go further, the price tag  
24. to the State is completely out of proportion and we are simply  
25. establishing a precedent that we will come to regret. Maybe  
26. we should have been firm earlier, but as Senator Knuppel has  
27. pointed out, we tend to go along with one another to the greatest  
28. extent possible, and certainly I have no desire to vote against  
29. something that Senator Merritt sincerely wants. I've gone  
30. along with it in years past for that very reason. But, I simply  
31. think now, we have reached the point of no return. We simply  
32. must not permit this to go further, and let me say, too, this is  
33. a profound mistake that is being made in the second floor. If

AK 3411  
6/13/76

1. it passes here, that's the end. This is the last stop.  
2. We can't avoid the decision. If we don't take this out, it  
3. goes and it goes on and on. And I suggest to you that it's  
4. a step that we simply in all prudence, cannot take. I support  
5. the adoption of the amendment.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Latherow.

8. SENATOR LATHEROW:

9. Well, thank you, Mr. President. And in the words of my  
10. esteemed colleague, I will be brief. I want to recognize  
11. that many words have...said here today and a lot of time  
12. too, I do not agree with the Water Resources Commission. Any  
13. member on that will tell you so and certainly would not have  
14. agreed to this if I'd have been in the particular meeting. I just  
15. want to say a couple of things that when we say that, I won't  
16. do or I never did, I would hesitate to say almost no one here and  
17. even Joe Peterson, who many of us remember, hasn't had a project  
18. that's key and acute to his or her particular district, and to have  
19. them show the support that has been shown here by those people  
20. in Senator Merritt's district. And I recall the time when  
21. Senator Joe Peterson, who wouldn't vote for any project of this  
22. type, got in the proverbial hole where he had one of his own.  
23. I don't say we want to give the kiss of death to Senator Merritt  
24. or to any other person on here. But, I just think, Mr. President,  
25. we've heard plenty, we've heard a lot of things, I'm not  
26. saying today, not a thing do I think we've heard today that are  
27. not factual and elemental to what we're doing. We've had  
28. correspondence. Just today I had a correspondence from someone  
29. in my district at Aledo, Illinois, said for me to vote against this  
30. and what in the name of land that has to do affecting that particular  
31. one of mine in...in Aledo, Illinois other than the fact that as a  
32. taxpayer he's interested. I don't know. Most of these projects  
33. similar to the one that I had that many of you supported concerning  
34. the educational T.V. bill, it almost wore itself out here before it



AB 3411  
6/24/70

finally became popular enough to...to receive the funds Federally

1. and Statewide. But, I just wonder, Mr. President,...I'll wait  
2. just a minute if...if I would be in order...if I would move  
3. at this time that the motion for the adoption of Amendment  
4. No. 6 be Tabled.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Well...

7. SENATOR LATHEROW:

8. Okay.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. ...there are a couple more who've indicated they wish  
11. to speak.

12. SENATOR LATHEROW:

13. Then I'd like to be recognized when that motion is made  
14. to adopt it, Mr. President.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. That is correct. Senator McCarthy.

17. SENATOR MCCARTHY:

18. Well, I don't necessarily want to speak if you've got the  
19. votes to Table the amendment, Cliff, because I...am supportive  
20. of Senator Merritt's position. I think we had in Decatur a  
21. problem where the environmentalists came after it...after us  
22. when we wanted funding for the Oakley Dam which was approved  
23. by every governor in the State of Illinois such as the Middle  
24. Fork is here, and this Senate Body, as we'd come up for our votes  
25. year after year, always kept their word with the citizens of  
26. Decatur who had entered into a contract with the Federal government  
27. for funding this project. The State of Illinois never backed away  
28. from it. Finally when the plug was pulled, it was the Federal  
29. government that pulled the plug. I don't...I don't like to see  
30. the State of Illinois back away from these projects, and the  
31. Governor says he wants it. And I'm familiar with some of Senator  
32. Merritt's constituents, the Mayor of the City of Danville and  
33. many of the people that work in the plants there, and they all

AB  
3417  
6/24/76

1. want this appropriation. They want Senator Weaver's amendment  
2. defeated. I think what you ought to consider...some of you  
3. have questions left in your mind is...of course, the facts that  
4. Senator Merritt brought out about industrial use, flood control, but  
5. then recreation, because we've got Lake Shelby about twenty  
6. miles - twenty-five miles south of Decatur. And the men and  
7. women that work in the plants everyday, in the summertime a  
8. lot of them when the follow...when the finish their Thursday  
9. night shift, they get in their camper and they drive down to  
10. Lake Shelbyville, the man and woman and some of the children  
11. and they park next to this lake. The man gets up the next morning  
12. and goes back to finish off his shift on Friday and they have  
13. a weekend right close to home and not spend a lot of money,  
14. 'cause they don't have a lot of money to spend. They're not  
15. using a lot of gasoline because it's high priced, but they've  
16. got the recreational aspects close to their work where they  
17. can get away from the factory for a weekend close to home.  
18. The recreational aspects of this Middle Fork I think will give  
19. benefits to the people that work in the City of Danville in  
20. the various industries that are there. It'll be a plus to the  
21. working conditions in the industrial climate in that area and  
22. I'm supportive of Senator Merritt's position.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any further discussion? Senator Netsch.

25. SENATOR NETSCH:

26. Thank you, Mr. President. When I first starting receiving  
27. letters about the Middle Fork project, I really did not know much  
28. about it. I did not remember that distinctly from prior years  
29. and I confess I had not been in that particular area, and so my  
30. responses to those letters were a very wobbly thank you very  
31. much, I'll be happy consider what you say. I would like to make  
32. two points. One is that I received letters from all over. I  
33. received many letters from people who lived in the area, and I

HB 3417  
Andersberg  
6-24-78

1. received many more against the project than for the project,  
2. although I recognize that there are differences of opinion in  
3. the area. I was also impressed by the fact that I received  
4. a lot of letters from people who did not actually live in that  
5. area, but had, in fact, been there, spent a lot of time using  
6. the facilities, including even some people in my district who  
7. had been there canoeing or whatever. I found universally that  
8. all of the letters from people who had used the facilities there  
9. were against the project, and I found that fairly persuasive,  
10. and so one day, I just simply closed the door and pulled out  
11. every piece of paper I had on Middle Fork and read it all. That  
12. was every argument that had been made for it and every argument  
13. that had been made against it including the environmental  
14. impact statement. By the time I had completed that, there was  
15. no question in my mind that it was not a good project, and that  
16. it should not go ahead.

17. (continued on next page)

18. (transcript typed previously)

19.  
20.  
21.  
22.  
23.  
24.  
25.  
26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

20 5117  
D. de...  
7 116, 119, 121  
1-2-50

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? Senator Weaver, you wish to close  
3. before Senator Latherow's motion? Senator Weaver.

4. SENATOR WEAVER:

5. Thank you, Mr. President. Well, actually I hadn't made  
6. the motion yet. I deferred to Senator...

7. PRESIDING OFFICER: (SENATOR ROCK)

8. That is correct.

9. SENATOR WEAVER:

10. ...Merritt. This isn't certainly...colleagues, is not  
11. a happy thing for me to have to fight my good friend, Tommy,  
12. who I've served with for many years and have the utmost respect.  
13. I've been against this project since its inception and since  
14. I've had anything to do with it, I have tried to knock out all  
15. funds, all construction funds, and left in funds for studies  
16. to find out the feasibility. As others have said, the project  
17. lacks a good deal in cost benefit ratio. Most all of it is  
18. devoted to recreation, ninety-five percent. Water needs for  
19. the City of Danville are not needed at this time, and if at  
20. a future time, this source may be used although there are cheaper  
21. supplies available to the city. There's no contribution from  
22. the Corp of Engineers. Federal money from the land...the Bureau of  
23. Outdoor Recreation has been requested since '72 and never  
24. approved. I think that by the construction of this dam we  
25. would be losing one of the finest and one of the few natural  
26. flowing rivers that exists in the State of Illinois. There  
27. are recreation facilities all around this river, Kickapoo State  
28. Park. The conservation district has land available for corridor  
29. parks. Were it really flood control or water supply, I would  
30. certainly be amenable to construction possibly, but at this  
31. point, looking at all the facts and I can appreciate Senator  
32. Merritt's concerns for representing the people of his district  
33. as he must do, but by the same token, I'm going to represent the

113 5717  
Satisfactory  
AA 6, 7, 18  
4-24

1. people of my district. I'm not unfamiliar with this river.  
2. I've fished this river since 1938, and I...I understand the  
3. sympathies of the people living...living in the area. Many of  
4. the people are small landowners, keep a cow and chickers,  
5. few hogs, and work in the coal mines, or work in Danville,  
6. or tenant farmers, and many of them will be displaced, and so  
7. I have compassion for them also, and it's certainly not with  
8. any malice toward my good friend, Tom Merritt, that I make  
9. this motion but, I would move adoption of Amendment No. 6.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Latherow.

12. SENATOR LATHEROW:

13. Mr. President, I move that that motion lie upon the  
14. Table.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Latherow has moved to Table the motion to adopt  
17. Amendment No. 6. Those in favor of the motion to Table will  
18. vote Aye. Those opposed will vote Nay. The voting is open.  
19. Have all voted who wish? Take the record. On that question,  
20. the Ayes are 17, the Nays are 28, 2 Voting Present. The motion  
21. fails. Senator Weaver moves to adopt Amendment No. 6 to House  
22. Bill 3417. All those in favor signify by saying Aye. All  
23. those opposed. Senator Merritt, for what purpose do you arise?

24. SENATOR MERRITT:

25. I'd like a roll call vote. I still indicate my opposition  
26. to the amendment. It may not be any different outcome, but I'd  
27. ask for a roll call.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Roll call has been requested. The question is, the adoption  
30. of Amendment No. 6 to House Bill 3417. Those in favor will vote  
31. Aye. Those opposed will vote Nay. The voting is open. Senator Bruce,  
32. would you vote me Aye, please. Senator Bruce, will you vote  
33. me Aye, please. Senator Bruce, for what purpose do you arise?

11 5 3917  
P. J. Anderson  
H 48, 7, 8  
6-24-76

1. SENATOR BRUCE:
2. Well, what I want to do is vote to leave the money in for
3. Middle Fork, and...
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Then you would...then you would...
6. SENATOR BRUCE:
7. ...there's a great deal of confusion among my...
8. PRESIDING OFFICER: (SENATOR ROCK)
9. then...
10. SENATOR BRUCE:
11. colleagues...
12. PRESIDING OFFICER: (SENATOR ROCK)
13. ...you would vote No.
14. SENATOR BRUCE:
15. Thank you.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Have all voted who wish? Take the record. On that
18. question, the Ayes are 27, the Nays are 16, 4 Voting Present.
19. Amendment No. 6 is adopted. Further amendments?
20. SECRETARY:
21. Amendment No. 7 offered by Senator Egan.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Egan.
24. SENATOR EGAN:
25. Thank you, Mr. President and members of the Senate. Amendment
26. No. 7 would put thirty-two thousand dollars into the appropriation
27. for the State's participation in the commission of which the
28. State of Illinois is a member, and it also changes the total figure.
29. It's the Great Lakes Basin Commission, and that's for our dues.
30. And I move its adoption.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Any further discussion? Senator Egan moves the adoption
33. of Amendment No. 7 to House Bill 3417. All those in favor signify

1153.11  
Sess. meeting  
p. 116, 782  
6-24-16

1. by saying Aye. All those opposed. The Ayes have it. The  
2. amendment is adopted. Further amendments?

3. SECRETARY:

4. Amendment No. 8 offered by Senator Weaver.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Weaver.

7. SENATOR WEAVER:

8. Thank you, Mr. President. Amendment No. 8 would show  
9. the total cost of these projects in this waterways division.  
10. Every other capital project we appropriate the total known  
11. cost of the project so that this General Assembly is put on  
12. record of what we're obligating ourself for and we can raise  
13. our appropriations or authorizations to match the total  
14. appropriations. This particular amendment would add thirty-seven  
15. million and five hundred and twenty-eight thousand six hundred  
16. dollars to this, showing the total cost of these projects,  
17. so that every year we can know what our total commitments are and  
18. reappropriate that necessary to handle the next fiscal year,  
19. and I'd move adoption of this amendment.

20. PRESIDING OFFICER:

21. Senator Egan.

22. SENATOR EGAN:

23. Yes, Mr. President and members of the Senate. We had a  
24. thorough discussion of this amendment in the Committee which  
25. rejected it. I stand in opposition to the amendment for the  
26. simple reason that the money is not necessarily...it is not necessary  
27. to be in the appropriation. We are...we are addressing ourselves  
28. to these projects year by year. We feel there's no need for a  
29. total amount. That money will not be spent. Consequently, Mr.  
30. President and members, I must stand in opposition to the motion.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any further discussions? Senator Weaver may close the debate.

33. SENATOR WEAVER:

HB 3486  
2nd reading  
6/24/76

1. Thank you, Mr. President. Well, Senator Egan, I...this  
2. amendment was not offered. Now, we have treated every other  
3. capital program in this manner, so that the Committee and...  
4. and the General Assembly knows what the total costs are. I  
5. don't think we'd get into the proposition of we were just in in  
6. Middle Fork had we known that the total cost of this would  
7. be through the years about fifty-one million dollars, so I  
8. see no reason. This is strictly showing, God and everybody,  
9. what the total costs of these projects are, and I'd move adoption.  
10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Weaver has moved the adoption of Amendment No.  
12. 8 to House Bill 3417. All those in favor signify by saying  
13. Aye. All those opposed. The Ayes have it. The amendment is  
14. adopted. Further amendments? Any further amendments? 3rd  
15. reading. 3485, Senator Knuppel. Senator Knuppel. 3485, do  
16. you wish that moved? Read the bill, Mr. Secretary.

17. SECRETARY:  
18. House Bill 3485  
19. (Secretary reads title of bill)  
20. 2nd reading of the bill. No committee amendments.

21. PRESIDING OFFICER: (SENATOR ROCK)  
22. Any amendments from the Floor? 3rd reading. 3486, read  
23. the bill, Mr. Secretary.

24. SECRETARY:  
25. House Bill 3486  
26. (Secretary reads title of bill)  
27. 2nd reading of the bill. No committee amendments.

28. PRESIDING OFFICER: (SENATOR ROCK)  
29. Any amendments from the Floor? 3rd reading. 3518, Senator  
30. Brady. Wait, hold...hold it, Senator. Is...is there, in fact,  
31. an amendment to 3486?

32. SECRETARY:  
33. Amendment No. 1 offered by Senator Knuppel.



HB 3486  
2nd  
6/24/76

1. PRESIDING OFFICER: (SENATOR ROCK)

2. All right. We'll bring 3486 back to the order of 2nd.  
3. I think I had moved it to 3rd. It's back to the order of  
4. 2nd for the purpose of Amendment No. 1. Senator Knuppel.

5. SENATOR KNUPPEL:

6. The amendment is designed to correct technical legal questions  
7. raised in committee by staff. This amendment has been pre-  
8. pared to meet those objections and has been admitted...and  
9. has been submitted to the staff members on both the Democratic  
10. and Republican side and I move the adoption of the amendment.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Knuppel moves the adoption of Amendment No. 1  
13. to House Bill 3486. All those in favor signify by saying  
14. Aye. All those opposed. The Ayes have it. The amendment  
15. is adopted. Any further amendments? 3rd reading. 3518,  
16. Senator Brady. Yes. Senator Brady.

17. SENATOR BRADY:

18. Mr. President, there is an amendment being drawn up  
19. for this bill right now. I wonder if we could have leave  
20. to come back to this bill?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Is leave granted? So ordered. 3553, Senator Schaffer.  
23. Do you wish that moved? Middle of page...oh, I beg your  
24. pardon. Senator Howard Mohr.

25. SENATOR MOHR:

26. Mr...

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator...

29. SENATOR MOHR:

30. Mr. President...

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Mohr.

33. SENATOR MOHR:

1. ....the calendar is in error. I'd like to offer an  
2. amendment to this bill that's on the Secretary's Desk.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. All right. We...we will correct the calendar...if  
5. everybody will please correct the calendar. 3553 show  
6. the Senate sponsor as Senator Howard Mohr. Read the bill,  
7. Mr. Secretary.

8. SECRETARY:

9. House Bill 3553.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. No committee amendments. One Floor  
12. ...Amendment No. 1 offered by Senator Howard Mohr.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Mohr.

15. SENATOR MOHR:

16. Yes, Mr. President. This amendment...or this bill, as  
17. it reads now, shows disasters in two areas dated March 12th  
18. in the Franklin Park North Lake Lydon Township in Silver  
19. Park area and also the disaster of June 13th. We're elimi-  
20. nating the June 13th disaster because that has been covered  
21. in another bill. It reduces the amount from two million  
22. dollars to one million dollars. I move the adoption.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion? Senator Mohr moves the adoption of  
25. Amendment No. 1 to House Bill 3553. All those in favor signify  
26. by saying Aye. All those opposed. The Ayes have it. The  
27. amendment is adopted. Any further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. 3rd reading. 3555, Senator Dougherty. Read the bill,  
32. Mr. Secretary.

