

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 25, 1976

1. PRESIDENT:

2. The hour of nine-thirty having arrived, the Senate will
3. come to order. Will our guests in the gallery rise as we have
4. prayer by Father Kevin B. Sullivan, Cathedral of the Immaculate
5. Conception, Springfield, Illinois.

6. FATHER SULLIVAN:

7. Heavenly Father, source of all true wisdom, dignity,
8. and dedicated work, we ask your blessing on this assembly of
9. our State leaders. You provided leaders to guide and protect
10. your chosen people in the prophets of old. Fill these men
11. and women with the spirit of your wisdom that they may serve
12. and lead your people in peace and security. We ask this through
13. Jesus Christ, your Son, Our Lord, who lives and reigns with you
14. in the unity of the Holy Spirit, God forever and ever, Amen.

15. PRESIDENT:

16. Reading of the Journal. Senator Sommer.

17. SENATOR SOMMER:

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

25. PRESIDENT:

26. You've heard the motion. All in favor say Aye. Opposed
27. Nay. The Ayes have it. The motion carries. Senator Glass.

28. SENATOR GLASS:

29. Mr. President, while we're at ease here, I wonder if it
30. would be possible to handle a nonconcurrency matter that's on
31. the Calendar?

32. PRESIDENT:

33. Yes, just one minute, Senator. Senator Glass is recognized.

1. SENATOR GLASS:

2. Well, thank you, Mr. President, on...on the order of
3. nonconcurrences, House Bill 3850, of which I am the Senate
4. sponsor, although Senator Schaffer is listed, and I would move
5. that the Senate do not recede from Senate Amendment No. 1
6. and that a Conference Committee be appointed.

7. PRESIDENT:

8. Any discussion? Senator Glass moves to nonconcur in
9. Senate Amendment No. ...no to...to refuse to recede from Senate
10. Amendment No. 1. All in favor will say Aye. Opposed Nay. The
11. Ayes have it. The motion carries, and the Secretary shall so
12. inform the House. Senator Soper.

13. SENATOR SOPER:

14. Well, I just...inquiry. Is this the time to kill all bills
15. in the...in the...in the Committee of Assignment of Bills and
16. Rules Committee?

17. PRESIDENT:

18. No, it's later, Senator.

19. SENATOR SOPER:

20. A little later. Thank you, very much. Will you inform me
21. at the time? I'd like to make the motion. Get some of that
22. junk out of here.

23. PRESIDENT:

24. I'll keep you alerted.

25. SENATOR SOPER:

26. Okay.

27. PRESIDENT:

28. On the order of the Secretary's Desk for concurrences. Senate
29. Bill 1498, Senator Hynes. Senate Bill 1500, Senator Lane. Pardon?
30. Senate Bill 1603, Senator Bruce. Senate Bill 1610, Senator Lane.
31. That's the Department of Insurance appropriation. Senate Bill
32. 1614, Senator Morris. 1625, Senator Wooten. 1627, Senator
33. Nudelman. 1627, on Page 9. Senate Bill 1637, Senator Hynes.

AB 3222.
2nd reading
6-25-76

1. Senate Bill 1684, Senator Brady. Senate Bill 1742, Senator
2. Rock. Senate Bill 1935, Senator Hynes. Is there leave to
3. go to the order of House Bills on 2nd reading? House Bill 3062,
4. Senator Fawell. House Bill 3099, Senator Carroll. House
5. Bill 3124, Senator Glass. House Bill 3222, Senator Rock.
6. Read the bill.

7. SECRETARY:
8. House Bill 3222

9. (Secretary reads title of bill)
10. 2nd reading of the bill. No committee amendments.

11. PRESIDENT:
12. Any amendments from the Floor? 3rd reading. House Bill
13. 3318, Senator Daley. Senator Rock, Senator Daley, would you
14. come to the podium a moment. We're not going to play any cards
15. here, Senator. Senator Lemke, the Calendar shows House Bills
16. on 2nd reading, Page 6 of your Calendar, that Senator Daley is
17. the sponsor of that bill, and he informs me that it is you
18. instead. Is that correct? Senator Lemke is the sponsor. Let
19. the...is there leave to change that? Leave is granted. Now, do
20. ...do you desire to call the bill on 2nd?

21. SENATOR LEMKE:
22. Yeah, we'll call it.

23. PRESIDENT:
24. Read the bill.

25. SENATOR LEMKE:
26. Move it to...

27. SECRETARY:
28. House Bill 3318
29. (Secretary reads title of bill)

30. 2nd reading of the bill. No committee amendments.

31. PRESIDENT:
32. Any amendments from the Floor? 3rd reading. Senator Soper.
33. SENATOR SOPER:

House Bill 3318
2nd reading
8.25.76

1. There is some people that are not here...some Senators, and
2. I know they've got some amendments to this. Would you bring
3. that back tomorrow sometime for a...
4. PRESIDENT:
5. He agrees he'll bring it back.
6. SENATOR SOPER:
7. ...Thank you, very much. Thank you.
8. PRESIDENT:
9. House Bill 3377, Senator Joyce. House Bill 3609, Senator
10. Vadalabene. Read the bill.
11. SECRETARY:
12. House Bill 3609
13. (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDENT:
16. Any amendments from the Floor? 3rd reading. House Bill
17. 3610, Senator Vadalabene. Read the bill.
18. SECRETARY:
19. House Bill 3610
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDENT:
23. Any amendments from the Floor? 3rd reading. House Bill
24. 3611, Senator Vadalabene. Read the bill.
25. SECRETARY:
26. House Bill 3611
27. (Secretary reads title of bill)
28. 2nd reading of the bill. No committee amendments.
29. PRESIDENT:
30. Any amendments from the Floor? 3rd reading. House Bill
31. 3612, Senator Vadalabene. Read the bill.
32. SECRETARY:
33. House Bill 3612.

7/19/3704
2nd reading
6-25-76

1. (Secretary reads title of bill)
2. 2nd reading of the bill. No committee amendments.
3. PRESIDENT:
4. Any amendments from the Floor? 3rd reading. House
5. Bill 3633, Senator Hickey. House Bill 3648, Senator Egan.
6. Read the bill.
7. SECRETARY:
8. House Bill 3648
9. (Secretary reads title of bill)
10. 2nd reading of the bill. No committee amendments.
11. PRESIDENT:
12. Any amendments from the Floor? 3rd reading. House Bill
13. 3560, Senator Daley. Read the bill.
14. SECRETARY:
15. House Bill 36...or 3560
16. (Secretary reads title of bill)
17. 2nd reading of the bill. No committee amendments.
18. PRESIDENT:
19. Any amendments from the Floor? 3rd reading. House Bill
20. 356...3652, Senator Rock. Read the bill.
21. SECRETARY:
22. House Bill 3652
23. (Secretary reads title of bill)
24. 2nd reading of the bill. No committee amendments.
25. PRESIDENT:
26. Any amendments from the Floor? 3rd reading. House Bill
27. 3653, Senator Rock. Read the bill.
28. SECRETARY:
29. House Bill 3653
30. (Secretary reads title of bill)
31. 2nd reading of the bill. No committee amendments.
32. PRESIDENT:
33. Any amendments from the Floor? 3rd reading. House Bill 3704,

1. Senator Kenneth Hall. Read the bill.

2. SECRETARY:

3. House Bill 3704

4. (Secretary reads title of bill)

5. 2nd reading of the bill. No committee amendments.

6. PRESIDENT:

7. Any amendments from the Floor? 3rd reading. House Bill
8. 3787, Senator Mitchler. For what purpose does Senator Soper rise?

9. SENATOR SOPER:

10. Well, on that 3704, I think that was heard in committee,
11. and there was supposed to be some amendments on this on 2nd
12. reading by...by Senator Hall before this was moved.

13. PRESIDENT:

14. Senator Hall is recognized.

15. SENATOR SOPER:

16. There was about four or five amendments and...you know.

17. SENATOR KENNETH HALL:

18. Senator Soper is right. Take that out of the record,
19. because we are having some amendments. We got the amendments,
20. Senator, and so, we'll bring it back...either way.

21. PRESIDENT:

22. The...bill is on 3rd. He says he'll bring it back as soon
23. as the amendments are ready, Senator. Is that satisfactory?

24. SENATOR SOPER:

25. Well, not soon as the amendments are ready, but as soon as
26. we've read them and ...been able to digest them. Is that all right?

27. PRESIDENT:

28. Okay. When I say ready, that includes preparation of them,
29. your having time to read them, your having time to digest them,
30. your having an opportunity to discuss them with him, and under
31. those circumstances, they are then ready.

32. SENATOR SOPER:

33. And my second question, is the tape open on that, too,

1. so we know what was said? Okay.

2. PRESIDENT:

3. Absolutely.

4. SENATOR SOPERL

5. Thank you, very much.

6. PRESIDENT:

7. House Bill 3787, Senator Mitchler. Read the bill.

8. SECRETARY:

9. House Bill 3787

10. (Secretary reads title of bill)

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

12. PRESIDENT:

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

14. 3803, Senator Nimrod. Senator Nimrod, 3803. Oh, you're

15. amending your own bill?

16. SECRETARY:

17. House Bill 3803

18. (Secretary reads title of bill)

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

20. PRESIDENT:

21. Any amendments from the Floor? Senator Nimrod.

22. SECRETARY:

23. Amendment No. 1 offered by Senator Nimrod.

24. PRESIDENT:

25. Senator Nimrod.

26. SENATOR NIMROD:

27. Yes, Mr. President and fellow Senators, this amendment is

28. in line with what I had discussed with the Rules Committee and

29. what it does it...it clarifies the appointment by the Governor

30. and the confirmation of the Senate, makes it uniform with all

31. other confirmations and makes the board's recommendations

32. advisory. And I would ask that the adoption of this amendment.

33. PRESIDENT:

1. Any further discussion on the amendment? Senator Nimrod
2. moves the adoption of Amendment No. 1 to House Bill 3803.
3. Those in favor will say Aye. Opposed Nay. The Ayes have it.
4. Amendment No. 1 is adopted. Any further amendments? 3rd reading.
5. House Bill 3810, Senator Carroll. House Bill 3816, Senator
6. Donnewald. House Bill 3831, Senator Carroll. Pardon? Yes,
7. Senator Clarke, for what purpose do you arise?
8. SENATOR CLARKE:
9. For an inquiry, Mr. President. That bill is a House
10. Committee Revenue bill. Senator Harber Hall was asked to be
11. the sponsor. He was the one that appeared before the Rules
12. Committee, but Senator Carroll was assigned the bill, and I
13. just want to inquire...you know, if he couldn't at some point at
14. least move it to 3rd reading and then bring it back for amend-
15. ment? We do have an amendments on...that have to go on it.
16. PRESIDENT:
17. Senator Carroll.
18. SENATOR CARROLL:
19. Yes, we shall at some point. There have been questions
20. from members of Senator Clarke's side of the aisle on some
21. of the amendments, and we are having our staff working on it
22. right now. We've had some inquiries this morning, in fact, from
23. some of your members on the amendments.
24. PRESIDENT:
25. Senator Clarke.
26. SENATOR CLARKE:
27. But I know we are running out of time, and with many bills
28. we have, move them to 3rd reading with the option of bringing
29. them back when the amendments are prepared, and I just...you know,
30. wonder if you wouldn't consider, because this is not a personal
31. matter, it is a committee bill that a group of...legislators
32. who worked on for three years.
33. PRESIDENT:

1 Senator Carroll.

2 SENATOR CARROLL:

3 I agree it was a committee bill, and I will consider. We will
4 be moving it, Senator Clarke.

5 PRESIDENT:

6 House Bill 3901, Senator...for what purpose does Senator
7 Howard Mohr arise?

8 SENATOR HOWARD MOHR:

9 Yes, Mr. President, I don't quite understand the procedure
10 when a committee bill is referred over here and a particular
11 Senator is asked to handle a bill and appears before the Rules
12 Committee and gets the bill out, how it gets in the hands of another
13 Senator? Just doesn't seem in this case quite kosher.

14 PRESIDENT:

15 Senator Carroll.

16 SENATOR CARROLL:

17 I think I must respond on personal privilege. It's obviously
18 kosher. No, it was assigned to me on 1st reading. And it was
19 in my committee. I am the acting chairman of that committee.
20 It was obviously there when the bill was presented. I don't
21 see Senator Hall on the Floor. He has several amendments, and I
22 think we should...you know, I have no objection to moving it
23 later. There are some problems with some of the amendments as
24 I said, most of which focus from, coincidentally from your side
25 of the aisle, and we are trying to see what can be resolved.

26 PRESIDENT:

27 House Bill...oh...sorry...I'm sorry. Senator Howard Mohr.

28 SENATOR HOWARD MOHR:

29 Well, just because Senator Hall isn't on the Floor, that
30 really has no bearing on it. He was asked, and I...it's always

1. been common courtesy to...when somebody's been asked to handle
2. a bill that he handles it, but for reasons best known to you,
3. Senator Carroll, you do have the bill. I...I don't agree with
4. that...that method.

5. PRESIDENT:

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. Just to remind Rules Committee
9. member, Senator Mohr, Howard Mohr, committee bills, of course,
10. don't have to go to Rules, they go directly to Assignment of
11. Bills. As committee bills, they are exempt from that. They go
12. through automatically, excuse me. They go through automatically
13. as committee bills.

14. PRESIDENT:

15. House Bill 3901, Senator Regner. Read the bill.

16. SECRETARY:

17. House Bill 3901

18. (Secretary reading of the bill)

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

20. PRESIDENT:

21. Any amendments from the Floor? 3rd reading. Senate Bills
22. on 2nd reading. Senate Bill 1749, Senator Philip. Senator
23. Philip, 1749, on Page 2. Do you want to read the bill? Read
24. the bill.

25. SECRETARY:

26. Senate Bill 1749

27. (Secretary reads title of bill)

28. 2nd reading of the bill. The Committee on Labor and Commerce
29. offers one amendment.

30. PRESIDENT:

31. Senator Philip.

32. SENATOR PHILIP:

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

1. As you're probably aware when a company has to go into the
2. risk pool for workman's comp, the agent that ends up servicing
3. that account does not receive a commission, and what this does is
4. provide...this amendment...does is provide a commission for those
5. brokers, so I move the adoption of Committee Amendment No. 1.
6. PRESIDENT:
7. Any discussion? Senator Philip moves the adoption of
8. Amendment No. 1 to House...Senate Bill 1749. All in favor will
9. say Aye. Opposed Nay. Amendment No. 1 is adopted. Any
10. further amendments?
11. SECRETARY:
12. No further amendments.
13. PRESIDENT:
14. 3rd reading. Senate Bill 2014, Senator Savickas. Read the bill.
15. SECRETARY:
16. Senate Bill 2014
17. (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.
19. PRESIDENT:
20. Any amendments from the Floor? 3rd reading. Senate Bill
21. 2015, Senator Donnewald. Read the bill.
22. SECRETARY:
23. Senate Bill 2015
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.
26. PRESIDENT:
27. Any amendments from the Floor? 3rd reading. Senate Bills
28. on 3rd reading. Senate Bill 1584, Senator Shapiro. Senate Bill
29. 1766, Senator Lenke. Senator Lenke, are you ready on that one?
30. Senate Bill 1801, Senator Bruce. Senate Bill 1878, ...oh,
31. Senator Bruce, I'm sorry.
32. SENATOR BRUCE:
33. Yes, Mr. President, I would now move that Senate 1801 be

1. re-referred to the Committee on Insurance.

2. PRESIDENT:

3. You've heard the motion. All in favor will say Aye.
4. Opposed Nay. Senate Bill 1801 is re-referred to the Committee
5. on Insurance. Senate Bill 1802, Senator Bruce.

6. SENATOR BRUCE:

7. As soon as I find the amendment, Mr. President, I'd like
8. to come back to this bill.

9. PRESIDENT:

10. Fine. Senate Bill 1878, Senator Demuzio. Senator Demuzio
11. is recognized.

12. SENATOR DEMUZIO:

13. Mr. President, on Senate Bill 1878, I'm having a little
14. trouble keeping my eight votes together, so I at this point,
15. I'd like to move to Table that bill.

16. PRESIDENT:

17. Senator Demuzio moves to Table. All in favor say Aye.
18. Opposed Nay. Senate Bill 1878 is Tabled. Senate Bill 2007,
19. Senator Hickey. Senate Bill 2008, Senator Hickey. Senate
20. Bill 2009, Senator Wooten. Senator Wooten. Senator Don Wooten,
21. do you want to read it? No, all right. Senate Bill...House
22. Bills on 3rd reading. House Bill 1304, Senator Davidson.
23. House Bill 1815. Read the bill.

24. SECRETARY:

25. House Bill 1815

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. This is the bill which would mandate a study by the
33. Department of Transportation of the hazardous materials

1. transportation problem. I am informed that an appropriation
2. in the amount of sixty thousand dollars...has been included
3. in the Department of Transportation appropriation request for
4. this study. The idea is that this...this study will be done
5. by DOT and there's a...companion or...or like bill a little
6. later on which calls for the Commerce Commission to also study
7. this. They are to analyze the Federal legislation and recommend
8. to this Body some legislation and rules and regulations. I know
9. of no objection. The reporting date is April 1, 1977. I
10. would solicit a favorable vote.

11. PRESIDENT:

12. Any further discussion? Senator Glass.

13. SENATOR GLASS:

14. Thank you, Mr. President. Senator Rock, I...who would
15. make up the membership of this investigating commission?

16. PRESIDENT:

17. Senator Rock.

18. SENATOR ROCK:

19. It...it's intramural. It's the...the Department of
20. Transportation.

21. PRESIDENT:

22. Senator Philip.

23. SENATOR PHILIP:

24. Will the sponsor yield for a question?

25. PRESIDENT:

26. He indicates he will.

27. SENATOR PHILIP:

28. Thank you. Senator Rock, why do we have two different
29. groups investigating the problem, DOT and the Commerce Commission?
30. Why can't just one either or do it? Aren't we kind of duplicating?

31. PRESIDENT:

32. Before...Senator Rock is looking for something, I think the
33. answer is that either or may do it. The...Governor is not

1. probably going to sign both of them.

2. SENATOR PHILIP:

3. Is there appropriations for both of them?

4. PRESIDENT:

5. Even if there were, he could still make a choice. Senator
6. Rock.

7. SENATOR ROCK:

8. Yes, my understanding is that the thrust of the studies
9. are different and in that hazardous materials are transported
10. either via the highways or via railroads. The Commerce Commission
11. study calls for a particular zeroing in on the question of
12. transport by rail. The DOT study calls for zeroing in on the
13. study of transport by virtue of use of the highways.

14. PRESIDENT:

15. Any further discussion? Question is, shall House Bill
16. 1815 pass? Those in favor will say Aye...vote Aye. Opposed
17. will vote Nay. The voting is open. Have all voted who wish?
18. Take the record. On this question, the Ayes are 52, the Nays
19. are none, with none Voting Present. House Bill 1815 having
20. received a constitutional majority is declared passed. Senator
21. Rock, and thank you, too, sir.