33. SECRETARY:

1. House Bill 3555.

2. (Secretary reads title of bill)

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

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any amendments from the Floor? 3rd reading. Is

6. Senator Vadalabene on the Floor? Senator Sommer on the

7. Floor? All right. On the order of House Bills 2nd is

8. House Bill 3629, Mr. Secretary, read the bill.

9. SECRETARY:

10. House Bill 3629.

11. (Secretary reads title of bill)

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

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any amendments from the Floor? 3rd reading. Senator

15. Vadalabene has now returned. 3582, do you wish that moved,

16. Senator Vadalabene?

17. SENATOR VADALABENE:

18. Move it.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Read the bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 3582.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments. One

25. Floor amendment offered by Senator Philip.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Amendment No. 1, Senator Philip.

28. SENATOR PHILIP:

29. Thank you, Mr. President and Ladies and Gentlemen of

30. the Senate. What Amendment No. 1 does, anybody paying for

31. State license plates that would pay over one hundred dollars

32. would have to pay by money order, certified check, cashiers

33. check or cash. It seems last year, believe it not, the

1. Secretary of State received nine hundred and eighty thousand  
2. dollars worth of bum checks. Now, I don't know if you can  
3. comprehend that or not, but there are some fourteen to  
4. eighteen people in the Secretary of State's office, all they  
5. do all year round is chasing people for bad checks and it  
6. just happened to be only about one percent of the total  
7. applicants passed bad checks to the Secretary of State.  
8. Once they catch up with them they have to mail the check  
9. back and notify that person and then, of course, it ends up  
10. in court and the Attorney General ends up prosecuting that  
11. person in some cases. And all this would do would say that  
12. anybody who buys license plates over a hundred dollars would  
13. have to pay by certified check, bank draft or cash. So, I  
14. move the adoption of Amendment No. 1.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Any discussion? Senator...Senator Palmer.

17. SENATOR PALMER:

18. Well, Senator...yield to a question?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Indicates he will yield. Senator Palmer.

21. SENATOR PALMER:

22. Couldn't this situation be handled just as well by the  
23. Secretary of State by administration just saying that they  
24. will not deliver the plates until the check clears...under  
25. the same circumstances, if it's over a hundred dollars?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Philip.

28. SENATOR PHILIP:

29. Well, unfortunately, some of them are picked up right on  
30. the spot. You can go right in to pick them up and hand them  
31. the check and walk out and they've never done it in the past.  
32. And I'm just saying this. I can't believe that we would have  
33. nine hundred and eighty thousand dollars worth of bum checks,

1. and I think we ought to do something about it and it ought  
2. to be in the statutes.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Palmer.

5. SENATOR PALMER:

6. I...I...I agree with you, Senator, but I think a more  
7. expeditious way and a less costly way is just not to give  
8. them the license until that check clears. You don't have...  
9. just because they come to a window doesn't mean you have to  
10. give them the license.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Philip.

13. SENATOR PHILIP:

14. Well, I might say this, that a good many people last...  
15. wait 'til the last minute to pick up their plates, and  
16. everybody waits till the end and, of course, it's a big problem  
17. for the Secretary of State's office. They've never done it  
18. in the past. Hopefully this is going to solve the problem  
19. for the Secretary of State, but it also is going to solve  
20. a big problem for the Attorney General's office, who ends up  
21. prosecuting.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Palmer.

24. SENATOR PALMER:

25. I still think that my suggestion is going to solve the  
26. problems that you're talking about. You eliminate the...the  
27. Attorney General, you eliminate the problems of the Secretary of  
28. State by establishing an administrative rule that any person  
29. that...that applies for a license plate in excess of a hundred  
30. dollars does not get his plate until that check clears. We  
31. ...if he comes late or he comes near a deadline, that's his  
32. fault. All he has to do...and you save all of that money and  
33. I agree with you as to the...the problem and I don't think

1. it should be and I don't think the Secretary of State should  
2. go through the problems and I don't think the Attorney General  
3. should go through the problems.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. All right. We...we've got a number who have indicated  
6. they wish to speak. Senator Vadalabene.

7. SENATOR VADALABENE:

8. Well, let me say at the outset first, that the Secretary  
9. of State opposes this amendment. Well, here we go again,  
10. all the good people who pay their licenses and have two cars  
11. and a truck and they'll send in their checks. Now, we'll  
12. have to go and get a cashiers check or have to do this or have to  
13. do that. Now, you got to take in respect that one percent  
14. of these checks that we're talking about...eight thousand of  
15. one percent...Senator, what you're really saying here is, that  
16. I can now send to the Secretary of State two checks...one or  
17. three checks of forty dollars a piece, two for forty dollars  
18. and one for twenty dollars and I'll be under the hundred dollar  
19. limit. Well, you're going to stack more checks. There'll  
20. be a way of getting around the hundred dollars. This...this  
21. amendment is bad. The Secretary of State opposes it and I want  
22. this amendment defeated and so does the Secretary of State.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. One, I doubt that it constitutes a reasonable classifi-  
27. cation constitutionally. Two, you're making the good people  
28. pay for the bad people and three, the...the Secretary of State  
29. just got rid of notarizations on applications to make it simpler  
30. for the person who was purchasing licenses and titles. I think  
31. this is a step in the...in a backward direction. The bill  
32. without that should do it. It...it would make the people who  
33. are not solvent pay the bills before the collection and that's

1. what the bill is intended to do.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Soper.

4. SENATOR SOPER:

5. Thank you. Well, it came to my mind exactly what Senator  
6. Knuppel said, but if the Secretary of State can do this by  
7. resolution I think that...I...I don't like to oppose what  
8. Senator Philip wants it anytime...he's shaking his fists at  
9. me. What have you got in there? A pencil? I think that...  
10. and if the Secretary of State doesn't want it I don't think  
11. we ought to vote for it.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any further discussion? Senator Philip may close the  
14. debate.

15. SENATOR PHILIP:

16. Thank you, Mr. President and Ladies and Gentlemen of the  
17. Senate. You know I think the...in the present Secretary of  
18. State has done a very good job. He's had almost four years  
19. ...almost four years to put that rule into effect and he has  
20. not done it. And I can't, for the life of me, believe that  
21. Mike Howlett is not interested in saving the sum of nine  
22. hundred and eighty thousand dollars. This is a good amend-  
23. ment. It should be passed and it should be on that bill.  
24. And you and I and all of us on the Floor of this Senate know  
25. Mike Howlett hasn't even seen this amendment. You know that  
26. and I know that. It's going to solve a couple of problems,  
27. it's going to solve the wasting of fourteen to sixteen em-  
28. ployees. That's all they do is chase people around the State  
29. of Illinois for bad checks. A good percentage of those people  
30. are out of State. They never see them again. Secondly, it's  
31. going to help the Attorney General, who's got enough prosecutions  
32. and enough cases to date. So, once, again, Ladies and Gentlemen,  
33. this is a good common sense amendment and I'd like to put it on

1. this bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Philip moves the adoption of Amendment No. 1

4. to House Bill 3582. All those in favor signify by saying

5. Aye. All those opposed. The Noes have it. The amendment

6. ...yes. A roll call has been requested. Those in favor

7. of the adoption of the amendment will vote Aye. Those opposed

8. will vote Nay. The voting is open. Have all voted who wish?

9. Take the record. On that question the Ayes are 15, the Nays

10. are 31, none Voting Present. Amendment No. 1 fails. Any

11. further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. 3rd reading. 3659, Senator Wooten. Senator Wooten.

16. You wish to move that? 3659, Mr. Secretary. Read the bill.

17. SECRETARY:

18. House Bill 3659.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. No committee amendments.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any amendments from the Floor? 3rd reading. 3799,

23. Senator Partee. Read the bill, Mr. Secretary.

24. SECRETARY:

25. House Bill 3799.

26. (Secretary reads title of bill)

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

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any amendments from the Floor? 3rd reading. House Bill

30. 3800. Read the bill, Mr. Secretary.

31. SECRETARY:

32. House Bill 3800.

33. (Secretary reads title of bill)



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

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any amendments from the Floor? 3rd reading. 3801.

4. Read the bill.

5. SECRETARY:

6. House Bill 3801.

7. (Secretary reads title of bill)

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

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any amendments from the Floor? 3rd reading. 3816,

11. Senator Donnewald. 3830, Senator Nimrod. Read the bill,

12. Mr. Secretary. House Bill 3830.

13. SECRETARY:

14. House Bill 3830.

15. (Secretary reads title of bill)

16. 2nd reading of the bill. Amendment...2nd reading of the  
17. bill. No committee amendments. Amendment No. 1 offered by  
18. Senator Carroll.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Carroll.

21. SENATOR CARROLL:

22. The...excuse me. Would the Secretary...I have, I think,  
23. three amendments up there.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Mr. Secretary, will you identify which is Amendment No.  
26. 1?

27. SECRETARY:

28. Amendment No. 1 is amend House Bill 3830 on page 10 by  
29. deleting line 16 and 17. Okay?

30. SENATOR CARROLL:

31. Okay. Thank you. This amendment is...creates...cleans  
32. up some of the problems with the bill. The ambiguities by  
33. as to the vacancy in the office and the board certification of

1. that vacancy as it deals with the Election Code. If Senator  
2. Nimrod...would like to take a second. This is what we had  
3. talked about in the committee. I'll...I'm just waiting a  
4. second for Senator Nimrod to review this one. We had dis-  
5. cussed this one in committee. What happens...there seemed  
6. to be a technical defect in the bill as to the vacancy as  
7. to how to make the board act and what actually creates it,

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Carroll. I'm sorry. I was...

10. SENATOR CARROLL:

11. I was just allowing Senator Nimrod a moment to review  
12. this.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right. I wonder...now that you have the three  
15. amendments can we take it out of the record and just keep  
16. going and then we'll get back to it? Senator Nimrod.

17. SENATOR NIMROD:

18. I was going to ask...I only have one amendment so can I see all three?

19. PRESIDING OFFICER:

20. Yes. I...I understand Senator Carroll does have three.  
21. We'll take this out of the record. Are we...the Secretary's  
22. only got two, Senator Carroll.

23. SENATOR NIMROD:

24. Okay. Can we...can we do this in order to save a legisla-  
25. tive day. I'll agree to bring it back, Senator Carroll.

26. Senator Carroll...Senator Carroll, I'll agree....

27. PRESIDING OFFICER: (SENATOR ROCK)

28. I mean we can get back to it later. I just want to  
29. run the rest of the 2nd readings.

30. SENATOR NIMROD:

31. Yeah...Well...well...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Can you talk to him about that right about now?

1. SENATOR NIMROD:

2.       Okay.

3. PRESIDING OFFICER: (SENATOR ROCK)

4.       All right. We'll take that out of the record. All  
5. right. 3857, Senator Ozinga. Senator Ozinga.

6. SENATOR OZINGA:

7.       Mr...Mr. President, after conversation with you I'd  
8. like the record to show that I would like to sponsor that,  
9. being the lead sponsor as far as House Bill 3857 is con-  
10. cerned. It concerns property in my district.

11. PRESIDING OFFICER: (SENATOR ROCK)

12.       Senator Ozinga asks leave to be shown as the Senate  
13. sponsor of House Bill 3857. Is leave granted? So ordered.  
14. Do you wish to move the bill, Senator? All right. Read  
15. the bill, Mr. Secretary.

16. SECRETARY:

17.       House Bill 3857.

18.               (Secretary reads title of bill)

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

20. PRESIDING OFFICER: (SENATOR ROCK)

21.       Any amendments from the Floor? 3rd reading. Now, may  
22. we have your attention. The President seeks recognition for  
23. the purpose of an announcement. Senator Partee.

24. SENATOR PARTEE:

25.       Thank you, Mr. President. Several of the members have  
26. asked me about our schedule and the schedule will be this.  
27. We will break at 5:00 this afternoon and we'll return at  
28. 7:30. Hopefully, we can work a couple or three hours tonight  
29. and we'll be back tomorrow at 10:30.

30. PRESIDING OFFICER: (SENATOR ROCK)

31.       All right, House Bill 3891. I would, again, point out  
32. that there is a mistake on the calendar. I am informed that  
33. this bill should read House Committee on...of Human Resources

1. and the sponsor is Senator Netsch. 3891. If you will just  
2. change your calendar we'll ask the Secretary to make sure  
3. the printer gets the message. Senator Netsch, do you wish  
4. to move that bill? Read the bill, Mr. Secretary.

5. SECRETARY:

6. House Bill 3891.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. The Committee on Public Health,  
9. Welfare and Corrections offers one amendment.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Netsch. Committee Amendment No. 1.

12. SENATOR NETSCH:

13. Would you identify that please? I have...

14. SECRETARY:

15. Very...very short amendment, Senator. I'll read it.

16. (Secretary reads Committee Amendment No. 1)

17. SENATOR NETSCH:

18. Right.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Netsch.

21. SENATOR NETSCH:

22. Just a moment. What I am going to do now, Mr. President,  
23. if I might, is to move to Table Amendment No. 1. What we have  
24. done is to incorporate three suggestions into a separate amend-  
25. ment, which I have now submitted to the Secretary's Desk. This  
26. is consistent with what the..with the...with what the members  
27. of the Committee requested. So, let me move to Table Amendment No.  
28. 1.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any discussion? Senator Netsch moves that Amendment No. 1  
31. lie upon the Table. All those in favor signify by saying Aye.  
32. All those opposed. The Ayes have it. The amendment is Tabled.  
33. Amendment No...

1. SECRETARY:

2. Amendment No. 2 offered by Senator Netsch.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Netsch.

5. SENATOR NETSCH:

6. Thank you, Mr. President. This picks up the subject  
7. matter of the amendment that I just Tabled and includes two other  
8. matters that were raised during the course of the Committee  
9. discussion by Senators Fawell, Moore, Schaffer, myself and  
10. others. What it does is to...the bill, incidentally, has  
11. to do with the closing of nursing homes when they are found  
12. to represent either, all, or part of nursing homes when they  
13. are found to represent an imminent threat to the health or  
14. safety of those who are residents therein. And we have clarified  
15. the language in the first part of this amendment by making it  
16. clear that some part of a nursing home could be closed and it  
17. does not have to be the entire nursing home. This is responsive  
18. to the point that was raised...in fact, I think, by Senator  
19. Ozinga that in some cases there may be a wing or a floor that  
20. is an immediate threat to health or safety, but the rest of  
21. the institution is in reasonable enough order and it would not  
22. be helpful to have to close the entire institution. The second  
23. part of the amendment increases the amount of time allowed for  
24. applying to the court by the licensee whose home is to be closed  
25. for an injunction to prevent the action. At Senator Fawell's  
26. request we have increased that to five days to be able to allow  
27. the court proceedings to...to conclude and thirdly, we have  
28. made it clear that where the licensee feels agrieved by the  
29. order, he is not in the position of having to wait for the entire  
30. administrative process to run its course, but may imply to a  
31. court for an injunction to prevent the closing. Where he believes  
32. that the action of the administrator has been arbitrary, capricious  
33. or without basis and fact, those are now the elements of the

1. amendment as...according to the recommendations of members  
2. of the Committee I move its adoption.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any discussion? Senator Fawell.

5. SENATOR FAWELL:

6. Senator Netsch, I...I had thought that you were going to  
7. hold that off and just move it to 3rd reading and then  
8. we would come back tomorrow and put on the amendment. I'm  
9. working on that review amendment also. Is that...is that  
10. right?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Well, why don't you...my suggestion would be...you've  
13. already Tabled Amendment No. 1. Withdraw No. 2 and then  
14. we'll move it to 3rd with the understanding that you and  
15. Senator Fawell will bring it back. Okay. The amendment  
16. is withdrawn. Any further amendments? 3rd reading. Senator  
17. Bruce. Senator Newhouse. Senator Don Moore. Oh, Senator  
18. Newhouse. I'm...House Bill 3912. Mr. Secretary, read the  
19. bill.

20. SECRETARY:

21. House Bill 3912.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. No committee amendments.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any amendments from the Floor? 3rd reading. All right, we'll  
26. go back and pickup House Bill 3831...no, 3830, I beg your...  
27. Is that 3830? 3830. Mr. Secretary, read the bill.

28. SECRETARY:

29. House Bill 3830.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. No committee amendments. Amend-  
32. ment No. 1 offered by Senator...

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Hold it. Senator Nimrod, for what purpose do you  
2. arise?

3. SENATOR NIMROD:

4. Yes, Mr. President. I spoke with Mr. Carroll with  
5. the understanding...Senator Carroll, with the understanding  
6. that this bill be brought back. To save a legislative  
7. day we'll move it to 3rd then we'll bring it back.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. All right. Any amendments from the Floor? 3rd reading.  
10. Senator...Senator Don Moore. Senator Carroll, 3930. Read  
11. the bill, Mr. Secretary.

12. SECRETARY:

13. House Bill 3930.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. The Committee on Revenue offers  
16. three amendments.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President. We have three amendments to  
21. 3930...three Committee amendments.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Three Committee amendments.

24. SENATOR CARROLL:

25. And then there's a Floor amendment as well. Can we  
26. hold on one second? These were addressed to some of the  
27. problems when we had discussed 1945 Senate Bill dealing with  
28. tax incremental financing. At the suggestion of Senator  
29. Nimrod and others we have attempted to clarify the language.  
30. The first amendment, which is the largest of the amendments,  
31. is the one that changes the definitions to tighten them up  
32. to meet the...many of the objections that have been raised.

33. I would move adoption of Committee Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Carroll moves the adoption of Amendment No.  
3. 1 to House Bill 3930. All those in favor signify by saying  
4. Aye. All those opposed. The Ayes have it. The amendment  
5. is adopted. Amendment No. 2, Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President. Amendment No. 2 takes out  
8. the word average in the area of age of the building. Again, at  
9. Senator Nimrod's suggestion I move the adoption of Committee  
10. Amendment No. 2.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Carroll moves the adoption of Amendment No.  
13. 2 to House Bill 3930. All those in favor signify by saying  
14. Aye. All those opposed. The Ayes have it. The amendment  
15. is adopted. Amendment No. 3, Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President. This was also a Committee  
18. amendment to deal with a problem that had been suggested in  
19. the Committee on reselling the land and using the proceeds.  
20. I would move the adoption.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Carroll moves the adoption of Amendment No.  
23. 3 to House Bill 3930. All those in favor signify by saying  
24. Aye. All those opposed. The Ayes have it. The amendment is  
25. adopted. Further amendments?

26. SECRETARY:

27. Amendment No. 4 offered by Senator Carroll.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator...Senator Carroll.

30. SENATOR CARROLL:

31. Mr. Secretary, could you identify...is it...

32. SECRETARY:

33. It's the shorter amendment.



1. SENATOR CARROLL:

2.           Okay. The...Amendment No. 4 deals with the repay-  
3. ment of what would have been taxes during the period of  
4. the developments of the detaxing bodies within the district  
5. lose no income whatsoever. It provides that you add on to  
6. the cost of the project, the taxes that would have been  
7. paid...a payment in lieu of taxes on real estate. I would  
8. move adoption of Amendment No. 4.

9. PRESIDING OFFICER: (SENATOR ROCK)

10.           Senator Carroll moves the adoption of Amendment No.  
11. 4 . Any discussion? All those in favor indicate by saying  
12. Aye. All those opposed. The Ayes have it. The amendment  
13. is adopted. Further amendments?

14. SECRETARY:

15.           Amendment No. 5 offered by Senator Carroll.

16. PRESIDING OFFICER: (SENATOR ROCK)

17.           Senator Carroll.

18. SENATOR CARROLL:

19.           Thank you, Mr. President. I'm sorry. It was my error...  
20. in the confusion. Amendment No. 1 was technically defective.  
21. I should have Tabled it at that time. I...it was a Committee  
22. amendment, however, so, I would move to reconsider the vote  
23. by which Amendment No. 1 was adopted. I move to Table and  
24. offer this as a substitute.

25. PRESIDING OFFICER: (SENATOR ROCK)

26.           All right. Senator Carroll has moved to reconsider  
27. the vote by which Amendment No. 1 was just adopted. All  
28. those in favor signify by saying Aye. All those opposed.  
29. The Ayes have it. The vote is reconsidered. Senator Carroll  
30. now moves to Table Amendment No. 1. All those in favor signify  
31. by saying Aye. All those opposed. The Ayes have it. The  
32. amendment is Tabled. Now, on the question of the adoption  
33. of Amendment No. 5, Senator Carroll moves to adopt Amendment

1. No. 5 to House Bill 3930. All those in favor signify  
2. by saying Aye. All those opposed. The Ayes have it. The  
3. amendment is adopted. Any further amendments?  
4. SECRETARY:  
5. No further amendments.  
6. PRESIDING OFFICER: (SENATOR ROCK)  
7. Senator Nimrod, for what purpose do you arise?  
8. SENATOR NIMROD:  
9. Yeah. This, Mr. President. This is...Senator Carroll  
10. never had his amendments on so we know how they fit into what's  
11. missing. Will you have it come back if we have any amend-  
12. ments on it for tomorrow?  
13. PRESIDING OFFICER: (SENATOR ROCK)  
14. Senator Carroll indicates he will bring it back. 3rd  
15. reading. 3937. Read the bill, Mr. Secretary. Senator  
16. Carroll seeks leave to handle this bill. Leave is granted.  
17. SECRETARY:  
18. House Bill 3937.  
19. (Secretary reads title of bill)  
20. 2nd reading of the bill. The Committee on Revenue offers  
21. one amendment.  
22. PRESIDING OFFICER: (SENATOR ROCK)  
23. Senator Carroll.  
24. SENATOR CARROLL:  
25. Thank you, Mr. President. I would move to...what would  
26. be the appropriate way? It was technically defective. I  
27. would move to Table...  
28. PRESIDING OFFICER: (SENATOR ROCK)  
29. Amendment No. 1...Senator...  
30. SENATOR CARROLL:  
31. Amendment No. 1.  
32. PRESIDING OFFICER: (SENATOR ROCK)  
33. ...Carroll moves to Table Amendment No...Committee Amendment

AB 3948  
2nd reading  
6/24/76

- 1. No. 1. All those in favor signify by saying Aye. All
- 2. those opposed. The Ayes have it. The amendment is Tabled.
- 3. SENATOR CARROLL:
- 4. I would...I believe on the Secretary's Desk there is
- 5. an amendment now which would be No. 2. Do...do you need
- 6. copies? If you can't find it...here...you got...
- 7. SECRETARY:
- 8. Amendment No. 2 offered by Senator Carroll.
- 9. PRESIDING OFFICER: (SENATOR ROCK)
- 10. Senator Carroll.
- 11. SENATOR CARROLL:
- 12. Thank you, Mr. President. This is the corrected amend-
- 13. ment to do exactly what the Committee had intended. It cleans
- 14. ups the process. Makes it more effective. This was at the
- 15. request of Senator Harris and many others. I would move
- 16. adoption of Amendment No. 2 to House Bill 3937.
- 17. PRESIDING OFFICER: (SENATOR ROCK)
- 18. Senator Carroll has moved the adoption of Amendment No.
- 19. 2 to House Bill 3937. All those in favor signify by saying
- 20. Aye. All those opposed. The Ayes have it. The amendment
- 21. is adopted. Any further amendments?
- 22. SECRETARY:
- 23. No further amendments.
- 24. PRESIDING OFFICER: (SENATOR ROCK)
- 25. 3rd reading. 3948. Read the bill, Mr. Secretary.
- 26. SECRETARY:
- 27. House Bill 3948.
- 28. (Secretary reads title of bill)
- 29. 2nd reading of the bill. No committee amendments.
- 30. PRESIDING OFFICER: (SENATOR ROCK)
- 31. Any amendments from the Floor? 3rd reading. 3956.
- 32. 3965, Senator Carroll. Read the bill, Mr. Secretary. 3965.
- 33. SECRETARY:

1. House Bill 3965.  
2. (Secretary reads title of bill)  
3. 2nd reading of the bill. No committee amendments.  
4. PRESIDING OFFICER: (SENATOR ROCK)  
5. Any amendments from the Floor? 3rd reading. 3973,  
6. Senator Hall. Read the bill, Mr. Secretary.  
7. SECRETARY:  
8. House Bill 3973.  
9. (Secretary reads title of bill)  
10. 2nd reading of the bill. No committee amendments.  
11. PRESIDING OFFICER: (SENATOR ROCK)  
12. Any amendments from the Floor? 3rd reading. Senator  
13. Berning, do you wish to go back to 3956? Read the bill,  
14. Mr. Secretary. On the order of House Bills 2nd, 3956.  
15. SECRETARY:  
16. House Bill 3956.  
17. (Secretary reads title of bill)  
18. 2nd reading of the bill. No committee amendments.  
19. PRESIDING OFFICER: (SENATOR ROCK)  
20. Any amendments from the Floor? 3rd reading. Senator  
21. Bruce is back on the Floor, Mr. Secretary. Let's pickup 3902.  
22. SECRETARY:  
23. House Bill 3902.  
24. (Secretary reads title of bill)  
25. 2nd reading of the bill. No committee amendments.  
26. PRESIDING OFFICER: (SENATOR ROCK)  
27. Any amendments from the Floor? 3rd reading. Did we  
28. get 3956? Okay. Senator Philip, 3976. Yes. Read the bill,  
29. Mr. Secretary.  
30. SECRETARY:  
31. House Bill 3976.  
32. (Secretary reads title of bill)  
33. 2nd reading of the bill. No committee amendments.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any amendments from the Floor? 3rd reading. 3980.

3. Read the bill, Mr. Secretary.

4. SECRETARY:

5. House Bill 3980.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any amendments from the Floor? 3rd reading. Any other  
10. member have a bill on House Bills 2nd he wishes to advance?  
11. Senator Brady, I think leave was granted to go back to that  
12. order of business when Senator Brady's amendment is, in fact,  
13. ready. Is leave granted? So ordered. Messages from the  
14. House.

15. SECRETARY:

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

17. Mr. President - I am directed to inform the Senate  
18. that the House of Representatives has refused to concur with  
19. the Senate in the adoption of their amendment to House Bill  
20. 3850. Amendment...Senate Amendment No. 1.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Secretary's Desk.

23. SECRETARY:

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

25. Mr. President - I am directed to inform the Senate  
26. that the House of Representatives has refused to recede from  
27. their amendments numbers 1, 2, 3, 4, 6, 7, 9 and 10 to a  
28. bill with the following title: Senate Bill 1934. Further  
29. directed to inform the Senate that the House of Representatives  
30. requeststhe First Conference...Committee of Conference to be  
31. ...to consist of five members from each House, to consider the  
32. difference between two Houses in regard to the amendments to  
33. the bill. Speaker of the House has appointed as such Committee

1. of the House, Representatives Sangmeitster, Barnes, Shea, Totten  
2. and Ryan.

3. PRESIDING OFFICER: (SENATOR ROCK)  
4. Senator Carroll.

5. SENATOR CARROLL:  
6. It is with great pleasure, Mr. President, that we accede to the  
7. wishes of the House and appoint...and I would ask the President to  
8. appoint a Conference Committee.

9. PRESIDING OFFICER: (SENATOR ROCK)  
10. Senator Carroll has moved to accede to the request of the House.  
11. All those in favor signify by saying Aye. The Ayes have it. So ordered.

12. SECRETARY:  
13. A Message from the House by Mr. O'Brien, Clerk.  
14. Mr. President - I am directed to inform the Senate that  
15. the House of Representatives has concurred with the Senate in the  
16. passage of a bill with the following title: Senate Bill 1610  
17. together with House Amendment No. 1.

18. PRESIDING OFFICER: (SENATOR ROCK)  
19. Secretary's Desk.

20. SECRETARY:  
21. A Message from the House by Mr. O'Brien, Clerk.  
22. Mr. President - I am directed to inform the Senate that  
23. the House of Representatives has concurred with the Senate in the  
24. passage of the following...a bill with the following title: Senate  
25. Bill 1935 along with House Amendments 1, 3, 4, 5, 10, 11, 12 and 16.

26. PRESIDING OFFICER: (SENATOR ROCK)  
27. Secretary's Desk.

28. SECRETARY:  
29. A like motion on Senate Bill 1603, with House Amendments 1, 2  
30. and 3.

31. PRESIDING OFFICER: (SENATOR ROCK)  
32. Secretary's Desk.

33. SECRETARY:  
34. A like motion with respect to Senate Bill 1614 with House Amend-  
35. ments 1, 4, 5, 6, 7, 8, 9, 12, 18, 19, 20 and 22..

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Secretary's Desk.

3. SECRETARY:

4. A like motion relative to Senate Bill 1742 with House  
5. Amendments 1, 2, 4, 6 and 9.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Secretary's Desk.

8. SECRETARY:

9. A like motion relative to Senate Bill 1625 with House  
10. Amendments 1, 2, 3, 4 and 5.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Secretary's Desk.

13. SECRETARY:

14. A like motion with relative to Senate Bill 1627 with  
15. House Amendments 1, 2, 3, 5 and 6.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Secretary's Desk. Senator Carroll seeks leave to go  
18. to the order of House Bills 1st reading. Leave is granted.  
19. On the order of House Bills 1st reading, House Bill 3099.  
20. Show Senator Carroll as the sponsor.

21. SECRETARY:

22. House Bill 3099.

23. (Secretary reads title of bill)

24. 1st reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President. This is a Committee bill  
29. from the House. I would move that the Committee on Assign-  
30. ment of Bills be discharged and the bill be advanced to  
31. the order of 2nd reading without reference to committee. I  
32. have discussed this with the leadership on both sides of  
33. the aisle.

PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Carroll...you've heard the motion. All those  
2. in favor signify by saying Aye. All those opposed. The  
3. Ayes have it. So ordered. Senator Egan, for what purpose  
4. do you arise?

5. SENATOR EGAN:

6. Yes, Mr. President and members of the Senate. Earlier  
7. this morning I made a motion to bypass Rules Committee for  
8. Senator Donnewald and we had another bill that had not yet  
9. been cleared by Senator Harris. The...every...everyone on  
10. the Rules Committee has agreed that they would approve of  
11. my motion on House Bill 3648. Can I take it at this time?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Yes.

14. SENATOR EGAN:

15. Well, then, my motion is to...

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Then he's got to get the bill and read it I would  
18. expect.

19. SENATOR EGAN:

20. That's correct.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. 3648.

23. SENATOR EGAN:

24. House Bill 3648.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. All right. The motion...the motion is, that the Com-  
27. mittee on Rules be discharged from further consideration of  
28. this bill and that it be read a first time and placed on the  
29. calendar on the order of 2nd reading. You've all heard the  
30. motion. All those in favor signify by saying Aye. All those  
31. opposed. The Ayes have it. So ordered. Now, we'll just  
32. wait and read the bill. Senator Savickas.

33. SENATOR SAVICKAS:



1. Yes, Mr. President. I have a similar motion in re-  
2. gard to Senate Bill 2013 and 2014.  
3. PRESIDING OFFICER: (SENATOR ROCK)  
4. Motion to...where...where do the bills reside, Senator?  
5. SENATOR SAVICKAS:  
6. In the Rules Committee.  
7. PRESIDING OFFICER: (SENATOR ROCK)  
8. Oh, these are the committee bills. That is correct.  
9. 2013 and 14. Senator Savickas moves that the Committee on  
10. Rules be...there is...there is objection to that motion.  
11. Senator Harris.  
12. SENATOR HARRIS:  
13. I did have a chance yes...after yesterday to take a look  
14. at these bills. They are major in their impact and they cer-  
15. tainly ought to have the benefit of a hearing of the Insurance  
16. Committee. The consequences of these are tremendous and I  
17. just...I just don't think they should be advanced at the 2nd  
18. reading without a hearing by the Committee on Insurance. It's  
19. just that simple.  
20. PRESIDING OFFICER: (SENATOR ROCK)  
21. Senator Savickas.  
22. SENATOR SAVICKAS:  
23. Well, I don't think these are any more major than the  
24. bills on the RTA, but this is a very simple bill. All it  
25. does is it amends the Insurance Code and requires all companies  
26. offering casualty insurance to also offer workmen's compensa-  
27. tion insurance. It's just a simple two line...three lines in  
28. the bill and the companion bill it just amends the Illinois  
29. Insurance Code. Provides that when an employee...an employer  
30. has three consecutive policy years of workmen's compensation  
31. insurance with no claims payable under the policy, the carrier  
32. may not refuse to renew the policy until the end of the first  
33. year thereafter in which a compensable injury occurs then the

1. carrier shall grant that employer a fifteen percent reduction  
2. in premium for the first year after his first three year  
3. injury-free period. Now, these are really answers to the  
4. problem that people are claiming they cannot get workmen's  
5. compensation insurance. I think these are very simple bills  
6. in nature. They also provide for a reduction in premium for  
7. those companies and those employers that have no injury claims.  
8. I cannot, for the life of me, see what could be of such great  
9. concern as that needs such an indepth study. What I am saying  
10. with these two bills is that if an insurance company wants to  
11. write casualty insurance in Illinois and take the cream of  
12. the crop in other areas that a condition of this writing is  
13. that they accept all casualty writings in Illinois and to take  
14. the same risks. It's a very simple bill, so I would ask that...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. You...you are renewing your motion, I take it.

17. SENATOR SAVICKAS:

18. ...my motion be renewed.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Yes, Sir. Senator Mohr. The question is, the motion  
21. to discharge the Rules Committee. Senator Howard Mohr.