22. SENATOR ROCK:

23. Yes, I would...should of informed Senator Philip that
24. was not my bill. I would...I think at this time it might not
25. be out of order and I would seek leave to go right to House
26. Bill...on the same order of business, House Bill 3980, which
27. calls for a similar study by the Illinois Commerce Commission
28. and as I explained a little earlier, ...it zeroes in particular
29. on the transport by rail aspect.

30. PRESIDENT:

31. Is leave granted? Leave is granted. 3980 on Page 6 of
32. your Calendar. Senator Rock. Read the bill.

33. SECRETARY:

1. House Bill 3980
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDENT:
5. Any discussion? The question is, shall House Bill 3980
6. pass? Those in favor will vote Aye. Opposed will vote Nay.
7. The voting is open. Have all voted who wish? Take the record.
8. On that question, the Ayes are 50, the Nays are none, with
9. none Voting Present. House Bill 3980 just...having received a con-
10. stitutional majority is declared passed. For what purpose does
11. Senator Weaver arise?
12. SENATOR WEAVER:
13. Mr. President, I'd like to ask for a recess for the purpose
14. of a Republican Caucus in Room 400 immediately.
15. PRESIDENT:
16. Any indication as to time? Okay. Senator Welsh.
17. SENATOR WELSH:
18. Mr. President...
19. PRESIDENT:
20. Senator Welsh.
21. SENATOR WELSH:
22. I announce a Democratic Caucus immediately in the President's
23. office.
24. PRESIDENT:
25. Thank you. Senator Weaver and Senator Harris, there's
26. just one other item of business that a member has asked to relate
27. to just before we leave. Senator Bruce is recognized.
28. SENATOR BRUCE:
29. Yes, I'd like to move Senate Bill 1802 back to the order of 2nd
30. reading for purpose of an amendment.
31. PRESIDENT:
32. Is leave granted? Leave is granted.
33. SENATOR BRUCE:

1. I think the Secretary has the amendment which would be
2. Amendment No. 1 which the bill itself deals with Federal
3. Trust Funds and allows the Federal Government to include a
4. line item for payment of State employee group insurance premiums
5. which they now say that under the personal services reimbursement
6. grants they cannot do, so that...that is the purpose of the bill. The
7. amendment is to add the fact that if we get additional compensa-
8. tion from the Federal Government or additional employees are
9. hired, we can transfer into the personal service...into the line item
10. of State Employee Group Insurance Premium this additional money,
11. so the...the two bills...the bill would really have two purposes,
12. once...one we can have the Federal Trust Funds, and secondly we
13. could transfer that money and presently we could not transfer
14. it in. It has the approval of the Chairman of the Appropriations
15. and the Minority Spokesman and I move its adoption.

16. PRESIDENT:

17. Any further discussion? Senator Bruce moves the adoption
18. of a Senate...of Amendment No. 1 to Senate Bill 1802. Those in
19. favor will say Aye. Those in favor will say Aye. Opposed Nay.
20. The Ayes have it. Amendment No. 1 is adopted. Any further
21. amendments? 3rd reading. The Chair would like to inquire who
22. laid the two amendments on the Secretary's Desk with reference
23. to 3704? There's no identification. Who? All right, thank
24. you. The...the Senate will stand in recess to the call...for
25. the call of the Chair.

26. (RECESS)

27. (AFTER RECESS)

28. PRESIDENT:

29. Messages from the House.

30. SECRETARY:

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

32. Mr. President - I am directed to inform the Senate
33. that the House of Representatives has refused to concur with the

1. Senate in the adoption of their amendments to a bill with the
2. following title: House Bill 3858 with Senate Amendments 1, 2,
3. 3 and 4.

4. PRESIDENT:

5. Secretary's Desk.

6. SECRETARY:

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

8. Mr. President - I am directed to inform the Senate
9. that the House of Representatives has concurred with the Senate
10. in the passage of a bill with the following title: Senate Bill
11. 1650 together with House Amendments 2 and 4.

12. PRESIDENT:

13. Secretary's Desk.

14. SECRETARY:

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

16. Mr. President - I am directed to inform the Senate
17. that the House of Representatives has passed a bill with the
18. following title in the passage of which I am instructed to ask
19. the concurrence of the Senate, to-wit: House Bill 3989.

20. PRESIDENT:

21. Rules Committee. House Bills on 3rd reading. House Bill
22. 3036, Senator Dougherty. House Bill 3061, Senator Clarke.
23. House Bill 3155, Senator Knuppel. House Bill 3197, Senator
24. Shapiro. House Bill 3202, Senator Hynes. House Bill 3208.
25. House Bill 3217, Senator Harber Hall. House Bill 335...35,
26. Senator Schaffer. House Bill 3379, Senator Bruce. For what
27. purpose does Senator Shapiro arise?

28. SENATOR SHAPIRO:

29. Mr. President, I was off the Floor when you called
30. 3197. I intended to go past it with leave of the Senate to come
31. back to it later on today if we have our amendments ready.

32. PRESIDENT:

33. Leave will be...is leave granted? Leave is granted. Is leave to...

1. obviously a lot of members are not calling them because every-
2. body hasn't gotten back from the caucus. Is there leave to
3. go back to the order of House Bills on 2nd reading to pick up, if
4. possible, some that were not amended this morning or moved?
5. Leave is granted. House Bill 3062, Senator Fawell. House
6. Bill 3099, Senator Carroll. Page 6. Read the bill.

7. SECRETARY:

8. House Bill 3099

9. (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendments.

11. PRESIDENT:

12. Any amendments from the Floor? You have an amendment up
13. there, I'm told. It's a Floor amendment. Who's offering it?
14. Senator Carroll. Bring the amendment, Page.

15. SECRETARY:

16. Amendment No. 1 offered by Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President. I'm sorry, I thought I left a
19. copy up with the Secretary earlier. I had shown it to the
20. other side of the aisle. This is an amendment to add additional
21. powers to the community college districts to lease space from
22. Public Buildings Commissions. I would ask for the option of
23. Amendment No. 1 to House Bill 3099.

24. PRESIDENT:

25. Any further discussion? Senator Carroll moves the adoption
26. of Amendment No. 1 to House Bill 3099. Those in favor will say
27. Aye. Opposed Nay. Amendment No. 1 is adopted. Any further
28. amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDENT:

32. 3rd reading. House Bill 3124, Senator Glass. House Bill
33. 3377, Senator Joyce. Do you want to get back to that later?

1 House Bill 3633, Senator Hickey. Read the bill.

2 SECRETARY:

3 House Bill 33...3633

4 (Secretary reads title of bill)

5 2nd reading of the bill. No committee amendments.

6 PRESIDENT:

7 Any amendments from the Floor? 3rd reading. House Bill
8 3810, Senator Carroll. Page 8. House Bill 3831, Senator Carroll.
9 Senator Rock. What is the number, please?

10 SENATOR ROCK:

11 3704.

12 PRESIDENT:

13 On what order is that, please?

14 SENATOR ROCK:

15 House second.

16 PRESIDENT:

17 We show the bill as advanced.

18 SENATOR ROCK:

19 No, it was brought back because Senator Soper said there
20 were some amendments. The amendments are there.

21 PRESIDENT:

22 Senator Hall seeks leave to bring House Bill 3704 back to
23 the order of 2nd reading for the purpose of amendements. Is
24 leave granted? Leave is granted. House Bill 3704 is now on
25 the order of 2nd reading. Amendment No. 1. The bill is now on
26 2nd. Amendment No. 1.

27 SECRETARY:

28 Amend...Senator Hall, for identification, amend House Bill
29 3704 in the Senate on page 1, line 22 by striking "additional".

30 PRESIDENT:

31 Senator Hall.

32 SENATOR KENNETH HALL:

33 Thank you, Mr. President and members of the Senate. Senator
34 Soper, I hope that you are on the Floor. All right. This amend-
35 ment relating to "additional" would make the language more specific
36 in this bill and it would eliminate any compensation being received

1 by the emergency medical technician if he renders such good samaritan's
2 assistance. Now, this was put in at the suggestion of the
3 Judiciary Committee and I wanted to add that amendment. That'll
4 be Amendment No. 1.

5 PRESIDENT:

6 Any further discussion on Amendment No. 1? Senator Hall...
7 Senator Kenneth Hall moves the adoption of Amendment No. 1 to
8 House Bill 3704. All in favor will say Aye. Opposed Nay.
9 The Ayes have it. Amendment No. 1 is adopted. Any further
10 amendments?

11 SECRETARY:

12 Amendment No. 2 offered by Senator Kenneth Hall.

13 SENATOR KENNETH HALL:

14 Thank you. Now, this Amendment No. 2, it amends House Bill
15 3704 in the Senate on page 1, line 24 by striking "as a compensated
16 ambulance driver or attendant". Now, this amendment would
17 provide that any...emergency medical technician whether he is an
18 ambulance driver or an attendant cannot be protected by this
19 Act if he renders the volunteer service in the course of his
20 employment. This was also put on at the request of...and I...which
21 I agreed to...the Judiciary Committee, so I move its adoption,
22 Mr. President.

23 PRESIDENT:

24 Senator Hall moves the adoption of Amendment No. 2 to House-
25 Bill 3704. All in favor say Aye. Opposed Nay. The Ayes have it.
26 Amendment No. 2 is adopted. Any further amendments?

27 SECRETARY:

28 No further amendments?

29 PRESIDENT:

30 3rd reading.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 House Bills 3rd reading. House Bill 3036, Senator Dougherty.
33 House Bill 3061, Senator Clarke. House Bill 3155, Senator Knuppel.
34 3155, we're on the order of 3rd reading. Read the bill.

1. SECRETARY:

2. House Bill 3155

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. Mr. President, this is a supplemental appropriation to the
9. FY '76 for this commission on the basis that they have spent
10. and will receive ten thousand five hundred and ninety dollars
11. additional money from the Federal Government and...but it's
12. necessary in order to make this expenditure, although they say they've
13. spent the money...I don't understand all these things...that
14. they have this appropriation bill passed. And so, I would
15. ask for a favorable roll call.