22. SENATOR MOHR:

23. Yes, Mr. President. To coin a phrase that I've heard  
24. around here quite...quite a few times. Why don't you just  
25. get your press release out, Senator, and say that you tried.  
26. Senator Savickas did mention and this is the second time...  
27. second time that he has made the statement that it's no  
28. different than the RTA bill. I would submit, Mr. President,  
29. that that bill was presented in committee and if the members  
30. would have stayed around the...the bill would have been heard,  
31. and I think that's what we're asking here. We object to this  
32. procedure. It's more than a simple bill and the people are...  
33. that...or the members that claim to represent the people of the

1. State of Illinois ought to give all those concerned an  
2. ample opportunity to be heard on this subject.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. The Chair was informed that these were Committee bills.  
5. Senator Savickas.

6. SENATOR SAVICKAS:

7. Well, I take exception to Senator Mohr's statement.  
8. These bills were heard by all the members that attended the  
9. Committee on Labor's meeting. They were heard, they were  
10. discussed and voted upon. Had he understood what happened  
11. wasn't like the RTA Bill that was snuck in while people  
12. were gone. The Committee heard these bills.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right. I'd like to point out we...we are quickly  
15. approaching the hour of recess. All right, Senator Mohr.

16. SENATOR MOHR:

17. Well, I...I could dispute that, Mr. President. There  
18. was no sneaking of a bill through. That bill was brought  
19. up on the Floor of the Senate and it took thirty affirmative  
20. votes to...to take the action that we did on it and that's  
21. what this bill would take.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Question is, the motion to discharge? Senator Lemke.

24. SENATOR LEMKE:

25. I can't see why these bills...and saying they haven't  
26. been heard. We took nine hours of testimony from small  
27. business men that have testified that casualty companies only  
28. want to take the cream and not write Workmen's Comp. What  
29. we're trying to do here is offer protection to the small  
30. businessmen that we had crying about and it appears that  
31. some people on the other side of the aisle don't care about  
32. the small businessmen, but they care about the insurance in-  
33. dustry. Now, who do they represent? Do they care about the

1. small businessmen in the State of Illinois or do they care  
2. about the industry? There are certain large casualty com-  
3. panies in this State that all they want to do is skim off  
4. the cream of the crop. They're causing insurance agents  
5. to go out of business because they're creaming off and one  
6. of those companies happens to be in Bloomington, State Farm,  
7. they creamed...take the cream of the crop, and All State,  
8. cream of the crop. They don't want the other risks. They  
9. don't want to have nothing to do with them. That's up  
10. to the agents to try to place. And what we're trying to do  
11. here is help small business in this State, and we're also  
12. trying to do here with the other bill which given a fifteen  
13. percent credit, is to have the small businessmen who have  
14. qualified safety programs and don't have any claims to get  
15. a reward for this, so the working man won't get injured and  
16. there won't be no payments on their comp and, therefore, we  
17. won't have to worry. These bills on great bills. We did  
18. it for the student drivers. We should do it for the business-  
19. men that want to put in effective safety programs. I ask  
20. for these bills to go on 2nd reading and I think they're good  
21. bills. If you...if you people on the other side of the aisle  
22. are considering business in this State, this is...these are  
23. bills that are going to help business and not hurt it.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. All right. On the motion...the motion is to discharge  
26. the Committee on Rules from further consideration of Senate  
27. Bills 2013 and 14. Senator Harris.

28. SENATOR HARRIS:

29. Yes. How many votes does this motion take, Mr. President?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. This takes thirty votes.

32. SENATOR HARRIS:

33. Yes.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. All right, you've heard the motion. A roll call has  
3. been requested. Those in favor of the motion to discharge  
4. on these two bills will vote Aye. Those opposed will vote  
5. Nay. The voting is open. Have all voted who wish? Take  
6. the record. On that question the Ayes are 31, the Noes  
7. are 20, none Voting Present. The motion prevails. Senator  
8. Harris has requested a verification. Will all the Senators  
9. please be in their seats. I assume you wish the affirmative  
10. vote, Senator? Secretary will read the affirmative votes.

11. SECRETARY:

12. The following voted in the affirmative: Brady, Bruce,  
13. Buzbee, Carroll, D'Arco, Daley, Demuzio, Donnewald, Dougherty,  
14. Egan, Kenneth Hall, Hickey, Hynes, Johns, Joyce, Knuppel,  
15. Kosinski, Lane, Lemke, McCarthy, Morris, Netsch, Newhouse,  
16. Nudelman, Palmer, Rock, Savickas, Smith, Vadalabene, Welsh and  
17. Mr. President.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Is Senator Netsch on the Floor? Yes, Senator Netsch  
20. is on the Floor. Is Senator Palmer on the Floor? Is Senator  
21. Palmer on the Floor? Take him from the roll call, Mr. Secretary.  
22. Is Senator Smith on the Floor? Take Senator Smith's name  
23. from the roll call. Yes, Sir. The roll has been verified. The  
24. Ayes are 29, the Nays are 20. The motion fails. There's  
25. been a request for a verification of the negative roll call.  
26. And you shall get a verification. Senator Savickas has requested  
27. a verification. The Secretary will read the negative votes.

28. SECRETARY:

29. The following voted in the negative: Bell, Berning, Bloom,  
30. Clarke, Davidson, Fawell, Glass, Graham, Harber Hall, Harris,  
31. Mitchler, Howard Mohr, Don Moore, Nimrod, Philip, Regner, Roe,  
32. Sommer, Soper and Weaver.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. All right. The roll has been verified. The Ayes are  
2. 29, the Nays are 20, none Voting Present. The motion fails.  
3. House Bills 1st reading. Mr. Secretary, read that bill.  
4. SECRETARY:  
5. House Bill 3648.  
6. (Secretary begins reading title of bill)  
7. PRESIDING OFFICER: (SENATOR ROCK)  
8. No...no...which...which one. 3099 I thought we were  
9. reading. Oh, that's already moved. Oh, all right. We'll  
10. read Senator Egan's House Bill 3...  
11. SECRETARY:  
12. 3...3648.  
13. PRESIDING OFFICER: (SENATOR ROCK)  
14. 3648. Read the bill, Mr. Secretary.  
15. SECRETARY:  
16. House Bill 3648.  
17. (Secretary reads title of bill)  
18. 1st reading of the bill.  
19. PRESIDING OFFICER: (SENATOR ROCK)  
20. Senator Egan has moved that this bill be discharged  
21. from the Committee on Assignment of Bills and placed on the  
22. order of 2nd reading without reference. Is leave granted?  
23. So ordered. Yeah...that motion was made earlier, Senator.  
24. Senator Egan did explain the bill. Senator Schaffer, for  
25. what purpose do you arise?  
26. SENATOR SCHAFFER:  
27. Mr. Chairman, I'd like to move to re-refer House Bill  
28. 3949 back to the Committee on Elections as per my agreement  
29. with Senator Kosinski and Senator Savickas. It appears that  
30. the bill is not an emergency and there's no need for us to  
31. act upon it this Session.  
32. PRESIDING OFFICER: (SENATOR ROCK)  
33. Where...where is the bill located, Senator?

1. SENATOR SCHAFFER:  
2. The bill was reported out of Committee today...  
3. PRESIDING OFFICER: (SENATOR ROCK)  
4. Oh, I see.  
5. SENATOR SCHAFFER:  
6. ...and I'd like to just send it right back in.  
7. PRESIDING OFFICER: (SENATOR ROCK)  
8. Senator Schaffer....Senator Schaffer has moved to re-  
9. refer House Bill 3949 back to the Committee on Elections.  
10. Is leave granted? So ordered. All right. The Senate stands  
11. in recess. Senator Kosinski, for what purpose do you arise?  
12. SENATOR KOSINSKI:  
13. Mr...Mr. President and members of the Senate. Just...  
14. just briefly I'd like to introduce two wonderful people who  
15. have worked very, very hard with the youth in my community,  
16. Mr. and Mrs. Grandel. Will you please rise and be acknowledged  
17. by the Senate.  
18. PRESIDING OFFICER: (SENATOR ROCK)  
19. Will our guests in the gallery please rise? Any other  
20. announcements? Further announcements? All right. The Senate  
21. stands in recess until 7:30 o'clock p.m.  
22. (Recess)  
23. (After Recess)  
24. PRESIDING OFFICER: (SENATOR ROCK)  
25. The hour of 7:30 having arrived the Senate will be in  
26. order. (Machine cutoff)...from the House.  
27. SECRETARY:  
28. A Message from the House by Mr. O'Brien, Clerk.  
29. Mr. President - I am directed to inform the Senate  
30. that the House of Representatives has adopted the following  
31. Joint Resolution in the adoption of which I am instructed to  
32. ask the concurrence of the Senate to-wit: House Joint Reso-  
33. lution 107.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Secretary's Desk.
3. SECRETARY:
4. A Message from the House by Mr. O'Brien, Clerk.
5. Mr. President - I am directed to inform the Senate
6. that the House of Representatives has refused to recede from
7. their Amendment No. 1 to a bill with the following title:
8. Senate Bill 1609. I am further directed to inform the
9. Senate that the House of Representatives requests the First
10. Committee of Conference to consist of five members from each
11. House to consider the difference of the two Houses in re-
12. gard to the amendment to the bill. The Speaker of the House
13. appoints such Committee on the part of the House; Representa-
14. tive Londrigan, Bradley, Lechowicz, Ryan and J. D. Jones.
15. This is Senator Knuppel's bill.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Senator Knuppel, do accede to the request of the House?
18. The question is, shall the Senate accede to the request of
19. the House that a Conference Committee be appointed? All
20. in favor signify by saying Aye. All opposed Nay. The Ayes
21. have it. The motion carries.
22. SECRETARY:
23. A Message from the House by Mr. O'Brien, Clerk.
24. Mr. President - I am directed to inform the Senate
25. that the House of Representatives has passed bills with the
26. following titles in the passage of which I am instructed to
27. ask concurrence of the Senate, to-wit: House Bills 3533 and
28. 3534.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Rules Committee.
31. SECRETARY:
32. A Message from the House by Mr. O'Brien, Clerk.
33. Mr. President - I am directed to inform the Senate



1. that the House of Representatives have refused to recede  
2. from their Amendment No. 1 to a bill with the following  
3. title: Senate Bill 1514. I am further directed to inform  
4. the Senate that the House of Representatives requests a  
5. First Committee of Conference to consist of five members  
6. from each House to consider the difference of the two Houses  
7. in regard to the amendment to the bill. The Speaker of the  
8. House has appointed as such committee on the part of the  
9. House; Representative Schraeder, Barnes, Bradley, Ryan and  
10. Totten.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. The question is, shall the Senate accede to the request  
13. of the House that a Conference Committee be appointed? All  
14. in favor signify by saying Aye. All opposed. The Ayes have  
15. it. The motion carries and the Senate accedes to the request  
16. of the House to appoint a Conference Committee. Senator  
17. Vadalabene, for what purpose do you arise?

18. SENATOR VADALABENE:

19. Yes, Mr. President. Will there be a door prize tonight?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. There...there will, in fact, be a...my suggestion carries  
22. over. Yes, Sir.

23. SENATOR VADALABENE:

24. Could I ask what the door prize may be?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. I will have to discuss that with you later.

27. SENATOR VADALABENE:

28. Thank you, Sir.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Okay. On the order of House Bills on 2nd reading,  
31. House Bill 3917. Read the bill, Mr. Secretary.

32. SECRETARY:

33. House Bill 3917.

1. (Secretary reads title of bill)

2. 2nd reading of the bill. The Committee on Public Health,  
3. Welfare, and Corrections offers one amendment.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Don Moore.

6. SENATOR MOORE:

7. Thank you, Mr. President. This was a Committee amend-  
8. ment that clarifies the language insofar as this question is  
9. concerned. I'd move for the adoption of the amendment.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Is there any discussion? Senator Moore moves the  
12. adoption of Amendment No. 1 to House Bill 3917. All those  
13. in favor signify by saying Aye. All those opposed. The  
14. Ayes have it. The amendment is adopted. Any further amend-  
15. ments? 3rd reading. Senate Bills on 2nd reading. The Chair  
16. is led to believe that no bills there will...the...most have  
17. been moved and the one remaining there will remain. Senate  
18. Bills on 3rd reading. Does any member have a Senate Bill on  
19. 3rd he wishes to move? All right. House Bills on 3rd reading.  
20. 3155, Senator Knuppel. 3313, Senator Partee. House Bills  
21. 3rd reading. Read the bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 3313.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Partee.

28. SENATOR PARTEE:

29. This is a thoroughly noncontroversial bill. Under the  
30. present law, when counties receive money from the Federal  
31. government under the revenue sharing process, they have some  
32. restrictions as to how that money may be used. This simply  
33. allows the county board, it's a permissive kind of thing, to

1. appropriate funds if they desire to, to operate and equip  
2. senior citizen centers, this provides social services for  
3. senior citizens. I'd appreciate a favorable roll call.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Is there any discussion? All right. The question is,  
6. shall House Bill 3313 pass? Those in favor will vote Aye.  
7. Those opposed will vote Nay. The voting is open. Senator  
8. Buzbee, will you vote Senator Donnewald while you're there,  
9. please? Have all voted who wish? Take the record. On that  
10. question the Ayes are 53, the Nays are none, none Voting  
11. Present. House Bill 3313 having received a constitutional  
12. majority is declared passed. 3374, Senator Bruce. 3379,  
13. Senator Bruce. The Racing Board and ILEC. On the order  
14. of House Bills 3rd reading, House Bill 3374. Mr. Secretary,  
15. read the bill.

16. SECRETARY:

17. House Bill 3374.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Bruce.

22. SENATOR BRUCE:

23. Thank you, Mr. President and members of the Senate.  
24. This is the ordinary appropriation for the next fiscal  
25. year for the Racing Board. We have added one hundred and  
26. forty thousand dollars for a blood gas analysis machine.  
27. We have appropriated the five million four hundred thousand  
28. dollars necessary for track repairs. Additionally the line  
29. items have been set forth, as requested by the Senate Appro-  
30. priations Committee, and I would ask for a favorable roll  
31. call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Is there any discussion? The question is, shall House

1. Bill 3374 pass? Those in favor vote Aye. Those opposed  
2. will vote Nay. The voting is open. Have all voted who  
3. wish? Take the record. On that question the Ayes are 50,  
4. the Nays are 1, none Voting Present. House Bill 3374 having  
5. received a constitutional majority is declared passed. 3379.  
6. Do you want to go with ILEC? 3380, Senator Palmer. No.  
7. Senator Palmer, for what purpose do you arise?

8. SENATOR PALMER:

9. Mr. President, I'd like to have House Bill 3380 moved  
10. back to 2nd reading for action on an amendment. The motion  
11. will be made by Senator Rock.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Palmer...

14. SENATOR PALMER:

15. Relative to Amendment No. 5...

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Yeah, I...I understand. Senator Palmer moves to take  
18. House Bill 3380 back to the order of 2nd reading for the  
19. purpose of a motion. Is leave granted? So ordered.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. The bill is now on 2nd reading.

22. SECRETARY:

23. Amendment No. 6 offered by Senator Carroll...it has on  
24. here.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President. I would ask for a favorable  
29. vote on Amendment No. 6. This is an amendment that provides  
30. that no new office can be within five hundred feet of a  
31. school. This has met with the approval of the Senate sponsor  
32. and the House sponsors and I would ask for a favorable vote.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? The question is, shall  
2. Amendment No. 6 to House Bill 3380 be adopted? Those in  
3. favor indicate by saying Aye. Senator Latherow.

4. SENATOR LATHEROW:

5. Well, Mr. President. I didn't hear what he said.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. I can believe that. Senator Carroll. May we have  
8. order?

9. SENATOR CARROLL:

10. Yes, Mr. President. We have delivered an additional...

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Latherow could not understand what you said...  
13. or hear, rather. Proceed and repeat.

14. SENATOR CARROLL:

15. All right. Thank you, Senator Kosinski. Mr. President,  
16. I said that this amendment would be a prohibition against  
17. the opening of a new office within five hundred feet of a  
18. school in any city of population over a million. This has  
19. met with the approval of the Senate sponsor and the House  
20. sponsors, and I would ask for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Latherow, did you hear that?

23. SENATOR LATHEROW:

24. You don't....I read it. Thank you.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Is there further discussion? Senator Schaffer.

27. SENATOR SCHAFFER:

28. Senator Carroll, the...and I haven't got the bill in  
29. front of me, but this says it's an appropriation for the  
30. ordinary and contingent expenses of the Department of Labor.  
31. 3380?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Carroll.

1. SENATOR CARROLL:

2. I...I believe that's what the calendar shows and that's  
3. what the bill is. Yes.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Me thinks there's a story to this amendment. Why would  
8. this amendment come out of nowhere? There must be a reason.  
9. There's no reason for this amendment, Senator Carroll? What  
10. is the reason for the amendment?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Carroll.

13. SENATOR CARROLL:

14. It didn't come out of nowhere. Your staff has had it  
15. for sometime, too. We have discussed it with some of the  
16. members of the committee on that side. This amendment is  
17. very clear, very short and it says they shall not open a  
18. new facility within five hundred feet of a school within  
19. the city...actually, the City of Chicago unless there's  
20. another city over a million.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. Me still thinks there must be a story here. You...this...  
25. why...why shouldn't the office be within five hundred feet  
26. of a school? I mean, you know, if you don't want to do it  
27. in Chicago, but, you know...there must be a reason and I haven't  
28. heard it. I mean...are...are there...are they serving liquor  
29. in these offices, are there risque activities going on in  
30. these offices? Senator Carroll, why should not these offices  
31. be located next to a school? What kind of evil activities go  
32. on in these offices that we do not wish to expose our children  
33. to?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. Senator Carroll.  
3. SENATOR CARROLL:  
4. I don't what kind of evil your mind can imagine,  
5. Senator Schaffer. I don't know...maybe you should do  
6. an investigation of the type of evil you think goes on  
7. in these offices. I don't happen to think evil goes on.  
8. The only thing we have suggested is, that in certain  
9. areas of the city where there are commercial districts,  
10. that would be more appropriate for business type offices  
11. rather than adjacent to a school. We have done this with  
12. other types of things under the law and this as well.  
13. PRESIDING OFFICER: (SENATOR DONNEWALD)  
14. Senator Schaffer.  
15. SENATOR SCHAFFER:  
16. You just expanded the...my concept of evil type activi-  
17. ties. Now, it appears we don't want an office located some-  
18. where. Where do we want it located? Any particular build-  
19. ing?  
20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. Senator Carroll.  
22. SENATOR CARROLL:  
23. Not to my knowledge.  
24. PRESIDING OFFICER: (SENATOR DONNEWALD)  
25. Senator Glass.  
26. SENATOR GLASS:  
27. Senator Carroll, I was just wondering if there were  
28. any specific schools that you had in mind where these offices  
29. were about to be located or were considering being located?  
30. PRESIDING OFFICER: (SENATOR DONNEWALD)  
31. Senator Carroll.  
32. SENATOR CARROLL:  
33. I know of several schools in the city and I know of

1. several offices that are contemplating opening. I don't  
2. know...I know specifically of a few. Nothing in actual  
3. specificity. Unless you know of something that I should know

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Glass.

6. SENATOR GLASS:

7. Well, no, you are the sponsor of the amendment. We  
8. were just trying to get a little bit of the background to  
9. see why...why this type of office was bad and...and...and  
10. then who...who really wants the bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Sommer.

13. SENATOR SOMMER:

14. Well, Mr. President, I would suggest that this is substantive language  
15. in an appropriation bill and I would ask for a ruling of  
16. the Chair whether this is permissible or not.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. It is. Is there further discussion? The question is,  
19. shall Amendment No. 6 be adopted to House Bill 3380? All  
20. those in favor indicate by saying Aye. Those opposed. The  
21. Ayes have it. The amendment is adopted. A roll call is  
22. requested. We shall have a roll call. The question is,  
23. shall Amendment No. 6 be adopted to House Bill 3380? All  
24. those in favor indicate by voting Aye. Those opposed Nay.  
25. The voting is open. (Machine cutoff)...those voted who wish?  
26. Take the record. On that question the Ayes are 26, the  
27. Nays are 22. Amendment No. 6 to House Bill 3380 is adopted.  
28. Are there further amendments? 3rd reading. Just...just  
29. a moment. The Chair is in error. Senator Rock.

30. SENATOR ROCK:

31. Yes...yes...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. The bill remains...the bill remains on 2nd reading.



1. SENATOR ROCK:

2. Thank you, Mr. President. I do have a motion with  
3. respect to Amendment No. 5? Senator Regner is here...which  
4. was heretofore adopted. I did, in fact, vote on the pre-  
5. vailing side. That was the amendment, you will recall, that  
6. deleted a hundred and ninety thousand dollars representing...  
7. representing the amount of money necessary to fund the Office  
8. of Collective Bargaining within this agency. I am moving,  
9. at this point, Mr. President, to reconsider the vote by which  
10. Amendment No. 5 was adopted. And if that is favorably acted  
11. upon I will, then, move to Table Amendment No. 5.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. You've heard the motion. All those in favor indicate  
14. by saying Aye. Those opposed. The Ayes have it. The...  
15. the motion prevails. The amendment is reconsidered. Senator  
16. Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President and Ladies and Gentlemen of  
19. the Senate. Amendment No. 5, which is now before us, would  
20. purport to delete one hundred and ninety thousand dollars  
21. for the Office of Collective Bargaining and it entirely cuts  
22. out this office. I would move, at this point, Mr. President,  
23. that Amendment No. 5 lie upon the Table.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. You've heard the motion. All those...just a moment.  
26. Senator Regner.

27. SENATOR REGNER:

28. Roll Call.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. There is a request for a roll call. On that question  
31. those in favor of Tabling Amendment No. 5 shall vote Aye.  
32. Those opposed Nay. The voting is open. (Machine cutoff)...  
33. those voted who wish? Take the record. On that question the

HB 3961  
6/24/76

1. Ayes are the 28, the Nays are 23. Amendment No. 5 is  
2. Tabled. Are there further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. 3rd reading. House Bills 3rd reading. At page 4  
7. Senator Demuzio as to House Bill 3403. House Bill 3425,  
8. Senator Glass. House Bill 3814, Senator Graham. House  
9. Bill 3818, Senator Bruce. House Bill 3819, Senator...  
10. Senator Kosinski. 3821, Senator Kenneth Hall. House Bill  
11. 3825, Senator Rock. House Bill 3961, Senator Rock. Read  
12. the bill.

13. SECRETARY:

14. House Bill 3961.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President and Ladies and Gentlemen of  
21. the Senate. You will recall that last Session we passed a  
22. bill which would allow the use of our district office allowance  
23. or would allow a district employee to be given the status of  
24. State Employee. Since that has been done in some instances,  
25. the House leadership, within the purvue of House Bill 3961, has  
26. addressed itself as to how that should be handled. 3961 is  
27. an amendment to our district office allowance statutory authority  
28. which includes or sets out what, in fact, we can expend that  
29. money for, and further sets out that if, in fact, we place  
30. our district employee in the status of a State Employee that  
31. the entire cost would have to come out of the twelve thousand  
32. dollars. Now, that is the cost for the pension and the other  
33. benefits. A couple of other changes were made, and by virtue

1. of Amendment No. 1, which was added yesterday, we have pro-  
2. vided that there can, in fact, be...at the request of both  
3. the Comptroller and the Attorney General, payments retroactive  
4. to cover some of the vouchers...some of the expenditures made  
5. by certain members of the House. I know of no objection. I  
6. think the amendment is a good one and I would solicit a favor-  
7. able vote.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Senator Schaffer.

10. SENATOR SCHAFFER:

11. I rise in support of this bill, although, I have a  
12. couple problems. Nothing major. I would respectfully point  
13. out to the Body that House members have exercised the option  
14. to put their district office secretaries in, and those secretaries  
15. plus other secretaries that have worked in district offices  
16. that are currently on the State payroll have been able to  
17. buy in back pension time. The deadline for buying in pension  
18. time for back...for secretaries for previous time is July 1  
19. of this year. Effectively, then, Senate secretaries in dis-  
20. trict offices will be prohibited from this and I think it's  
21. something we probably should address next year, and to open  
22. the deadline next year, but there's no crisis and it's not  
23. an emergency that dramatically affects State government and  
24. I think this bill is a good one.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Rock may close the debate.

27. SENATOR ROCK:

28. Thank you, Mr. President. Just in response to Senator  
29. Schaffer, we do, as a matter-of-fact, with respect to virtually  
30. every pension fund, reopen at the request of the Pension Laws  
31. Commission those kinds of options almost annually, so I don't,  
32. frankly, foresee any problem with that.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. The question is, shall House Bill 3961 pass? Those  
2. in favor vote Aye. Those opposed Nay. The voting is open.  
3. Have all those voted who wish? Take the record. On that  
4. question the Ayes are 45, the Nays are none, 5 Voting Present.  
5. House Bill 3961 having received the constitutional majority  
6. is declared passed. We have had intervening business.  
7. Senator Palmer as to House Bill 3380. Read the bill.

8. SECRETARY:

9. House Bill 3380.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Palmer.

14. SENATOR PALMER:

15. House Bill 3380, as amended, now makes the appropri-  
16. ation for the Department of Labor for the year of 1976, and  
17. I ask for a favorable roll call.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Senator Demuzio.

20. SENATOR DEMUZIO:

21. Will the sponsor yield to a question?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Graciously he says he will. Senator Palmer. Wait 'til  
24. you have the mike.

25. SENATOR DEMUZIO:

26. Senator Palmer, this appropriation for the Department  
27. of Labor. How much is it and is it an increase over the  
28. previous year?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Palmer.

31. SENATOR PALMER:

32. Senator Demuzio, it's one million less including the  
33. two million dollars that we are getting from the Reed Act

1. by amendment, so it's probably three million dollars less.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Demuzio.

4. SENATOR DEMUZIO:

5. Where were the cuts made?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Palmer.

8. SENATOR PALMER:

9. Where would you like them made?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. Well, about three weeks ago or a month ago we saw in one  
14. of the major Chicago newspapers a picture of an individual  
15. who worked for the Department of Labor that was drawing  
16. around twenty thousand dollars per year and wasn't...wasn't doing  
17. anything. Didn't have any responsibilities. Is...oh, was  
18. it the Department of Insurance? Well, Senator Palmer, thank  
19. you for your corrective statement. Thank you.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? Senator Latherow.

22. SENATOR LATHEROW:

23. Well, Senator Palmer, I just wanted to say that I  
24. wasn't going to support this bill, but since you got that  
25. six hundred feet in there away from any school, I'm all for  
26. it.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is, shall  
29. House Bill 3380 pass? Those in favor vote Aye. Those  
30. opposed Nay. The voting is open. (Machine cutoff)...  
31. voted who wish? Take the record. On that question the Ayes  
32. are 44, the Nays are 6, 4 Voting Present. House Bill 3380  
33. having received the constitutional majority is declared passed.

1. (Machine cutoff)...order of consideration postponed,  
2. Senator McCarthy as to Senate Bill 1619. Do we have leave  
3. to go to that order of business? Leave is granted. Senator  
4. McCarthy.

5. SENATOR McCARTHY:

6. Yes, Mr. Chairman...Mr. President and members of the  
7. Body, Senate Bill 1619 was called yesterday for concurrence  
8. and Senator Weaver had expressed some objection to concurrence  
9. at that time. Since that time I've had an opportunity to  
10. confer with Senator Hynes and Senator Egan and Senator Weaver,  
11. and I've been informed there's no opposition to the concurrence  
12. now and I'd like to have an affirmative vote, which would be  
13. dispositive of the matter.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? The question is, shall  
16. Senate Bill 1619 pass? Just a moment...shall the Senate  
17. concur in Amendment 1 and 4 to Senate Bill 1619? Those  
18. in favor vote Aye. Those opposed Nay. The voting is open.  
19. Have all those voted who wish? Take the record. On that  
20. question the Ayes are 50, the Nays are none, 1 Voting Present.  
21. The Senate does concur in Amendments No. 1 and 4 to Senate  
22. Bill 1619 and the bill having received the required constitu-  
23. tional majority is declared passed. Senator Knuppel as to  
24. House Bill 3315.

25. SENATOR KNUPPEL:

26. Not tonight.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. On the order of Secretary's Desk on page 8. Senator  
29. Rock. Secretary's Desk on concurrence on page 9. Senate  
30. Bill 1498, Senator Hynes. Senator Hynes. House...Senate  
31. Bill 1500, Senator Lane. Senate Bill 1637, Senator Hynes.  
32. Senate Bill 1684, Senator Brady. On the Secretary's Desk  
33. nonconcurrence on page 9. House Bill 2804, Senator Vadalabene.

1. ...further business to come before the Senate. Senator  
2. Rock.

3. SENATOR ROCK:

4. Yes, thank you, Mr. President. While we're in...kind  
5. of standing at ease. I think the intent of the Body, as  
6. I understood it, was that we were hoping to address ourselves  
7. to the question of the change or nonchange in the school...  
8. school aid formula, and I think that when all the member-  
9. ship is back on the Floor, hopefully, we'll be able to address  
10. ourselves to that. In the meantime I do, in fact...there is  
11. a...I have a motion to...that I would like to place if we  
12. can go to that order of business.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there leave to go to the order of motions? Leave  
15. is granted.

16. SENATOR ROCK:

17. Thank you, Mr. President. Reported out of Rules as  
18. emergency measures was House Bill 3222. It has been assigned  
19. to the Committee on Public Health and Welfare. I've dis-  
20. cussed with the Chairman the motion to discharge. He is in  
21. agreement. I think the members of the Rules Committee are in  
22. agreement that this is a matter of some urgency. It deals  
23. with the Department of Children and Family Services, and I  
24. would move, Mr. President and members of the Senate, that  
25. House Bill 322...3222 be discharged from further consideration  
26. of the Public Health, Welfare and Corrections Committee and  
27. be placed on the order of 2nd reading without...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. You've heard the motion. All those in favor indicate by  
30. saying Aye. All those opposed Nay. The Ayes have it. The  
31. bill is on 2nd reading. Senator Rock.

32. SENATOR ROCK:

33. Thank you, Mr. President. In the same vein I have two

1. bills requested by the Comptroller and the Legislative  
2. Audit Commission, House Bill 3652 and 3653. Again, both  
3. reported favorably out of Rules, have been assigned to  
4. the Committee on Executive. Now, that committee, as I've  
5. discussed earlier, apparently, will not have to meet, and  
6. so, I would move that that Committee be discharged from  
7. further consideration of House Bill 3652 and 3653 and  
8. that those bills be placed on the calendar on the order of  
9. 2nd reading.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. You've heard the motion. All those in favor indicate  
12. by saying Aye. Those opposed Nay. The Ayes have it.  
13. Senator Don Moore, for what purpose do you arise?

14. SENATOR MOORE:

15. Yes, Mr. President, there is a bill that is residing  
16. in the Rules Committee. It attempts to...or it doesn't  
17. attempt, it does pertain to the Criminal Code to clarify  
18. a Supreme Court decision that stated that it would be up  
19. to the General Assembly to come up with a remedy to a...  
20. one of our laws that they declared unconstitutional. I  
21. have discussed this with Senator Daley and I would like, at  
22. this time, to discharge the Rules Committee from further  
23. consideration of House Bill 3420 and have it placed on the  
24. order of 2nd reading.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. There is discussion? Senator Demuzio.

27. SENATOR DEMUZIO:

28. Senator Moore, what does the bill do?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator...Senator Don Moore.

31. SENATOR MOORE:

32. House Bill 3420 provides statutory remedies for the  
33. failure to provide a preliminary hearing as required by



1. Article 1, Section 7 of the 1970 Constitution, and the  
2. people versus Howell in a 1975 Illinois Supreme Court case  
3. stated that a remedy was required for such failure, but  
4. that the court would not then fashion one. Instead it would  
5. give the General Assembly the first shot of coming up with  
6. an answer. House Bill 3420 attempts to meet both problems  
7. created by the failure to give a prompt preliminary hearing.  
8. First, when a person is held in custody without bail for  
9. thirty days after he requested a preliminary hearing, he is  
10. simply released on recognizance without the bail he couldn't  
11. originally make pending the hearing. No charges are dropped  
12. with or without prejudice, but the State is still encouraged  
13. to proceed as fast as possible.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Demuzio. Senator Rock.

16. SENATOR ROCK:

17. Well, thank you, Mr. President and Ladies and Gentlemen.  
18. As a member of the Rules Committee, we have, of course, been  
19. subjected to the slings and arrows of outrageous requests.  
20. House Bill 3420 is, in my judgement, not an emergency. I  
21. think it's a matter that can and should be considered by the  
22. Judiciary Committee of this Senate, and for that reason I  
23. am going to oppose Senator Moore's motion.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. There is objection. Senator Don Moore.

26. SENATOR MOORE:

27. Well, inasmuch as this is Representative Brian Duff's  
28. only bill of this Session, Mr. Chair...or Mr. President, I  
29. would, therefore, request a favorable roll call to suspend  
30. the rules to have House Bill 3420 discharged from the Com-  
31. mittee on Assignment of Bills and placed on the order of  
32. 2nd reading.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. It would be placed on the order of 1st reading, Senator  
2. Don Moore.

3. SENATOR DON MOORE:

4. All right. 1st reading is good enough. We'll go from  
5. there.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. It is required that a majority of those elected, which  
8. is thirty votes. The question is, shall the Committee on  
9. Rules be discharged from the disposition of House Bill 3420?  
10. All those in favor of that vote Aye. Those opposed Nay.  
11. The voting is open. Have all...have all those voted who  
12. wish? Take the record. On that question the Ayes are 17  
13. the Nays are 15, 3 Voting Present. The motion fails. Senator  
14. Don Moore, for what purpose do you arise?