16. PRESIDING OFFICER:

17. Is there further discussion? The question is, shall House
18. Bill 3155 pass? Those in favor vote Aye. Those opposed Nay.
19. The voting is open. Have all those voted who wish? Take the
20. record. On that question, the Ayes are 50, the Nays are none.
21. House Bill 3155 having received a constitutional majority is
22. declared passed. House Bill 3197, Senator Shapiro. House Bill
23. 3202, Senator Hynes. House Bill 3208, Senator Partee. House
24. Bill 3217, Senator Harber Hall. House Bill 3335...oh, just a
25. moment. Read the bill. That...that is 3217. Read the bill.

26. SECRETARY:

27. House Bill 3217

28. (Secretary reads title of bill.)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Harber Hall.

32. SENATOR HARBER HALL:

33. Mr. President, Ladies and Gentlemen, this is a inheritance tax

1. bill that doubles the exemption from twenty thousand to forty
2. thousand dollars for spouses only. It does not include other
3. family members. It also provides a ceiling of the maximum
4. saving so that high income would not be benefited except for
5. the two percent for forty thousand thousand dollars which is
6. ...which in the total saving could be only up to four hundred
7. dollars. This is a impact on the budget of about 1.5 million
8. dollars, that's minimum this year. It could go as high as two
9. million dollars and in future years, it might...in the reasonable
10. near future, might go up as high as three million dollars only.
11. In terms of cost by comparison with other legislation that has
12. been considered in this Session, it is the least expensive. I
13. commend it for your consideration and adoption.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Senator McCarthy.

16. SENATOR MCCARTHY:

17. Would the sponsor yield?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Indicates he will.

20. SENATOR MCCARTHY:

21. Senator, I'm sorry, I didn't...I didn't look at this bill.

22. You talked about the four hundred dollar figure. Can you explain
23. that a little bit further as to what that implicates?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Harber Hall.

26. SENATOR HARBER HALL:

27. Well, it would mean that the higher rate of high income...
28. or...or...or the high estates would not receive benefits above
29. four hundred dollars. In other words, someone with a minimum
30. estate of...in the neighborhood of forty thousand dollars who
31. left that estate to their spouse would receive an exemption...
32. that would amount to four hundred dollars. Above that there would
33. be no further benefit. So, if the estate were a half million dollars,

1. the maximum benefit to the spouse would only amount to four
2. hundred dollars.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator McCarthy.

5. SENATOR MCCARTHY:

6. Well, it...isn't the...isn't the tax on the first fifty
7. thousand after the exemption two percent now anyway?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Harber Hall.

10. SENATOR MCCARTHY:

11. What I'm trying to do, how does this change the law as
12. it exists right now?

13. SENATOR HARBER HALL:

14. Well, there would be no tax from twenty to forty thousand
15. dollars. There would be a complete exemption from...between
16. twenty and forty thousand dollars for the spouse.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. ...Just a moment. Senator McCarthy, have you finished?

19. SENATOR MCCARTHY:

20. My question...I...I still didn't have the bill.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Harber Hall.

23. SENATOR HARBER HALL:

24. Well, it...it's my understanding that this...this bill
25. would reduce the tax by virtue of the facts that the exemption
26. is doubled so that they would be no...no tax...inheritance on
27. the spouse only to...for...from twenty to forty thousand dollars.
28. A twenty thousand dollar exemption at the lowest rate would be
29. four hundred dollars and that's the maximum that would be saved
30. by...by implementation of this bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Ozinga.

33. SENATOR OZINGA:

1. Mr. President and members of the Senate, I can't vote on
2. this bill, because of substantial amount of my practice is probate,
3. but this is a good bill. All that this bill does, it just raises
4. the exemption for the spouse to the tune of forty thousand
5. dollars now, which right now it is twenty thousand, so
6. all that this bill does, it gives an additional four hundred
7. dollars to the widow or the spouse of the deceased. Now,
8. what this really does, it eliminates the necessity of filing
9. a tax in an awful lot of estates right now. So that, really
10. what you're doing, is you're eliminating an attorney's fee on
11. top of it for filing of this estate, so indirectly the widow
12. would get possibly the benefits of maybe eight hundred dollars,
13. maybe four hundred for filing and four hundred dollar tax,
14. but actually what it does, it gives the extra twenty thousand
15. dollar exemption and the rate now is two percent on the first
16. fifty thousand over the twenty thousand dollar exemption. So
17. this now...all that this would do it would make a two percent on
18. the first fifty thousand dollar over forty thousand dollars.
19. Now, that's all that this bill does. It gives a privilege of
20. an extra four hundred dollars. .

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Is there further...Senator Knuppel.

23. SENATOR KNUPPEL:

24. I think it has been correctly explained, now, but there
25. was a statement that this would eliminate the tax. If it's a
26. large estate of over forty thousand, there will still be a tax
27. to the widow, because it'll be going over the two percent.
28. When it gets a certain size, she may have to pay at a little
29. higher rate on that. So...but this is a good bill, and my
30. opinion doesn't go nearly far enough, but it is a step in the
31. right direction. I am also a lawyer handling probate cases, but
32. I don't see any conflict here, because you're actually voting
33. against your interest for the benefit of the client. I think

1. anybody even though they're handling probate estates should
2. be voting for this to benefit the people of the State of Illinois.
3. As I say, it's...I think it's...I think it's too small because
4. it doesn't even pick up what was done in the last year, but
5. it is a step in the right direction and it should be adopted unanimously.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? Senator Harber Hall may
8. close the debate or have a roll call.

9. SENATOR HARBER HALL:

10. I request a roll call, please.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. The question is, shall House Bill 3217 pass? Those in
13. favor vote Aye. Those opposed Nay. The voting is open. Have
14. all those voted who wish? Have all those voted who wish? Take
15. the record. On that question, the Ayes are 52, the Nays are
16. none. House Bill 3217 having received a constitutional majority
17. is declared passed. House Bill 3335, Senator Schaffer. Read the bill.

18. SECRETARY:

19. House Bill 3335

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. The Pages are passing out a detailed explanation of the
26. bill. It's basically very simple. The State Department of
27. Local Government ruled that the language in the Act exempting
28. property used exclusively for religious purposes ruled that
29. that language did not include or cover convents or monasteries
30. where persons engaged in religious activities reside. As a
31. result, they have overruled the ruling of at least board of
32. review in Kane County on this, and...it's my opinion that the
33. Legislature intended that convents, where people engaged in

HB 3485
→
HB 3486
3rd Reading
6/25/76

1. religious activities reside, be exempted. I don't think anyone
2. thinks to the contrary, and this Act will put that law...or that
3. legislative intent into law.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? The question is, shall House
6. Bill 3335 pass? Those in favor vote Aye. Those opposed Nay.
7. The voting is open. Have all those voted who wish? All those
8. voted who wish? Take the record. On that question, the Ayes
9. are 45, the Nays are none, 3 Voting Present. House Bill 3335
10. having received a constitutional majority is declared passed.
11. House Bill 3379, Senator Bruce. House Bill 3417, Senator Egan.
12. House Bill 3425, Senator Glass. House Bill 3485, Senator Knuppel.
13. House Bill 3486, Senator Knuppel. Read the bill.

14. SECRETARY:

15. House Bill 3486

16. (Secretary reads title of bill)

17. 3rd reading of the bill..

18. PRESIDING OFFICER:

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Mr. President, this bill is one of a group. I don't want
22. to call them a package because I don't really believe they are,
23. but they're...it's one of a group of three bills that have been
24. designed to overhaul assessing procedures in...in townships.
25. This bill here, and the reason I took it before I took 3485 is,
26. that there would be no need for 3485 probably unless 3486 actually
27. was in effect. The other bill is 3830 and it's being handled,
28. I believe, by Senator Nimrod. At least he's very familiar with
29. it. What this does is to require assessors to within one year
30. of their election take certain schooling from the Institute...
31. Illinois Property Assessment Institute in order to be qualified
32. assessors. Unless they meet these qualifications within one
33. year, their office would be declared vacant and another assessor

1. would be selected to fill that position. It's...it's felt
2. that this will upgrade the assessing procedures and the
3. qualifications of those people who conduct assessments through-
4. out the State of Illinois. It has the support of the Township
5. Officials Organization and other local organizations, and if
6. adopted with the total package, 3830, when it comes up for a
7. vote would eliminate many assessors and enlarge the assessing
8. districts. I, personally, am in support of all three propositions
9. and I would ask a favorable roll call on 30...3486 as amended.
10. Thank you.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Latherow.

13. SENATOR LATHEROW:

14. Well, Senator Knuppel, I just wonder if a township couldn't
15. forever go without a...an assessor that has gone to one of these
16. schools under this bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. ...I cannot hear what he says, but I assume what he is
21. saying is that there could be a vacancy or that nobody would
22. want to qualify for the job. Is that correct? Which is it?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Latherow. Just a moment. This...this is Friday.
25. For Friday, it's awful...awful noisy, or else my hearing is
26. getting better. Senator Latherow.

27. SENATOR LATHEROW:

28. This is one year after he has...has been in office they
29. way I recall glancing at it. Otherwise he could serve this
30. particular year, then because he didn't qualify, they appoint
31. somebody else, and then he doesn't qualify after his first year
32. in office, then they could appoint the first guy. You have
33. two assessors, alternate years coming along.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, again it was very difficult to hear you, Senator,
5. but as I understand what you're saying is, one assessor would
6. be elected, would serve for a year without meeting the qualifica-
7. tions, the office would then be declared vacant, another
8. assessor would be selected, he likewise would spend a year not
9. being qualified, he would...the office would again be declared
10. vacant and then the first man could come again. The answer is,
11. yes, I assume that's possible. I don't think it's probable.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there further discussion? Senator Nimrod.