15. SENATOR DON MOORE:

16. I just want to thank the Body for their consideration  
17. of House Bill 3420 sponsored by Representative Duff.  
18.  
19.  
20.  
21.  
22.  
23.  
24.  
25.  
26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

(Continued on next page)

13 2004  
12/1/76  
motion to discharge

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. (Machine cutoff)...stand at ease for a few moments.
3. Senator Netsch, for what purpose do you arise?
4. SENATOR NETSCH:
5. Mr. President, I have a motion to discharge that I
6. filed...I believe it was yesterday and it seems to me that
7. this is just as good a time as any to call it.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Read the motion.
10. SENATOR NETSCH:
11. Do you have the motion, Mr. Secretary?
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Just...just a...we will get the motion...apparently,
14. it's been there for some time.
15. SENATOR NETSCH:
16. It's related...with respect to Senate Bill 2004.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. All right. While...while we're...while we're looking
19. for that motion I wonder if we could go to the order of
20. resolutions. We do have some congratulatory resolutions
21. that we can quickly dispose of. Oh, well, all right, we've
22. got the motion and then we'll go to the order of resolutions.
23. Read the motion, Mr. Secretary.
24. SECRETARY:
25. (Secretary reads Motion to Discharge)
26. I move to discharge the Committee on Revenue from further
27. consideration of Senate Bill 2004 and have the bill placed on
28. the order of 2nd reading. Signed, Senator Dawn Clark Netsch.
29. June 23rd, 1976.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Senator Netsch.
32. SENATOR NETSCH:
33. Thank you, Mr. President. This bill is one of a series

B2,004  
2/24/76

1. which came to be known as the Fiscal Management Bills. This  
2. particular one deals with sales tax...Gentlemen, it's your  
3. money. I mean it's our money, so just hold your whistles a  
4. moment. On...this particular one deals with sales tax speed  
5. up as has been amply demonstrated, I think, in the various  
6. hearings that have been held on the bill. It is not an addition-  
7. al tax on retailers. It is not a phony gimmick. What it does  
8. is to require that only the large retailers submit their...  
9. the money that they collect from us and which must ultimately  
10. be transmitted to the State Treasury, somewhat earlier than  
11. they do under present schedules. It affects only retailers  
12. whose tax collections are five thousand dollars or more a  
13. month, which means sales of 1.2 million dollars per year or  
14. more. Or in other words it affects only about two percent  
15. of the retailers. Some thirty-five hundred to four thousand  
16. out of some one hundred and fifty to two thousand who have  
17. accounts on file with the Department of Revenue. In no way  
18. is it an imposition on small retailers. It simply does not  
19. affect their methods at all. The important point, I think, is  
20. that it does make more money available to us during this fiscal  
21. year. No one has misrepresented that it is some kind of a  
22. bonanza; that it is money that somehow we are creating out of  
23. nowhere. It is simply a speeding up of the process by which  
24. the money comes into the State Treasury. This bill will be  
25. responsible for sixty-five million dollars additional revenue  
26. during this fiscal year, and additional bills, subsequent bills,  
27. would be responsible for another thirty million dollars. The  
28. total is ninety-five million dollars. We need that money this  
29. year. We need it to finance a whole variety of things that  
30. we have already appropriated and are appropriating in larger  
31. sums even than provided for in the Governor's budget and the  
32. Governor's budget assumes this ninety-five million dollars.  
33. The Comptroller, George Lindberg, has supported this package

SB 3004  
6/21/76

1. of bills. The...and I think all of us have recognized from  
2. the beginning that if we do not take this action we are then  
3. going to find ourselves faced with additional reductions by  
4. the Governor in the amounts that we have appropriated. I  
5. would emphasize finally one important point. This money is  
6. our money. It is sales tax money which belongs to us. We  
7. should have the use of it and the benefit of it, not the  
8. retailers. All we are asking is that they pay it in at an  
9. earlier time than is presently scheduled so that we can, indeed,  
10. have the use of it during this fiscal year. It is absolutely  
11. essential to any kind of fiscal responsibility or rationality  
12. in this fiscal year and I urgently request that we do get  
13. this bill out on the calendar, so that it can still be acted  
14. upon.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Let's have some order. Further discussion? Senator Bell.

17. SENATOR BELL:

18. Thank you, Mr. President. That bill sounds strangely like  
19. one we heard yesterday afternoon in the Senate Revenue Committee.  
20. As a matter-of-fact, I...I do believe that bill was defeated  
21. in the Senate Revenue Committee on a four to three vote. Is...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator...

24. SENATOR BELL:

25. ...that not right, Senator Netsch?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Netsch.

28. SENATOR NETSCH:

29. That is not correct. A motion Do Pass was made. The  
30. vote was four to three against it. The bill was left in Com-  
31. mittee. There was no reversal of the roll call. The bill was  
32. not defeated and it was not so reported out. It rests in the  
33. Revenue Committee and is properly subject to a discharge motion.

322004  
24/76

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Bell.

3. SENATOR BELL:

4. Well, if it's...I guess maybe I...Mr. President, maybe  
5. you can give me some parliamentary guidance here. If it's  
6. a Do Pass motion and it's defeated in committee, is it not  
7. dead?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. No, no. On a Do Pass motion that does not have enough  
10. votes to carry, the motion...the motion fails, the bill re-  
11. mains with the committee for its further action. Further  
12. discussion? Senator Nimrod.

13. SENATOR NIMROD:

14. Yes, Mr. President. As the minority spokesman in Revenue  
15. these bills were discussed and we did...we did discuss it for  
16. over an hour, and I believe that for our information these  
17. same bills came up in the House and they were defeated there,  
18. and these are Senate Bills and for us to attempt to take this  
19. step at this time to go ahead with it is certainly a...an  
20. action that I don't think that would be wise on the part of  
21. the Senate. I do, also, want to correct something else that  
22. Senator Netsch had said. She reported that the Comptroller  
23. supported these bills. Well, in testimony, he indicated that it  
24. would be wise...that he would suggest that these bills be held  
25. until Fall, and that we discuss that after we've had a chance  
26. to see what has happened and what the actual deficit is. And  
27. what the...really the attempt is here, is to take money, and  
28. we did discuss this with the Bureau of the Budget and we had  
29. a chance to discuss it with the Comptroller's staff, is what  
30. we're doing is taking money from next year's revenue and trying  
31. to apply it to this year. Now, I don't believe that we want  
32. to be in the position this year, before we know what the deficit  
33. is, of actually taking next year's expenditures and putting

SB 2004  
6/24/76

1. next year's total amount of money that's available at that  
2. sixty-five million less. Actually, it comes to ninety-five  
3. million with all the bills, so I...I would say that this  
4. would be a very poor thing for us to do and certainly we are  
5. not, at this point, in a position to look at this picture.  
6. We've not had the kind of reports and the records that we  
7. need from the Bureau of the Budget. We have not had this  
8. information available to us, and this is certainly one attempt  
9. to take and minimize the deficit that is going to be facing  
10. us, which is going to be approaching two hundred million  
11. dollars. And certainly trying to take next year's money to  
12. reduce that deficit is not the answer. Now, we...the answer  
13. was that the Bureau of the Budget indicated to us, he said that  
14. if we don't pass these bills then we will have to cut appro-  
15. priations, and I think that's a good move. It's about time  
16. that they do start cutting appropriations. But, I wonder why  
17. on...June the 26th...that's June the 23rd or 4th that they  
18. are now talking about cutting appropriations, when we had sent  
19. letters to all of the departments asking them to inform us  
20. how much money they'd have leftover and to cut their expendi-  
21. tures at that time if, in fact, we're going to have a deficit.  
22. This is just a gimmick. It's a means of trying to take next  
23. year's money to minimize the inept and inefficiency that has  
24. been created by the present administration and certainly the  
25. Bureau of the Budget.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Further discussion? Senator Harber Hall.

28. SENATOR HARBER HALL:

29. Would the sponsor yield for a question?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Indicates she will yield. Senator Hall.

32. SENATOR HARBER HALL:

33. Senator Netsch, I...I wonder if you know how much money the

32004  
12/1/76

1. State is holding from retailers in advance payment of their  
2. sales tax?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Netsch.

5. SENATOR NETSCH:

6. I can give you daily figures. I don't know that I have  
7. the sum and total handy. No.

8. SENATOR HARBER HALL:

9. Can you give me a rough estimate?

10. SENATOR NETSCH:

11. Yeah. At the present time I am told, the State holds  
12. on an average forty million dollars per day. Eighty million  
13. dollars on the last day of the month. If these bills were  
14. passed, that amount would be reduced to an average of ten  
15. million dollars per day.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Hall.

18. SENATOR HALL:

19. Well, since these are advance payments and the retailers  
20. have put these up, would you understand the reasoning if I  
21. would suggest that they would, in fact, be paying their money  
22. before it is collected by them from purchases?

23. SENATOR NETSCH:

24. No.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Netsch.

27. SENATOR NETSCH:

28. That...that is not correct.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Harber Hall.

31. SENATOR HARBER HALL:

32. Well, it's come to my attention, Mr. President, that  
33. Illinois would be the only state in the Union that would require



B2004  
1/24/76

1. weekly payments of sales tax, and I...for that reason I  
2. objected to these bills in the Committee. Now, there are  
3. other bills that I wouldn't have such violent objection to,  
4. but...but this bill, in behalf of retailers, I...I'm very  
5. much against it and I would suggest that we defeat this bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any further discussion? Senator Howard Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President. I rise in support of Senator  
10. Netsch's motion. This is a motion to discharge the committee  
11. which I am Acting Chairman of, and while I think we had a  
12. complete hearing in that Committee we seemed to be a little  
13. bit light on attendance when the roll call was taken. It's  
14. the very end of a very long meeting. I think this is an area  
15. important enough and of emergency enough for the full Senate...  
16. Senate to give its consideration to. It seems to me if you  
17. want to talk first on whether or not the Senate should debate  
18. it, that's the motion that Senator Netsch is presenting. That  
19. it be before the full body of this Senate. If you want to  
20. talk to the merits, we are not talking about the retailers'  
21. money. We are talking about the State's money. The people  
22. pay this money to the retailer to pass on to the State. So,  
23. it's the State's money through taxes paid by the people, not  
24. the retailers' money in the first place. But, again, that's  
25. the merits of the bill. This is important enough for the full  
26. Senate to discuss and I would support Senator Netsch's motion.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Further discussion? Senator Terrel Clarke.

29. SENATOR CLARKE:

30. Mr. President, yesterday in this abbreviated Committee,  
31. the Director of the Budget made a very interesting statement,  
32. I thought, and I think it puts in historic perspective what  
33. we're talking about here, because under questioning he said

SB 2001  
4/24/76

1. that the State has no business keeping surpluses in the till,  
2. and that their philosophy is that it should be spent when  
3. you have it. And three years ago, I remember in the Revenue  
4. Committee in the first year of this Governor's reign, why,  
5. they were in asking for...a previous director of the Budget  
6. was in asking for an income tax cut. He was going to give  
7. tax relief. So, when I quizzed him at that time about the  
8. surplus then and in the next couple of years, and it was  
9. going to go down from about four hundred million down to two  
10. hundred down to somewhere in the one hundred and thirty millions,  
11. and they have done a fine job in the last three and a half  
12. years of spending the surplus that the income tax brought in.  
13. Now, they're asking us - give us some more money by a one time  
14. ninety-five million additional bring our money in, which it is,  
15. and raise the base of expending so that next year whoever the  
16. governor will be, will be faced with that higher level of spend-  
17. ing, but nothing but a tax increase facing him, when this Governor  
18. should have been using fiscal prudence to keep a surplus so  
19. he wouldn't have had to face that or a future governor wouldn't.  
20. I think it's a bad proposal and ought to be defeated.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Soper.

23. SENATOR SOPER:

24. Now, we can all count here. You've got thirty-four votes  
25. on the other side and we've got twenty-five. Now, if you want  
26. to do this you can do it. If you want eleven...if you want  
27. thirteen months of revenue in twelve months and you want to  
28. take it from next year's money. You can talk all about it. It's  
29. our money, the people paid it and so forth, but the...there's  
30. a certain formula in collecting this money. Now, if you want  
31. to do this and you've got your deals cut on the other side, I'll  
32. make a motion for the previous question. Let's get on with it.

33. PRESIDING OFFICER: (SENATOR ROCK)

B2001  
12/1/76

1. That a boy. Senator Soper moves the previous question.  
2. All in favor signify by saying Aye. All opposed. The Ayes  
3. have it. Senator Netsch to close the debate.

4. SENATOR NETSCH:

5. Thank you, Mr. President. I would like to comment first  
6. on the point that Senator Clarke made. I think that what the  
7. Director of the Bureau of the Budget said was surpluses should  
8. be spent in bad times. These are bad times. The only reason  
9. why you accumulate surpluses in a State treasury is to carry  
10. you through times of declining revenues and we have been in  
11. the...in times of declining revenues. I would further like  
12. to say that the ninety-five million dollars that we are talking  
13. about in the several bills, sixty-five of which is in this  
14. bill alone, is already taken account of in the budget. If  
15. this...if these bills are not passed there is no alternative  
16. as the Director of the Bureau of the Budget told us, except  
17. for him to recommend to the Governor that he cut another ninety-  
18. five million dollars out of the appropriations that we passed  
19. and we are already, as we were informed yesterday, ninety million  
20. dollars over the...Governor's recommended level of spending.  
21. The...it is true that the Governor makes the budget, Gentlemen,  
22. but we pass the appropriations bills, and it is our appropriations  
23. that have brought about the...the troubled times that we are in  
24. right now fiscally. I would further like to say that you never  
25. ...you're not borrowing ninety-five million dollars from next  
26. year, Senator Nimrod. The ninety-five million dollars that you  
27. accelerate this year, you never fall behind on unless you decide  
28. to abolish the whole sales tax and I think we don't expect that  
29. to happen for awhile. You stay continuously ahead of the game.  
30. All you have done is accelerate the rate at which it comes into  
31. the State treasury and you never lose that amount of money. It  
32. is not borrowing from next year to pay for this year, and finally,  
33. Gentlemen, I would like to remind you that the Comptroller of the

B 2004  
4/24/76

1. State in his fiscal statement includes enactment of income  
2. tax and sales tax acceleration bills for a one time ninety-  
3. five million dollar revenue gain as a part of his program.  
4. He said yesterday, only, that he thought that the other bills were  
5. even more critical, but he felt these should be passed. He  
6. did say maybe we can wait until Fall. I thought that was an  
7. unnecessary concession on his part...
8. PRESIDING OFFICER: (SENATOR ROCK)  
9. Will the Senator conclude...
10. SENATOR NETSCH:  
11. ...but he reiterated...he reiterated his support, and  
12. in any event it seems to me that we should support them,  
13. because we have a very grim few days ahead of us if we do not.
14. PRESIDING OFFICER: (SENATOR ROCK)  
15. All right, the question is...Senator Soper, for what pur-  
16. pose do you arise?
17. SENATOR SOPER:  
18. Parliamentary inquiry. This takes thirty votes to take  
19. it away from the committee?
20. PRESIDING OFFICER: (SENATOR ROCK)  
21. Is that a question or a statement?
22. SENATOR SOPER:  
23. It's a question.
24. PRESIDING OFFICER: (SENATOR ROCK)  
25. Okay. It does...
26. SENATOR SOPER:  
27. I'll say does this take...
28. PRESIDING OFFICER: (SENATOR ROCK)  
29. It does...it does, in fact, take thirty votes.
30. SENATOR SOPER:  
31. ...Mr. President, does this take thirty...the pious one  
32. will ask.
33. PRESIDING OFFICER: (SENATOR ROCK)

2004  
6/24/76

1. No more pious platitudes. It does take thirty votes.
2. SENATOR SOPER:
3. Thanks. The answer is it takes thirty votes.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. That is correct.
6. SENATOR SOPER:
7. Thank you very much.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. You are certainly welcome. Okay. The question is, the
10. motion to discharge the Committee on Revenue from further
11. consideration of Senate Bill 2004, and on that motion those
12. in favor will vote Aye. Those opposed will vote Nay. The
13. voting is open. Have all voted who wish? Take the record.
14. On that question the Ayes are 21, the Nays are 19, 1 Voting
15. Present. The motion fails. Resolutions.
16. SECRETARY:
17. Senate Resolution 404, introduced by Senator Davidson
18. and all Senators. It's congratulatory.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Davidson.
21. SENATOR DAVIDSON:
22. Mr. President, I move to suspend the rules for immediate
23. consideration of this resolution.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Davidson moves to suspend the rules for the immedi-
26. ate consideration of Senate Resolution 404. All...
27. SENATOR DAVIDSON:
28. Mr. President...
29. PRESIDING OFFICER: (SENATOR ROCK)
30. ...those in favor signify by saying Aye. All those opposed.
31. The Ayes have it. The rules are suspended. Senator Davidson.
32. SENATOR DAVIDSON:
33. Mr. President and members of the Senate. It is not necessary

1. to read this resolution, but it's a congratulation to a  
2. young lady who is in the balcony in the President's gallery.  
3. If she'd please stand. This is to congratulate Miss Diana  
4. Ross from Rochester, who was elected National Treasurer of  
5. the National Society of Children of the American Revolution.  
6. Most of you met her yesterday when she was an honorary Page  
7. here in the Senate. Miss Ross.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator...