14. SENATOR NIMROD:

15. Yeah, Mr. President, just in remarks to Senator Latherow's
16. question. It would seem to me as having been one that's familiar
17. with the examination that certainly any assessor who would know
18. how to assess property, it would be very difficult for him to fail this
19. test more than twice or do...do his job, because the test is
20. not that difficult and it only asks them to to...for a performance
21. standard on the skills of assessing and I...I just don't think
22. there would be that problem. If a...if the assessor was
23. elected, then...and he didn't want to perform his duties or learn
24. anything about his job that would relevantly be the kind that
25. would fall into the category that you're referring to, otherwise,
26. I think that these requirements are minimal and they certainly are...
27. that what we need in order to perform a minimum standard on
28. the job.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator Latherow for the second
31. time around.

32. SENATOR LATHEROW:

33. No, it's not the second time, Sir. I'm just answering Senator

1 Nimrod. He's...

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 All right.

4 SENATOR LATHEROW:

5 ...referring to me. Senator Nimrod, there is nothing in
6 here that says you must pass it in the first year. He can still
7 take it and can qualify and then he can come back again, but what I...
8 what I'm saying is what is magic about a man knowing the value
9 of property just because he comes and attends a school for a day
10 or two. There's no magic about. As I told a fellow awhile ago
11 if I want to know the...some idea of the value of the property
12 that I'm talking about, first thing I don't go hunt the assessor
13 up and say, what do you think it's worth. I hunt a man up in
14 the area that I know knows the value of it, if I want to consult
15 him. And you don't think if I bought a piece of property,
16 I'd go looking for the assessor to tell me what it was worth after
17 he'd been to a school for a couple of days.

18 PRESIDING OFFICER: (SENATOR DONNEWALD)

19 Is there further discussion? Senator Knuppel may close
20 the debate.

21 SENATOR KNUPPEL:

22 Well, I just want to say this, that there's no fanasty, I
23 agree with Senator Latherow on that. However, this is a bill
24 that the assessors, the township officials and others...this is
25 their bill. It's not my bill. It was brought to me to sponsor
26 after it came out of the House. This is what these people believe
27 they would like to have. Rural people are having a lot of problems with
28 some assessors. I know in Mason County they had one tremendous period
29 of time and problems with the...assessments they've carried on there,
30 including law suits that went all the way to the Supreme Court
31 of Illinois. These are the kind of things that the people, the
32 farmers themselves want to avoid. They don't want to have people
33 out there who are assessing them off their hip pocket if it's possible

1 to get some knowledge. This is the Township Officials' bill
2 It's not mine, and they would like to have it. I think it
3 upgrades assessing in the State of Illinois. I think that's what
4 we want. It's a...trend in the right direction to get the kind
5 of qualified people we ought to have, and I'd ask for a favorable
6 roll call.

7 PRESIDING OFFICER: (SENATOR DONNEWALD)

8 The question is, shall House Bill 3486 pass? Those in
9 favor vote Aye. Those opposed Nay. The voting is open. Have all
10 those voted who wish? Have all those voted who wish? Take
11 the record. On that question, the Ayes are 47, the Nays are
12 4, 2 Voting Present. House Bill 3486 having received a consti-
13 tutional majority is declared passed. Senator Bruce, as to
14 House Bill 3379. Just a moment. All right, we'll...House Bill
15 3485, Senator Knuppel. Read the bill.

16 SECRETARY:

17 House Bill 3485

18 (Secretary reads title of bill)

19 3rd reading of the bill.

20 PRESIDING OFFICER: (SENATOR DONNEWALD)

21 Senator Knuppel.

22 SENATOR KNUPPEL:

23 House Bill 3485 is a bill along the line that we've talked
24 about of upgrading the assessors and the quality and the ex-
25 perience and education which raises the maximum, not
26 the minimum, because there is no minimum salary, but raises the
27 maximum salary that can be fixed by the county board...

28 PRESIDING OFFICER: (SENATOR DONNEWALD)

29 Just a moment...just a moment, Senator. Senator Clarke,
30 for what purpose do you arise?

31 SENATOR CLARKE:

32 On a point of order, Mr. President.

33 PRESIDING OFFICER: (SENATOR DONNEWALD)

1 State your point.

2 SENATOR CLARKE:

3 It was my understanding, Senator Knuppel, that this bill
4 was going to be held until we had taken up 3830, because this
5 relates to the salary increases of assessors and I think that
6 without the total package, why...you know, I...I want to vote for
7 the salary, but I'm loath to consider that first.

8 PRESIDING OFFICER: (SENATOR DONNEWALD)

9 Senator Knuppel.

10 SENATOR KNUPPEL:

11 Well, I'd...I certainly don't want to turn anybody off,
12 but I want to make one thing very clear to Senator Clarke.
13 There was no such agreement. I made it clear when I started
14 here that these three bills were related that that...that this
15 ...that the other bill certainly had to precede the bill that
16 we're now handling. I said they were not a package. I said
17 that I supported 3830. I have no promises and I'm not using
18 this as a lever on anybody. This bill...and I'm caught...and
19 I'm not trying to turn anybody off. I'm going to support 3830
20 when it comes, but you have to call these bills somewhere. We're
21 in the closing days of the Session here. I will support 3830.
22 I think it's a bill that's necessary with this, but all this
23 bill does...all this bill does is raise the maximum. It does
24 not mandate the payment of any salary if the county board doesn't
25 fix it. All it does is say...and I don't see what's the difference
26 if it's seven thousand or seven million. The county board
27 local control will fix that maximum or fix that salary where
28 they think it ought to be. All it does...is because of inflation,
29 because of the fact that these people must go to school now,
30 the anticipated enlargement of districts that's going to be
31 coming in 3830 and which I hope this Body will adopt, it raises
32 the maximum salary. There is no minimum. This costs the State
33 of Illinois no money. It's a matter of local control. The local

1. authorities fix that salary where they think it ought to be.
2. And I think it's the kind of a bill that...that deserves a favorable
3. roll call.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Is there further discussion? The question is, shall House
6. Bill 3485 pass? Those in favor vote Aye. Those opposed Nay.
7. The voting is open. Have all those voted who wish? Take the
8. record. On that question, the Ayes are 52, the Nays are none,
9. 1 Voting Present. House Bill 3485 having received a constitu-
10. tional majority is declared passed. Senator Bruce, as to
11. 3379. Read the bill. Senator Bruce.

12. SENATOR BRUCE:

13. I ask leave to return this bill to the order of 2nd reading
14. for the purpose of an amendment.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Do we have leave? Leave is granted. The bill is now on
17. 2nd reading. Senator Bruce.

18. SENATOR BRUCE:

19. Yes, there are two amendments at the Secretary's Desk.
20. If we could take the shorter of the two amendments first?
21. Amendment No. 2 is an amendment to Senate Amendment No. 1 which
22. corrects...that...that is a nineteen page amendment. It corrects
23. a typing error and inserts in there...in the amendment for
24. personal services thirty thousand nine hundred and eight dollars,
25. a line item which was left out. There is no change at all in...
26. in the dollar amount. I would move its adoption.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? Question is, shall Amendment
29. No. 2 to House Bill 3379 be adopted? Those in favor indicate
30. by saying Aye. Those opposed. The Ayes have it. The amendment
31. is adopted. Amendment No. 3, Senator Bruce.

32. SENATOR BRUCE:

33. Amendment No. 3 reduces the appropriation bill on Illinois

1. Law Enforcement Commission by one hundred and fifteen thousand
2. dollars for counseling and health care and adds this same amount
3. back in for correctional industries. There is no additional
4. commitment of funds from the Federal Criminal...Justice Trust
5. Fund or from the General Revenue Fund. There's no dollar changes.
6. It's approved by the staffs on both sides, Senator Weaver and
7. Senator Hynes, and no dollar change at all. Move its adoption.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? The question is, shall
10. Amendment No. 3 to House Bill 3379 be adopted? Those in favor
11. indicate by saying Aye. Those opposed. The Ayes have it. The
12. amendment is adopted. Are there further amendments? 3rd
13. reading. Senator Egan, as to House Bill 3417. Read the bill.

14. SECRETARY:

15. House Bill 3417

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Egan.

20. SENATOR EGAN:

21. Thank you very much, Mr. President and members of the Senate.
22. This is the appropriation for the...to the Department of Transporta-
23. tion's Division of Waterways for the fiscal year beginning 1976,
24. July 1st. We had an extensive debate regarding the amendments
25. yesterday and I...I would say that that was sufficient an explanation
26. of the bill. I urge your favorable consideration.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is, shall House
29. Bill 3417 pass? Those in favor vote Aye. Those opposed Nay.
30. The voting is open. Have all those voted who wish? Take the
31. record. On that question, the Ayes are 51, the Nays are 2. House
32. Bill 3417 having received a constitutional majority is declared
33. passed. House Bill 3379, Senator Bruce. Read the bill.

1. SECRETARY:

2. House Bill 3379

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Bruce.

7. SENATOR BRUCE:

8. This is the ordinary appropriation to the Illinois Law
9. Enforcement Commission totaling some fifty million dollars.
10. There is a nineteen page amendment which has been added by
11. the Senate Appropriations Committee which line items the grants
12. and additionally cuts...breaks out personal services so that
13. we will know the impact of agencies throughout the State who
14. are having employees Federally funded and they will roll off
15. on the State payrolls. The Illinois Law Enforcement Commission
16. supports the bill in its amended form. We reduced by three
17. million dollars the Federal discretionary grants. That also
18. meets with their approval. If there's no further discussion,
19. I would ask for a favorable roll call.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? The question is, shall House
22. Bill 3379 pass? Those in favor vote Aye. Those opposed Nay.
23. The voting is open. Have all those voted who wish? Take the
24. record. On that question, the Ayes are 53, the Nays are 2.
25. House Bill 3379 having received a constitutional majority is
26. declared passed. House...just a moment. Senator Berning, for
27. what purpose do you arise?

28. SENATOR BERNING:

29. Mr. President, for the purpose of correcting the record
30. if you please. I inadvertently recorded a No vote on House
31. Bill 3417. I wish the record to show that had I been alert,
32. I would have voted Aye on that.

PRESIDING OFFICER: (SENATOR DONNEWALD)

1. The record will so show. House Bill 3518, Senator Brady.
2. Read the bill. Senator Brady, is it your desire to return this
3. bill to the order of 2nd reading? Do...do we have leave?
4. Leave is granted. The bill is now on 2nd reading. Senator
5. Brady.

6. SENATOR BRADY:

7. I believe there's one amendment up on the Secretary's Desk,
8. Mr. President.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Hall...Senator Kenneth Hall.

11. SENATOR BRADY:

12. Offered by Senator Kenneth Hall.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Kenneth Hall.

15. SENATOR KENNETH HALL:

16. Thank you, Mr. President and members of the Senate. This
17. amendment is Amendment No. 2 to House Bill 3518. And I would
18. like to explain to you exactly what this amendment does. First,
19. the elementary districts qualifying rates are reduced by five cents
20. with corresponding increases in State guaranteed assessments.
21. Second, the current one percent penalty for failure to provide
22. the minimum school term is reduced to one one seventy-six per
23. day reduction for the 1975-76 school year only. Third, the bill
24. provides for a seniority clause and the dismissal of tenured
25. teachers. Fourth, language is excluded to affect the lying
26. districts to increase local taxes above maximum State assisted
27. formula rates without a reduction in State aid. Fifth, it provides
28. that no district, and I repeat, no district shall receive less
29. money for the 1976-77 school year under whatever level of funding
30. is finally approved by the Governor than they would have received
31. had there been no change in the School Aid Formula. Sixth, the
32. amendment provides that adversely affected districts under the
33. new formula would receive payments to hold them harmless against

1. formula changes made in this bill at the Governor's approved
2. funding level. I move for the adoption of Amendment No. 2.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there further discussion? Senator Shapiro.

5. SENATOR SHAPIRO:

6. Mr. President, will the sponsor yield for some questions?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. He indicates he will.

9. SENATOR SHAPIRO:

10. Senator Hall, could you give us a breakdown on the costs
11. of these changes in the formula rates?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Kenneth Hall.

14. SENATOR KENNETH HALL:

15. Mr. President, I'm going to defer to Senator Brady at this...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Brady.

18. SENATOR HALL:

19. ...stage.

20. SENATOR BRADY:

21. Yes, Mr. President...

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Brady.

24. SENATOR BRADY:

25. I believe in the amendment what we're talking about in the
26. cost is the five cent change which will go about approximately
27. ten million dollars. Now, the second provision of that amend-
28. ment is a penalty clause, so that it's not affecting a fiscal
29. impact positively but negatively affecting one area, and it costs
30. somewhere between twenty-nine and thirty-three million it's affecting
31. the Chicago area. As far as the third provision of the amendment,
32. the language to eliminate the...the fact that you can go prospectively
33. and raise taxes with local referendum, there is no fiscal impact

1. in the bill, that will be allowable only on local district
2. basis. And in the fourth provision of the amendment, there
3. is the seniority clause which does not have a fiscal impact directly
4. on the School Aid Formula. The other provision which says that
5. you will not receive less money in '76-'77 school year is at
6. a cost approximately between twenty and twenty-two million
7. dollars. This amount has been added by line items in the House
8. Appropriations Committee as of yesterday as a committee amend-
9. ment to provide the amount necessary to do that. That's
10. a cost of about twenty-two million.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Shapiro.

13. SENATOR SHAPIRO:

14. Senator Brady, then is the total cost somewhere near in the
15. neighborhood of a hundred and six million?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Brady.

18. SENATOR BRADY:

19. No, it's not, Mr. President.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Shapiro.

22. SENATOR SHAPIRO:

23. The ten cent adjustment will run about forty-eight million,
24. is that correct?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Brady.

27. SENATOR BRADY:

28. We...we are now addressing ourselves to the bill and not
29. the amendment, Mr. President, and maybe an explanation is in
30. order. If we continue on and...and take this all as a package
31. so that we don't get confused on the issue, we've run through
32. four things here which have...some have fiscal cost and impact
33. on the School Aid Formula, some do not, but we also have the

10-3518
S. 112
10-3-76

1. bill in hand with its formula changes, which I believe Senator
2. Shapiro is directing himself to. There is a fifty-one million
3. dollar cost in the provision that allows for the unit districts
4. to qualify at two ninety rather than three dollars. There is
5. a twenty-four million dollar cost in allowing districts to
6. include transportation in their qualifying rates. I believe
7. those are the other two provisions that Senator Shapiro is
8. referring to.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Shapiro.

11. SENATOR SHAPIRO:

12. Senator Brady, how much of this increased cost which is
13. in the neighborhood of a hundred to a hundred and five million...
14. how much of it...of the money is for Chicago? How much do
15. they benefit?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Brady.

18. SENATOR BRADY:

19. I believe that there is a possibility that they could benefit
20. by seventeen million.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Shapiro.

23. SENATOR SHAPIRO:

24. Senator Brady, considering that you're changing the penalty
25. from one percent to one one seventy-six, it appears to me that
26. the cost benefit to Chicago is in the neighborhood of forty-five
27. million, however, we'll leave that for the present. On the
28. amendment, the whole harmless, I notice that it says that the
29. ...no district would receive less aid under the provisions of
30. this amendatory Act of 1976 than under the provisions of this
31. section extant to June 15th, 1976. Now, wouldn't this mean that
32. Chicago because the penalty, the fifty-five million dollar penalty, is
33. not due and payable until next year that this hold-harmless

HB 3515
Amendment #2
6-25-76

1 could absolve Chicago totally of the fifty-five million?

2 PRESIDING OFFICER: (SENATOR DONNEWALD)

3 Senator Brady.

4 SENATOR BRADY:

5 I would like...I would like to clear that up by simply
6 saying, not at all. We've explored that and that is not the
7 intent, that is not the way it is written and I have reliable
8 opinion that that just will not exist at all.

9 PRESIDING OFFICER: (SENATOR DONNEWALD)

10 Senator Shapiro.

11 SENATOR SHAPIRO:

12 Mr. President, then I would like speak to the amendment,
13 if I may?

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 You may.

16 SENATOR SHAPIRO:

17 The information we have is that there is a strong possibility
18 that as this amendment is worded, as it concerns the whole
19 harmless, that Chicago would be totally absolved of the fifty-five
20 million dollars due to the fact that the school district
21 could figure its aid prior or its entitlement prior to the
22 June 15th, 1976 date, and with Chicago's penalty not coming due
23 until next year, that they could be absolved. Another thing
24 that I find wrong with this...with the amendment as it concerns
25 the changing of the penalty from one percent to one one seventy-six,
26 is that it only is in effect for one year, which benefits only
27 one school district throughout the State. I just happen to feel
28 if that provision is so good that it should be...should apply to
29 all school districts and that we ought to change it forever, not
30 just limit it to one particular day. As we look at the amend-
31 ment, it adds a cost figure far in excess of what is available
32 this year for the Distributive Fund or for the next fiscal year,
33 FY'77, and because it does take a drastic step in reduction of
34 access for our unit districts of ten cents, five cents for our unit

Amendment #2
1-28-78

1. ...for our elementary districts, the full amount for transportation
2. costs, the hold-harmless, and so on and so forth that it just
3. appears to me that we will never achieve full-funding of the
4. resource equalizer. All this will do will cut down and cut into
5. the proration so deeply that it'll take two, three, four years
6. just to make up and put in enough dollars to meet the effects
7. of this particular amendment. I think a much more reasonable
8. and rational approach would be to phase in and allow unit
9. districts and elementary districts to achieve...more access at
10. a lower rate over a period of years. Futhermore, because we
11. are going beyond the fiscal impact of the Distributive Fund
12. for next year, we will be cutting into the high school districts
13. throughout the State who will not share in this to the extent
14. that other districts do. They will share only from the trans-
15. portation rate, and to hold out the hold-harmless as a carrot
16. to pacify these districts and say you're not going to lose any
17. money just does not hold water for the simple reason that that
18. is an appropriation for which there is no provision. It
19. sits out by itself in Senate Bill 1712 and more than likely would
20. be the first part of the...of that appropriation that would be
21. cut. And even more than that, if the twenty-two million were
22. taken out, that...and the substantive language left in, then
23. that again would cut into the appropriation for FY '77 and affect
24. a deeper proration. Futhermore, to...even with the one
25. seventy-six penalty, to forgive Chicago 25.7 of its penalty again
26. affects proration because the other districts throughout the
27. State to make up this 25.7 would have to come up with an additional
28. 2.1 percent of their money. I think pretty much the bill is too
29. much, too soon, at one time. I think we can go a much more
30. reasonable route. The amendment that is being presented to us
31. with the implications of the present bill I think definitely
32. point up the fact that Chicago will get close to forty to forty-five
33. percent of the formula changes embodied here. I think it'll hurt

H B 35 '8
Amendment #2
6-25-76

1. our high school districts drastically because they will have
2. to make up the excess money. It'll put off the full-funding
3. of the resource equalizer another two, three years down the
4. road and formula changes should be done when we achieve full-funding.
5. If it cannot be done, we should phase in formula changes at
6. a much lower and much more reasonable rate..