10. SENATOR DAVIDSON:

11. I move the adoption of the resolution.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Davidson asks leave that all Senate members be  
14. shown as cosponsors and moves the adoption of Senate Resolu-  
15. tion 404. All those in favor signify by saying Aye. Those  
16. opposed. The Ayes have it. The resolution is adopted.

17. SECRETARY:

18. Senate Resolution 405, introduced by Senator Nimrod.  
19. It's congratulatory.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Nimrod moves to suspend the rules for the immediate  
22. consideration and adoption of Senate Resolution 405. All  
23. those in favor signify by saying Aye. All those opposed. The  
24. Ayes have it. The...rules are suspended. Senator Nimrod now  
25. moves the adoption of Senate Resolution 405. All those in favor  
26. signify by saying Aye. All those opposed. The Ayes have it.  
27. The resolution is adopted.

28. SECRETARY:

29. Senate Resolution 406, introduced by Senator Bloom.  
30. It's congratulatory.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Bloom moves to suspend the rules for the immediate  
33. consideration and adoption of Senate Resolution 406. All those

1. in favor signify by saying Aye. All those opposed. The  
2. Ayes have it. The rules are suspended. Senator Bloom  
3. moves that the Senate adopt Senate Resolution 406. All  
4. those in favor signify by saying Aye. All those opposed.  
5. The Ayes have it. The resolution is adopted.
6. SECRETARY:
7. Senate Resolution 407, introduced by Senator Hynes.  
8. It's congratulatory.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Hynes moves to suspend the rules for the immediate  
11. consideration and adoption of Senate Resolution 407. All  
12. those in favor signify by saying Aye. All those opposed.  
13. The Ayes have it. The rules are suspended. Senator Hynes  
14. now moves that the Senate adopt Senate Resolution 407. All  
15. those in favor signify by saying Aye. All those opposed.  
16. The Ayes have it. The resolution is adopted. Committee  
17. reports.
18. SECRETARY:
19. The Rules Committee met on November...or June the 24th,  
20. 1976 pursuant to notice. The following members were present:  
21. Senators Partee, Rock, Donnewald, Howard Mohr and Harris.  
22. By unanimous vote the following bills were reported out of  
23. Committee, ordered read a first time and referred to the Com-  
24. mittee on Assignment of Bills: House Bill 3560. Senate Bills  
25. 2013 and 2014.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Well, let's...let's read the bills a first time and then  
28. whatever motions are to be made. Senator Regner has a motion.  
29. Senator Daley has a motion. Senate...Senate Bills on 1st  
30. reading.
31. SECRETARY:
32. Senate Bill 2013.  
33. (Secretary reads title of bill)

1. 1st reading of the bill.  
2. Senate Bill 2014.  
3. (Secretary reads title of bill)  
4. 1st reading of the bill.  
5. PRESIDING OFFICER: (SENATOR ROCK)  
6. Senator Savickas, for what purpose do you arise?  
7. SENATOR SAVICKAS:  
8. Well, Mr. Chair...or Mr. President, I would move at  
9. this time that Senate Bills 2013 and 2014 be discharged from  
10. consideration of the Com...Committee on Assignment of  
11. Bills and be read...and placed on the calendar on 2nd reading.  
12. PRESIDING OFFICER: (SENATOR ROCK)  
13. Any discussion? Senator Harris.  
14. SENATOR HARRIS:  
15. Well, Mr. President, I just want to point out that we've  
16. dealt with this matter of business today. This motion has  
17. been disposed of. It was put earlier today and failed, and  
18. I would suggest that his motion is not in order.  
19. PRESIDING OFFICER: (SENATOR ROCK)  
20. Well, I'm afraid the Chair is going to have to rule  
21. that the motion is in order. The motion that was made pre-  
22. viously was...was to discharge the Rules...  
23. SENATOR HARRIS:  
24. Yes, you're correct.  
25. PRESIDING OFFICER: (SENATOR ROCK)  
26. ...Committee.  
27. SENATOR HARRIS:  
28. It was to discharge. You're correct. You're correct.  
29. PRESIDING OFFICER: (SENATOR ROCK)  
30. The Rules Committee...okay.  
31. SENATOR HARRIS:  
32. All right. Well...  
33. PRESIDING OFFICER: (SENATOR ROCK)



1. Senator Harris.

2. SENATOR HARRIS:

3. Yes. Now, were these bills reported favorably from  
4. the Rules Committee?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Yes, Sir. They were, they are Committee bills. Correct.

7. SENATOR HARRIS:

8. All right. Now, Mr. President, I want to be heard on  
9. the motion, then.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. You are in order. Proceed, Senator Harris.

12. SENATOR HARRIS:

13. Mr. President, it's been said on several times on occasions  
14. during this Session that the Democrat Party has thirty-four  
15. votes in this House. We have twenty-five. There is, in fact,  
16. a crisis with respect to jobs and the overreaction of the  
17. 79th General Assembly with its enactment in June of 1975 of  
18. Workmen's Compensation and Occupational Disease benefits for  
19. the working people of Illinois, and the overreaction has pro-  
20. duced a very, very serious problem for, particularly, small  
21. businessmen to get Workmen's Compensation and Occupational  
22. Disease coverage. Now, if the Democrat majority wants to come  
23. forward with a demagogic reaction as provided for by this  
24. bill which mandates...mandates, if you will, those insurance  
25. carriers who insure homeowners and the operators of motor  
26. vehicles, who do not specialize in this unique and very com-  
27. plex field of underwriting Workmen's Compensation, and which  
28. traditionally has been the subject of specialization. But,  
29. if you want to penalize homeowners and the operators of motor  
30. vehicles by requiring...requiring the offering of this com-  
31. plicated coverage, that's fine. Then, let the responsibility  
32. be where it properly is, with the majority. But, I suggest  
33. to you, that to make shallow speeches about taking the cream

1. and not taking the hard stuff, is just what it is, political  
2. oratory. And bills, such as these proposed, bills that pro-  
3. pose the very serious consequences in the business of insuring  
4. against risk should not be taken lightly, but let the re-  
5. sponsibility be yours.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Soper.

8. SENATOR SOPER:

9. Thank you, Mr. President. Now, we're playing a lot  
10. of games around here and if you think somebody is going to  
11. be in business in this State in order to lose money and if  
12. you're going to tell somebody to sell apples for five cents  
13. a pound when it cost him ten cents a pound to pick them,  
14. you're sadly mistaken, and the crux of this whole thing and  
15. the meat of this whole thing is that you're...you're trying  
16. ...you're trying to con the public by telling the public  
17. that a certain insurance carrier should carry all sorts of  
18. risks no matter whether they make money or not. Insurance  
19. companies just takes and puts...puts the whole ball of wax  
20. into one pot and when that pot runs out they got to charge  
21. extra premiums. Now, if you take the automobile carrier and  
22. ...and he charges a certain premium for...for the little...  
23. the little fellow that...the little fellow that...that buys  
24. the automobile insurance and the little fellow that owns the  
25. home for his homeowners and the little fellow that...that  
26. ...that has the little business and then you tell him that  
27. he has to carry the burden of Unemployment Workmen's Compen-  
28. sation insurance when you've made it impossible to write  
29. that insurance in this State. You bear the burden. I'm not  
30. going to stand around here and waste my time. You've got  
31. thirty-four votes with this thing. Take it out and take it  
32. all the way. Then, you bear the burden and you can get all  
33. the publicity you want, you can con all the...all the fellows,

1. all the little men on the street that you're for and you'll  
2. really con them. They'll come back to you when their  
3. automobile insurance goes up and their homeowners insurance  
4. goes up. Then, when they can't buy it and all the insurance  
5. companies move out of the State of Illinois, you're going  
6. to do a good job, and if you want to do a double act between  
7. Savickas and Lemke, boy, what an act that'll be on the road.  
8. You'll never play Peoria or Cicero.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senate...Senator Partee.

11. SENATOR PARTEE:

12. Well, I heard Senator Harris a few moments ago enumerate  
13. the number of votes that are on one side or the other, and  
14. actually, Senator, I don't think that that's really that im-  
15. portant on a subject such as this. The only reason that the  
16. government takes an interest in insurance companies and  
17. telephone companies and light companies and gas companies, is  
18. because these are businesses are affected with a public interest.  
19. Affected with a public interest. That is the only reason we  
20. are concerned about them. Now, there has been a large amount  
21. of selectivity and denial of what ought to be a fundamental  
22. right for a person to be insured. Now, I don't know whether  
23. or not these bills have the or will receive the approbation  
24. of thirty members of this Body. I don't know that. I do know  
25. that they are a legitimate approach to a possible solution to  
26. the insurance problems and that as a consequence the members  
27. of this Body ought to be able to register their beliefs or dis-  
28. beliefs in the viability of these measures. I see no reason  
29. why they should be shunted to some position of nothingness,  
30. antiquity. They ought to be out on the table where men may  
31. address them and may vote accordingly, and I'm going to support  
32. the motion to discharge the Committee from consideration of  
33. them.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. I have four or five members who have indicated they  
3. wish to speak. Senator Bell.

4. SENATOR BELL:

5. Thank you, Mr. President. I would dare say that almost  
6. every member of this Senate has read enough of the economic  
7. reports and the various publications that we have, to know  
8. that the insurance companies as a national situation lost  
9. somewhere between four and five billion dollars last year  
10. and that the year before, 1974, was in the area of two and a  
11. half billion dollars and that here in 1976 it may well be  
12. another two billion dollars. Now, I'm...I'm just a little  
13. agent back there in Joliet working for the little guy, but  
14. I got to tell you, that the situation is such a critical situa-  
15. tion in homeowners or in automobile insurance and being able  
16. to provide that kind of coverage for people, that in many cases  
17. we have families that...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Demuzio, for what purpose do you arise?

20. SENATOR DEMUZIO:

21. It...it appears to me, Mr. President, that we're debating  
22. the bill and not the motion. I would ask that the Senator con-  
23. fine his remarks to the motion rather than to the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Point...the point is well taken. Senator, please address  
26. yourself to the motion to discharge the Committee on Assign-  
27. ment of Bills. Senator Bell.

28. SENATOR BELL:

29. Well, I think in...what I was trying to do in essence was  
30. to do that very thing, Senator Demuzio. If we do this and bring  
31. it to the Floor and put it into a situation where you're going  
32. to be voting on it, then the burden, I believe, is solely on  
33. your side of the aisle if you move this thing in that particular

1. direction. I wanted to finish what I was saying. Many,  
2. many people are spending in the area of somewhere between  
3. six hundred and a thousand dollars a year for automobile  
4. insurance alone and this is not going to help resolve that  
5. question.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Nimrod.

8. SENATOR NIMROD:

9. Yes, Mr. President and fellow Senators. I would just  
10. like to remind you that these bills were heard in committee.  
11. They were just brought up out of the clear blue and they  
12. were just passed out and there wasn't even permitted to have any  
13. effective discussion. But, I do want to bring out one point  
14. that was brought out at the...at the committee yesterday,  
15. and I think I would like to remind this Body that on May the  
16. 13th we created a special committee on insurance practices  
17. to investigate the recent proposed rate increases for Work-  
18. men's Compensation and Occupational Diseases. Now, those  
19. reports were to begin and to come in by June the 10th. The  
20. same question was asked in the committee and the only report  
21. that's been given is one on...a hearing on rate increase. I  
22. say that...I say that since this...since this bill...

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Excuse me. Senator Lemke, for what purpose do you  
25. arise? Excuse me, Senator.

26. SENATOR LEMKE:

27. Is the Senator talking about the motion or is he talking  
28. about what's happening in committee. I think we should con-  
29. fine ourselves to the motion and not as to the bills or any-  
30. thing else. I think he's out of order.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. You...you are correct and I have asked every member who  
33. has spoken to confine himself to the subject of the motion.

1. Senator...Senator Nimrod.

2. SENATOR NIMROD:

3. Since these bills that we're trying to put on to the  
4. Floor are a very...this commission was to report on the  
5. very needs for this kind of a thing, that we have no report  
6. and this...this Body had directed that commission to make  
7. such a report, I believe it would be futile to attempt to  
8. bring out a bill where the members have not performed their  
9. function and made no report whatsoever indicating a need or  
10. the requirement or the emergency that's created by this.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. All right. Senator Harber Hall.

13. SENATOR HARBER HALL:

14. Well, I...I could speak...speak at length about the  
15. content of these unconstitutional bills but I will confine  
16. myself to the motion at hand. Mr. President, these bills  
17. were erroneously heard in the Labor and Commerce Committee  
18. yesterday and I, now, move that they be heard in the their  
19. proper committee. They are strictly insurance bills and I  
20. move that they be rereferred to the Insurance Committee of the  
21. Senate.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. All right, just relax now.

24. SENATOR HARBER HALL:

25. And I make that as a substitute motion.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. That...that motion is, in fact, out of order. Senator  
28. Glass. All right. Any further discussion? Senator Savickas  
29. may close the debate.

30. SENATOR SAVICKAS:

31. Yes, Mr. President and members of the Senate. I will  
32. answer all of these wild statements that some of these pre-  
33. vious Senators have commented when...when the bills come up

1. for a hearing. At the present time we are in an orderly  
2. process of hearing a motion to put these bills on 2nd read-  
3. ing, and at this point I would renew my motion.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. All right, the question is, a motion to discharge the  
6. Assignment of Bills Committee from further consideration of  
7. Senate Bill 2013. Senator Glass, for what purpose do you  
8. arise?

9. SENATOR GLASS:

10. I'd like to make a substitute motion, Mr. President,  
11. to commit this bill to the Committee on Insurance and  
12. Licensed Activities.

13. SENATOR SAVICKAS:

14. We move to Table it.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Well, I'm not sure that motion is in order...you  
17. can move to Table or some...Well, I think the motion more  
18. properly, though, Senator, is...is they are now in the  
19. Assignment of Bills Committee. So, in order to get them  
20. into the Committee in which he wants them, the motion more  
21. properly would have to be, it seems to me, a motion to dis-  
22. charge that committee and then recommit or re-refer. All  
23. right. Senator Partee.

24. SENATOR PARTEE:

25. Have a question of Senator Glass if he will yield.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Indicates he will yield.

28. SENATOR PARTEE:

29. Senator, do you want to re-refer these bills to the In-  
30. surance Committee? Is that your position?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Glass.

33. SENATOR GLASS:

1. Well, that...that's the gist of the motion to commit  
2. them to that Committee.

3. SENATOR PARTEE:

4. Right. Now, because you want...inasmuch as you want  
5. to commit them there, may I ask you if there is going to  
6. be another committee meeting of the Insurance Committee?

7. SENATOR GLASS:

8. I would yield to Senator Lane to answer that and perhaps  
9. there will be.

10. SENATOR PARTEE:

11. Well, the point I'm making, Senator...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Partee.

14. SENATOR PARTEE:

15. ...the point I'm making is, this is simply a dilatory  
16. motion. You know, as well as I know, that there's not going  
17. to be another meeting of the Insurance Committee and I  
18. think I ought to say to you so that everybody knows, that  
19. for you to make that motion is absolutely dilatory to kill  
20. the bills and why don't you just say that?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Might...might I suggest this course of action, that  
23. even if your motion is successful the bills, then, would be  
24. reposed in the Committee on Insurance assuming the success  
25. of your motion...I...at which time they would, of course, be  
26. subject to the same motion by Senator Savickas to discharge  
27. that Committee. So, I really think we're spinning our wheels  
28. here. Senator Berning, for what purpose do you arise?

29. SENATOR BERNING:

30. Well, Mr. President, I have been listening to some of  
31. the discussion back and forth and there's one thing that all  
32. of us, apparently, have been neglectful of and that is, what  
33. the intention of this Session of the General Assembly has been...



1. PRESIDING OFFICER: (SENATOR ROCK)

2. Well, you...Senator, I'm going to have to rule you out  
3. of order. Debate has been closed. The question before us  
4. is this multiplicity of motions. This is a Committee bill  
5. and as a Committee bill it is exempt from those kinds of  
6. intent and rules, unfortunately. A motion to discharge does,  
7. in fact, take thirty votes. The question is, a motion to  
8. discharge the Assignment of Bills...Senator Nudelman, for  
9. what purpose do you arise?