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Glass.

9. SENATOR GLASS:

10. I have a couple of questions of the sponsor, Mr. President.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. He will yield. He indicates...just a moment. He indicates
13. he will.

14. SENATOR GLASS:

15. Senator Brady, with respect to the change that this bill
16. makes in the penalty for...all right...for Chicago, the one
17. one seventy-six change, and Senator Shapiro referred to that
18. already as...as to the fact that in your bill it...in this
19. amendment, it applies only to Chicago. Am I correct that the
20. State Board of Education has gone on record recommending that that
21. apply generally and...and apply State-wide to all districts?

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Brady.

24. SENATOR BRADY:

25. The...the statement of the State Board of Education that
26. I saw in the newspaper today said that they would like to see
27. it apply to all districts. They referred to two other districts other
28. than Chicago in this given year that it might apply to. I believe that
29. there is a possibility of that, but we have been trying to check
30. out whether there is any affect on their minimum days. They both
31. had school difficulties or strikes, but I believe they both fulfilled
32. their minimum day requirement, and so therefore, in this instance,
33. it is applying only to Chicago that I am aware of.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Glass.

3. SENATOR GLASS:

4. Well, I...I think that is interesting and that if...if
5. this is a good change and you're applying it only for this year,
6. and only to Chicago, it...I question the...the wisdom of doing
7. that since the State Board apparently has recommended that it be
8. applied generally. Now, the other question I have is your
9. amendment...the portion of the amendment which would allow teachers
10. with longer service to be retained when...why in cases of
11. teacher dismissal, and I ask you if that has anything to do
12. with the State-aid Formula?

13. PRESIDENT:

14. Senator Brady.

15. SENATOR BRADY:

16. Well, no. Even in the explanation that you give, it has
17. nothing to do with the State-aid Formula. It has explicitly
18. to do with teachers who have tenure, and in the case where teachers
19. have been let go or released in areas where they are now moving
20. up to only having tenured teachers on their staff, this provision provides
21. that when you come into laying off, firing, or letting go
22. teachers with tenure, you have to do it on the basis of seniority,
23. and this just does not fiscally affect the School-aid Formula
24. as we appropriated or changed the formula here.

25. PRESIDENT:

26. Senator Glass.

27. SENATOR GLASS:

28. Well, thank you, Mr. President.. I appreciate Senator Brady's
29. response, and in now addressing myself to the bill, I think he has
30. answered the question that that provision has nothing to do with
31. the School-aid Formula and I think it has nothing to do with...
32. with this amendment and ought not to be in here. That's a
33. separate issue that I...I think ought to be discussed later, and

1. I...I'm sorry that that had to be added to this bill, because
2. I think it's an extremely bad provision. I would just point out
3. to the membership that before voting on this amendment, you
4. ought to be aware if you represent any suburban or collar county
5. districts, the devastating effect that this amendment is going
6. to have on them. Clearly, the Governor's proposal which we
7. approved to fund the School-aid Formula of 1.260 billion dollars
8. is well under the cost of full-funding...of funding as required
9. by this bill. In fact, if this bill as amended is passed, it
10. would add somewhere between a hundred and thirty and a hundred
11. and seventy million dollars. That is going to mean that all of
12. the other districts...that there will have to be a proration
13. of payment at about eighty-seven or eighty-eight percent, and
14. the cuts are going to be taken out of the...the high school
15. districts and a large number of suburban districts because
16. there is nothing in this bill for their benefit. The only thing
17. that is of assistance to some of them is the elimination of
18. the roll back tax requirement, but that has no impact on...on
19. State monies and really isn't a concession anyway and should
20. be treated separately, so I...it's...it's an overreaching bill,
21. and...and I would also point out that in my judgment there's
22. no way the Governor can sign the portion of the bill calling
23. for twenty-two million dollars to hold districts harmless. And
24. as a result of that, I think...

25. PRESIDENT:

26. Senator, you'll wind down your time, please.

27. SENATOR GLASS:

28. ...thank you, Mr. President. I'm just concluding. I think
29. it's clear that those districts which do not benefit at all
30. under the bill, namely the high school districts and suburban
31. districts, aren't going to get that hold-harmless provision,
32. and it is going to be a devastating bill for those districts
33. and I submit many others, and we can't afford it, and we should defeat

H 13 3518
Amendment H 2
6-25-76

- 1. the amendment. Thank you.
- 2. PRESIDENT:
- 3. Senator Schaffer.
- 4. SENATOR SCHAFFER:
- 5. On the amendment, Senator Hall?
- 6. PRESIDENT:
- 7. Senator Hall or Brady.
- 8. SENATOR SCHAFFER:
- 9. Preferably Hall, 'cause it's his amendment.
- 10. PRESIDENT:
- 11. He's already yielded to Senator Brady.
- 12. SENATOR SCHAFFER:
- 13. Well, I'm going to ask him a question I think relates more to
- 14. him than to Senator Brady. Senator Hall, I think I'd have to
- 15. concur with Senator Glass' remarks that the Governor will in
- 16. all probability be forced to amendatorily veto or line item
- 17. veto, whatever is appropriate the twenty-two million dollars
- 18. in the hold-harmless. I'm just wondering what the impact will
- 19. be on my district caused by this amendment specifically? I
- 20. think I understand what the bill as it's now before us would
- 21. do to my district. I want to know if you can tell me what this
- 22. bill will do to a downstate or suburban district with this amend-
- 23. ment, not...not the bill? I don't want to debate the bill. I
- 24. understand how...the financial impact of the bill, but as I
- 25. interpret this amendment particularly with the shadow of the
- 26. Governor's veto pen hanging over the hold-harmless, this amend-
- 27. ment is a real body blow to a downstate or suburban district,
- 28. and I...I just wonder here...we're in the final hours, I admit,
- 29. but are there some statistics about what Senator Hall's district
- 30. and Senator Bruce's district and Senator Wooten's district, and
- 31. Senator Johns' district, and Senator Hickey's district, how they...
- 32. and Senator Buzbee's...or pardon me, Demuzio's district if he
- 33. insists, I know how Senator Brady's district will fare or at least a good

HB 3518
1-25-76

1. part of it, how will this affect us? It looks to me...and
2. Senator Vadalabene, thank you, and all the interested Senators
3. on this side...how will this amendment affect us? It seems
4. to me this amendment takes money from our schools and ships
5. it to the major municipality in this State.

6. PRESIDENT:
7. Senator Hall...Kenneth Hall.

8. SENATOR HALL:
9. In answer to your question, Senator Schaffer, you must
10. remember that last year it was the Governor himself who proposed
11. the hold-harmless and many districts downstate would do better
12. without this anyway. The only thing that we're trying to do is to
13. protect those who aren't and that's the reason that it's in there.

14. PRESIDENT:
15. Senator Schaffer.

16. SENATOR SCHAFFER:
17. How many...how many dollars does my district lose, Senator,
18. that's my question?

19. PRESIDENT:
20. Senator Hall...Kenneth Hall.

21. SENATOR HALL:
22. I'm sorry, Senator Schaffer. Would you repeat the question?

23. PRESIDENT:
24. Senator Schaffer.

25. SENATOR SCHAFFER:
26. Well, I guess what I want is...I just heard a few people
27. say that this amendment won't...won't hurt my district at all,
28. and I'd like to have that for the record that this amendment will not
29. impact, even though we know full well, the Governor will have to
30. veto at least portions of it.

31. PRESIDENT:
32. Senator Hall.

33. SENATOR HALL:

1. If this bill is signed in this way, Senator, there's no
2. way that it can.

3. PRESIDENT:

4. Senator Graham. You asked...you sought recognition. I'm
5. sorry, I misread your signal. Senator Fawell.

6. SENATOR FAWELL:

7. Well, I...I agree with most of the comments which have been
8. critical and it seems to me without any question, we the other
9. day settled that we were going to have one billion two hundred
10. and sixty million for our appropriation as a top figure and
11. since that time, we've settled at the acceleration of the sales
12. tax money is not going to be coming in. So that, it'll probably
13. be lower than that. Thus we all are very much aware that the amount
14. that we're talking about in this particular package is nothing
15. but a dream. And what we have done is to give little sweeteners
16. to various Senators so they can protect their particular bailiwicks
17. and that isn't anything new, I suppose, in Springfield, so I'm
18. not going to spend anymore time haranguing on that point. I know
19. that nobody is going to change their minds, but I think there
20. may be some defections in the amendment as drawn, and I don't
21. know, Senator Hall or Senator Brady might want to respond in
22. regard to the wording on page 3. Senator Brady perhaps, if I
23. could break you away from your...your advisor there, on page 3,
24. where we refer to the seniority clause. What happens in a
25. situation where you have, let us say, a teacher who specializes
26. in foreign languages and at the same time somebody who is a
27. specialist in industrial arts, they come in, let's say, one-two
28. seniority, and you find that you have to dismiss, let us say,
29. the industrial arts teacher. Now, the way I read this wording,
30. you say that as between teachers who have entered upon contractual
31. continued service, the teacher or teachers with the shorter
32. length of continuing service with the district must be dismissed
33. first. Now, unlike the other language...I hope I'm getting
34. through. Am I?

1. PRESIDENT:

2. You're getting through to three minutes.

3. SENATOR FAWELL:

4. Well, I've got a caucus here, Mr. Chairman, taking place
5. in my left ear and it's kind of difficult to concentrate. You
6. have been a tremendous caucus buster during this Session. If
7. you could bust up this one, it would help a little bit. The
8. ...you do not have the language which appears in the Act as it
9. is now drawn which has wording that when you do dismiss teachers
10. if you have one that is not legally qualified, the seniority
11. isn't going to hold. It seems to me you must have that wording
12. here that you...that you have to assume the legal qualifications
13. of...of the two teachers for the same positions, then I could
14. see where seniority might be the balancing factor. But where
15. the ...where the two teachers have different seniority ratings
16. and are not legally qualified for instance, you...you...you
17. can dismiss the French teacher but not the...but not the industrial
18. arts teacher...