10. SENATOR NUDELMAN:

11. Thank you, Mr. President. I understand there are two  
12. bills one of which is being moved at the moment...

13. PRESIDING OFFICER: (SENATOR ROCK)

14. That is correct.

15. SENATOR NUDELMAN:

16. ...and I'd like to know the...the gist of this bill,  
17. so that I know how to vote. I intend to vote differently  
18. on each of the two bills, but I don't know which is which.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Savickas. Senator Savickas, he just wanted to  
21. know what 2013 is as opposed to...

22. SENATOR SAVICKAS:

23. 2013 amends the Insurance Code that requires all com-  
24. panies offering casualty insurance to also offer Workmen's  
25. Compensation Insurance.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. All right. The question before the Body is, the motion  
28. to discharge the Assignment of Bills Committee and advance  
29. Senate Bill 2013 to the order of 2nd reading without reference  
30. to committee? Those in favor of that motion will vote Aye.  
31. Those opposed will vote Nay. The voting is open. Have all  
32. voted who wish? Take the record. On that question the Ayes  
33. are 29, the Nays are 19, 1 Voting Present. The motion fails.

1. Assignment of Bills. Read the next bill, Mr. Secretary.  
2. 2014 has been read? All right. That also goes to the  
3. Assignment of Bills. House Bills on 1st reading. Oh, or  
4. do you wish to...all right, I beg your pardon. 2014, Senate  
5. Bill 2014. Senator Savickas, for what purpose do you arise?  
6. SENATOR SAVICKAS:  
7. The same motion.  
8. PRESIDING OFFICER: (SENATOR ROCK)  
9. Would you explain what this bill does, so we don't  
10. have to...  
11. SENATOR SAVICKAS:  
12. For Senator Nudelman's edification, this amends the  
13. Illinois Insurance Code to provide that when an employer  
14. has three consecutive policy years of Workmen's Compensa-  
15. tion Insurance with no claims payable under the policy, the  
16. carrier may not refuse to renew the policy until the end  
17. of the first year thereafter in which a compensable injury  
18. occurs and the carrier shall grant that employer a fifteen  
19. percent reduction in premium for the first year after his  
20. first three year injury free period.  
21. PRESIDING OFFICER: (SENATOR ROCK)  
22. All right. The motion is to discharge the Committee  
23. on Assignment of Bills from further consideration of Senate  
24. Bill 2014 and advance this bill to the order of 2nd reading  
25. without reference. Those in favor of that motion will vote  
26. Aye. Those opposed will vote Nay. The voting is open.  
27. Have all voted who wish? Take the record. On this question  
28. the Ayes are 30, the Nays are none, none Voting Present. The  
29. motion carries. Senator Nimrod. Senator Nimrod has requested  
30. a verification of, I assume, the affirmative votes. Will  
31. all the Senators be in their seats? Senator Nimrod has re-  
32. quested a verification. Will all the Senators please be in  
33. their seats? The Secretary will read the affirmative votes.

1. SECRETARY:

2. The following voted in the affirmative: Brady, Bruce,  
3. Buzbee, Carroll, D'Arco, Daley, Demuzio, Donnewald, Dougherty,  
4. Egan, Kenneth Hall, Hickey, Hynes, Johns, Knuppel, Kosinski,  
5. Lane, Lemke, McCarthy, Morris, Netsch, Newhouse, Nudelman,  
6. Palmer, Rock, Savickas, Smith, Vadalabene, Welsh and Mr.  
7. President.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Is Senator Daley on the Floor? ...on, he...he is on  
10. the Floor. Senator Hynes is in the back of the Chamber.  
11. All right, the roll has been verified. The Ayes are 30,  
12. the Nays are none, none Voting Present. The motion carries.  
13. Senate Bill 2014 will be advanced to the order of 2nd reading  
14. without reference. House Bills on 1st reading. Senator  
15. Vadalabene, for what purpose do you arise?

16. SENATOR VADALABENE:

17. On a point of personal privilege, Sir.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. State your point, Sir.

20. SENATOR VADALABENE:

21. Just a few bills ago we had a distinguished House member's  
22. name being mentioned and if I recall I think it was his first  
23. bill this Session that he...and it came over here and he  
24. moved to discharge committee. Brian Duff is in the audience  
25. on the Floor and I'd like him to stand and be recognized.  
26. His first bill of this Session. Brian Duff.

27. SECRETARY:

28. House...House Bill 3901.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Regner.

33.

1. SENATOR REGNER:

2.           This has nothing to do with insurance or Workmen's  
3. Compensation, but it is a bill for the Comptroller and  
4. revises the provisions pertaining to oaths of office and  
5. bonds and their filing with the Comptroller's office. It  
6. came out of Rules this afternoon and I would now move that the  
7. Committee on the Assignment of Bills be discharged from  
8. further consideration of House Bill 3901 and that it be read a  
9. 1st time and placed on the order of 2nd reading without  
10. reference.

11. PRESIDING OFFICER: (SENATOR ROCK)

12.           Yes. It has been read a first time. The motion is  
13. to discharge the Assignment of Bills Committee from further  
14. consideration of House Bill 3...3901 and advance it to the  
15. order of 2nd reading without reference. All those in favor  
16. signify by saying Aye. All those opposed. The Ayes have  
17. it. So ordered. There's one more House bill, is there not?

18. SECRETARY:

19.           House...House Bill 3560.

20.           (Secretary reads title of bill)

21. 1st reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23.           Senator Daley.

24. SENATOR DALEY:

25.           This is that House bill that Representative Madigan  
26. expressed some interest in, 3560.

27. PRESIDING OFFICER: (SENATOR ROCK)

28.           Senator Daley moves that the Committee on Assignment  
29. of Bills be discharged from further consideration of House  
30. Bill 3560 and that it be placed on the order of 2nd reading  
31. without reference. All those in favor signify by saying Aye.  
32. Opposed. The Ayes have it. So ordered. All right, pursuant  
33. to leave of this Body granted earlier we will...we will revert

1. to the order of House Bills on 2nd reading to consider  
2. House Bill 3518.  
3. SECRETARY:  
4. House Bill 3518.  
5. (Secretary reads title of bill)  
6. 2nd reading of the bill. No committee amendments.  
7. PRESIDING OFFICER: (SENATOR ROCK)  
8. Any amendments from the Floor? Senator Brady, for  
9. what purpose do you arise?  
10. SENATOR BRADY:  
11. Yes. Mr. President...  
12. PRESIDING OFFICER: (SENATOR ROCK)  
13. May we have the attention of the membership?  
14. SENATOR BRADY:  
15. Thank you, Mr. President and fellow members. With  
16. reference to House Bill 3518 I would like to try and move  
17. that to 3rd reading this evening and...with the agreement  
18. to bring it back to 2nd tomorrow for purpose of amendment.  
19. PRESIDING OFFICER: (SENATOR ROCK)  
20. All right. Senator Shapiro.  
21. SENATOR SHAPIRO:  
22. Well, Mr. President, I concur in the action Senator  
23. Brady is taking with the providing...provision that it will  
24. be brought back to 2nd tomorrow. This will give Senator  
25. Hynes, Senator Brady and myself a little more time to  
26. negotiate, because I want to present the matter to our  
27. caucus.  
28. PRESIDING OFFICER: (SENATOR ROCK)  
29. With that understanding, then. Any amendments from  
30. the Floor? 3rd reading. Any member have a bill they wish  
31. to call? Senator Weaver, for what purpose do you arise?  
32. SENATOR WEAVER:  
33. Thank you, Mr. President. On the Secretary's Desk  
34. rests Senate Bill 1939 with House Amendment No. 1. I would

1. like to move that the Senate nonconcur in House Amend-  
2. ment No. 1 and ask the Senate to recede.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Well, it...all right, is there leave to go to that  
5. order of business? Leave is granted. Senator Weaver has  
6. moved that the Senate do not concur with House Amendment  
7. No. 1 to Senate Bill 1939. All those in favor signify  
8. by saying Aye. All those opposed. The Ayes have it. The  
9. Senate does not concur, the motion carries and the Secre-  
10. tary shall so inform the House. Senator Hall, for what  
11. purpose do you arise? May we have the attention of the  
12. membership? We are getting close to adjournment here,  
13. gentlemen, so, Senator Hall, for what purpose do you arise?

14. SENATOR HALL:

15. Thank you, Mr. President and members of the Senate.  
16. There were two bills that were passed over here today that  
17. ...House Bill 3533 and 3537 that are now resting in the  
18. Rules Committee, and I'd like to move that the Rules Com-  
19. mittee be discharged and these bills be placed on 2nd reading.  
20. And if I can explain what they do. One of them...

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Will you put...put the number on the board, Mr.  
23. Secretary. House Bill...what's the number, Senator Hall?

24. SENATOR HALL:

25. 3533 and 3534.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Yeah. Just explain the bills so that everybody...

28. SENATOR HALL:

29. All right. One of...of them empowers the Department  
30. of Business and Economic Development to make loans for the  
31. development of the Industrial Park and the second is that  
32. it appropriates one million nine hundred thousand to the  
33. Department of Business and Economic Development to provide

1. matching funds for Federal grants.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. All right. Senator Howard Mohr. I understand there  
4. is some opposition to this motion. Senator Howard Mohr.

5. SENATOR MOHR:

6. I...I'd say there's a little opposition, Mr. President.  
7. Looking at the digest I see that that bill was introduced  
8. in April, April 7th, and May 19th it was ruled an emergency  
9. and it finally got over here today from the House. There's  
10. a lot of activity, a lot of amendments and re-referred to  
11. committee on...on both of these bills, and I think that they  
12. ought to go to committee here, Mr. President.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Senator Partee.

15. SENATOR PARTEE:

16. Well, I just wanted to lend my voice in support of  
17. Senator Hall on these motions. The lady who is the  
18. principle sponsor, the House sponsor, Mrs. Wyvetter Younge  
19. was over the other day to tell me about these bills coming  
20. in. I suggested to her that it was a little late, but she  
21. convinced me that I should support them. There are some  
22. real needs in that area for this kind of governmental help  
23. for a lot of people who have problems, and I am just going  
24. to be supportive of Senator Hall in this area, and Mrs. Younge,  
25. of course.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Further discussion? The motion is to discharge the Rules  
28. Committee from further consideration of House Bill 3533, have  
29. the bill read a first time and placed on the order of 2nd  
30. reading without reference. All those in favor signify...  
31. Senator Soper, for what purpose do you arise?

32. SENATOR SOPER:

33. I...I don't know...if this bill...does this still contain the

1. ten billion dollar appropriation?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. I think it's substantially cut down.

4. SENATOR SOPER:

5. The ten thousand million appropriation?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Hall.

8. SENATOR SOPER:

9. It's bigger than this year's budget, you know.

10. It doesn't, huh? Oh, we've won one fight.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Mohr, did you request a roll call? All right.

13. A roll call has been requested. Those in favor of the motion

14. to discharge the Rules Committee from further consideration

15. of House Bill 3533 will vote Aye. Those opposed will vote

16. Nay. The voting is open. Have all voted who wish? Take

17. the record. On that question the Ayes are 23, the Nays are

18. 11, none Present. The motion fails. Senator Buzbee, for

19. what purpose do you arise?

20. SENATOR BUZBEE:

21. Mr. President, there are two bills that presently reside

22. in the Education Committee. I have talked to the Chairman

23. and to the Minority spokesman on the Education Committee. These

24. are House Bills 3963 and 3964 and I would now move to discharge

25. the Committee on Education from further consideration of House

26. Bills 3963 and 3964 and be placed on the calendar and read a

27. 2nd time.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Well, can you just briefly explain what they do? I think

30. that would allay a lot of fear.

31. SENATOR BUZBEE:

32. Yes, Mr. President. These bills pertain to the student

33. representatives on the various governing boards of higher



1. education. What it does, it expands their duties to bring  
2. their duties in line with the recent ruling of the Attorney  
3. General of this State. It does not allow them to...to vote,  
4. but it does expand their...their duties and rights and, also,  
5. it provides for a nonvoting member, a student member, on  
6. the Illinois State Scholarship Commission, again, to bring  
7. our laws in line with the recent ruling of the Attorney  
8. General.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Discussion on the motion? Senator Berning.

11. SENATOR BERNING:

12. Yes, Mr. President and members of the Senate. I repeat  
13. what I attempted to say before, there apparently is no  
14. emergency, nothing critical about this kind of legislation.  
15. I just don't understand why it is we are being belabored with  
16. an endless request for consideration of bills that have nothing  
17. to do with this Session and its fiscal matters and emergency  
18. matters.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Further discussion? Senator Palmer.

21. SENATOR PALMER:

22. Senator Buzbee, you assured me that these bills have  
23. no impact on the school formula. Is that correct?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Well, they would certainly have no impact on the school  
28. aid formula, as they deal with student representatives on  
29. the higher boards of education and they were Committee bills,  
30. they were House Committee bills, the Committee on Higher  
31. Education and, so that's the basis in answer to Senator Berning.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. All right, let's have...Senator Palmer.

1. SENATOR PALMER:  
2.       Then, I advise that I have no objection to them to  
3. be...  
4. PRESIDING OFFICER: (SENATOR ROCK)  
5.       Thank you. The motion before...  
6. SENATOR PALMER:  
7.       ...the...the committee be discharged.  
8. PRESIDING OFFICER: (SENATOR ROCK)  
9.       ...the motion before the Body is, that the Committee  
10. on Education be discharged from further consideration of  
11. House Bill 3963 and that it be placed on the order of 2nd  
12. reading without reference. All those in favor signify by  
13. saying Aye. All those opposed. There's been a request for  
14. a roll call. Those in favor of the motion to discharge the  
15. Education Committee will vote Aye. Those opposed will vote  
16. Nay. The voting is open. Have all voted who wish? Have  
17. all voted who wish? Take the record. On that question the  
18. Ayes are 26, the Nays are 8, none Voting Present. The motion  
19. fails. I assume the motion with respect to 3964 has been  
20. withdrawn? Further business to come before the Senate?  
21. Senator Partee.  
22. SENATOR PARTEE:  
23.       Thank you, Mr. President and members of the Senate, for  
24. the purpose of an announcement.  
25. PRESIDING OFFICER: (SENATOR ROCK)  
26.       Will the members please be in their seats? Can we have  
27. a little order? Senator Partee.  
28. SENATOR PARTEE:  
29.       Several of the members have inquired of me what our  
30. schedule for work will be during the rest of the week. We're  
31. going to commence our Session tomorrow morning at 9:30 and  
32. we'll work tomorrow until we're finished and then Saturday  
33. we will have a Session Saturday morning commencing about 9:00

1. Saturday morning. It'll probably run 'til about 2:00 in  
2. the afternoon, possibly, 3:00 and on Sunday we will not  
3. come in the morning, 'cause many of us will be going to  
4. church and we will come in at 2:00 o'clock on Sunday.  
5. PRESIDING OFFICER: (SENATOR ROCK)  
6. I wonder, Senator, could you repeat that one more  
7. time? 9:30 tomorrow morning...  
8. SENATOR PARTEE:  
9. 9:30 tomorrow, Friday, and 10:00 o'clock Saturday and  
10. 2:00 o'clock Sunday.  
11. PRESIDING OFFICER: (SENATOR ROCK)  
12. Thank you. Any questions? Further business?  
13. SENATOR PARTEE:  
14. Monday is washday.  
15. PRESIDING OFFICER: (SENATOR ROCK)  
16. Senator Vadalabene, for what purpose do you arise?  
17. SENATOR VADALABENE:  
18. Well, just as long as everybody is in good humor, on  
19. a point of personal privilege.  
20. PRESIDING OFFICER: (SENATOR ROCK)  
21. State your point, Sir.  
22. SENATOR VADALABENE:  
23. The President of the Lewis and Clarke Junior College  
24. in Godfrey, Illinois is in the President's gallery on the  
25. east side along with his board members. I'd like for them  
26. to stand and be recognized. Wilbur Trempe and his board  
27. members.  
28. PRESIDING OFFICER: (SENATOR ROCK)  
29. Will...will our guests in the gallery please rise?  
30. Further announcements? Senator Latherow.  
31. SENATOR LATHEROW:  
32. Well, I...Mr. President, I just wanted to inform the  
33. Body he might have been the greatest principal in grade

1. school, county superintendent and President...or head of  
2. his junior college, but he could not catch a football. He  
3. had a finger broken one night in a game we were officiating.  
4. I tossed him the ball, broke his finger. That's the kind  
5. of a football man he is. You better stick to education,  
6. Wilbur.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any further announcements? Senator Carroll.

9. SENATOR CARROLL:

10. I understand, Mr. President, that we have an amendment  
11. to President Partee's motion on the time he has said that  
12. the Jewish block can come in at 2:00 o'clock Saturday and  
13. be here at 10:00 o'clock Sunday morning.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Oh, all right. Any further announcements? Any further  
16. business to come before the Senate? If not, Senator Hall  
17. moves that the Senate stand adjourned until Friday at 9:30 a.m.  
18. The Senate stands adjourned.