19. PRESIDENT:

20. Senator, I...I hesitate to call time, I'm sure you're
21. ...you're now entitled to an answer to the question.

22. SENATOR FAWELL:

23. All right.

24. PRESIDENT:

25. Senator Brady.

26. SENATOR BRADY:

27. This is a point we discussed when we came up with this
28. amendment, Senator Fawell, and since you are specifying it in
29. such a way in the legal manner as when I was going back and
30. forth as to how we were going to put it, I will refer you to
31. my lawyer in this subject. I would like to yield to Senator
32. Bruce who is...is the one who said we did not need it the
33. way you are requesting.

1. PRESIDENT:

2. Senator Bruce.

3. SENATOR BRUCE:

4. Well, Senator Fawell, I would allay any fears that you
5. have because the language contained in this very subsection
6. will...will prevail, and that is, who is legally qualified
7. to hold a position...the...the position, and in the last line
8. of that paragraph, it says - if they reinstate...any person
9. who is reinstated they have to be legally qualified to hold
10. the reinstated position. Now, if you're worried about
11. the industrial arts teacher and the French teacher who are certified in
12. different areas being dismissed, if they then replaced a French
13. teacher, if that strange occurrence should occur by this school
14. board, by statute they must offer it to the French teacher.
15. And I...I don't see that...that result ever occurring, but
16. the...the statute is...is clear that in that freak situation
17. that you proposed to us, the...the statute answers the question.
18. The French teacher would be rehired because the industrial
19. arts teacher is not qualified. If he is, in fact, qualified
20. to teach French, yes, he will, in fact, be hired to teach
21. French. That's what the clear meaning of the statute, and that's
22. what it clearly states.

23. PRESIDENT:

24. Senator Buzbee. Senator Fawell, your time has expired.

25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Well, Mr. President, it has been said here...the implication
28. has been made anyhow that somehow or other this is a Chicago
29. bill. It's a bill only to help Chicago to the detriment of down-
30. state and suburban schools. That, in fact, is not true. And
31. you folks who have tried to make that implication know that.
32. As a matter-of-fact, most of the provisions of this bill, Chicago
33. could give a hang about one way or the other, because it doesn't

1. affect them. It does affect them, of course, as to the portion
2. of the alleviation of the...that portion of the penalty that
3. they would otherwise suffer. But this bill is the result, it's not
4. perfect. I don't know of any compromise bill that is perfect,
5. and I find it strange that Senator Fawell would make the state-
6. ment that there's goodies in there for every district and
7. there certainly is, Senator Fawell. There's a goodie in there
8. for your district. There's the elimination of the roll back.
9. That provision that was included in the original resource
10. equalizer under the guise of property tax reform and letting
11. people that are paying property taxes have a reduction in their
12. property taxes and now we find that the suburban legislators
13. want to get rid of that. And I'm supportive of that, but there
14. are some of the rest of us in this State besides suburbia and
15. we have some things that we want done for our part of the State,
16. and we're getting it accomplished with this, and the way we're
17. getting it accomplished is to allow those grade school districts
18. and those unit districts who for the past several three years
19. anyhow have...are being ripped off by the high school districts,
20. we are now allowing them more equitable access to this money and
21. so, I just want to...

22. PRESIDENT:
23. Your time is winding out, Senator.

24. SENATOR BUZBEE:
25. ...I just wanted to make it clear...

26. PRESIDENT:
27. Will you conclude your remarks.

28. SENATOR BUZBEE:
29. ...I just wanted to make it clear that this is not a Chicago
30. bill. It is the result of a compromise between Chicago, suburban,
31. central, and southern Illinois legislators, and I think it's...

32. PRESIDENT:
33. Senator will conclude his remarks,

1. SENATOR BUZBEE:

2. ...I think it is the...the best package that is possible
3. at this time to correct inequities in the School-aid Formula.
4. Thank you, Mr. President.

5. PRESIDENT:

6. Senator Soper.

7. SENATOR SOPER:

8. Just a point of personal privilege, Mr. President.

9. PRESIDENT:

10. State your point.

11. SENATOR SOPER:

12. I'd say this that you ought to have lights put on that
13. side, too, because I noticed that when you...when you push the
14. Republican button, it lights green and then red, but the Democratic
15. button never goes on over there. I never see the lights. Oh,
16. it's on again. Okay.

17. PRESIDENT:

18. Now, Senator...

19. SENATOR SOPER:

20. Thank you very much.

21. PRESIDENT:

22. ...I had a very vulgar distraction at the time that Senator
23. Buzbee commenced his remarks, and I didn't push the button, and
24. the young man was not here to do it, but we push the button
25. on everybody. Thank you. Senator Harber Hall.

26. SENATOR HARBER HALL:

27. Well, sometime ago in this discussion on this bill, Senator
28. Schaffer asked a question that has been on my mind that was
29. never answered. He said, - how do I know what's going to happen
30. with this amendment in my district. It occurs to me when I
31. listen to those who advocate the passage of this amendment, that
32. they seem to know what's going on in their district. I do not.
33. I have had a printout...three different printouts in the last

1. two weeks on various suggestions on 3518. Today with the
2. possible passage of this major amendment, I have nothing to go
3. on. Now, I would like to ask Senator Brady if he would mind
4. holding this up until he or the Department can furnish us with
5. a computerized printout.

6. PRESIDENT:

7. Senator Brady.

8. SENATOR BRADY:

9. Yes, Mr. President, I would mind very much holding this
10. up. We held it up last night. We've held it up several times.
11. The...one of the problems we're having here is the proliferation
12. of computer printouts with erroneous information. I think in...
13. by the time we get to 3rd reading and sum it up, I can show
14. Senator Harber Hall where he does gain substantially under this.

15. PRESIDENT:

16. Senator Harber Hall.

17. SENATOR HARBER HALL:

18. Well, presumably we would be on 3rd reading when we
19. finished the amendment stage that we're upon not right now, so
20. that would be by the end of the day. Is the...the Senator
21. suggesting we will have a printout by the end of today?

22. PRESIDENT:

23. Senator Brady.

24. SENATOR BRADY:

25. Senator, let me suggest that the one printout that I asked
26. for has not been delivered to me, and I think it's because there
27. have been so many other requests for printouts to be delivered.
28. If, in fact, that comes before passage stage of this bill, I'll
29. provide you with the printout. If it comes after that, I'll provide
30. you and I'll try and provide you with some answers from a copy
31. that I'm working from.

32. PRESIDENT:

33. Senator Harber Hall.

1. SENATOR HARBER HALL:

2. Thank you for offering to cooperate to the best of your
3. ability, Senator Brady. I'm sure ybu're sincere in that, however,
4. this is the most important matter that we have before this Body
5. this year. It involves more money. It involves a serious
6. problem that is felt by every single district, not only
7. Senatorial district but school district. I can stay here past
8. July 1st, July 2nd, July 3rd, if necessary in order to consider
9. 3518, but until I get a printout so I see what happens to my
10. district with a potential transfer and gift of twenty-five
11. million dollars to Chicago, I just am unable to accept this if
12. you...I'll wait till later this afternoon, but I can't vote this
13. bill until I see what it does to my district. I mean this
14. amendment.

15. PRESIDENT:

16. Senator...oh, I'm sorry. Senator Mitchler.

17. SENATOR MITCHLER:

18. Thank you, Mr. President. Mr. President and members of
19. the Senate, I think the...the problem we look at here is the
20. total figure that we are appropriating into the School-Aid
21. Formula for our education program. We're mandated to provide
22. this good common school education for all children, and I think
23. that the General Assembly is meeting that obligation. And I
24. don't think that we should try to look for what we can get
25. more for our school district than that school district, and
26. come up with all these complicated formulas, and that's where
27. we get into all this harangue down here. And you go back home
28. and the people are so confused, they don't understand, but I
29. want to point out that you know over the past four years
30. the State has increased its aid to public schools by nearly
31. fifty-seven percent. We've gone from about 1.1 billion dollars
32. in 1973 up to 1.7 billion dollars in the recommended for Fiscal
33. Year '77. It's going to start the first of next month. Now,

66 3518
Amendment 2
6/25/76

1. during the same period, enrollment in the State has dropped
2. by about a hundred and thirty thousand pupils and this causes
3. in a...a boost in the amount of State aid per pupil...what
4. we're doing for the children...from four hundred and seventy
5. dollars per pupil in 1973 to a proposed seven hundred and
6. seventy-three dollars in Fiscal Year '77. Now, some people
7. say - well, you've appropriated all this additional money,
8. where has it gone? One of the big factors that school districts
9. have to meet and that's a thing called inflation. It's tearing
10. the daylight out of them. Now, inflation when you talk about
11. it, goes everything from toilet paper, trash cans, heating
12. oil and electricity. Everything that...causes the operation of
13. a school, and I might say that one of the biggest features in
14. the cost of inflation is teachers' salaries. Now,
15. I'm not complaining about that, but I want to point out that
16. that has cost approximately a boost in the average teacher's
17. salary from 1973 of eleven thousand two hundred dollars to
18. fourteen thousand dollars in 1976. That's a twenty-five percent
19. increase. They deserve it and we're for it, and we've provided
20. it. Now, I want you to pat yourselves on the back for doing
21. so. Now, what proportion do they get of the State budget. Well,
22. 1973 for example, State appropriations grew through 3.8 billion
23. dollars in the four year period prior to 1973, I want to point out
24. and of that public schools got an additional seven hundred million
25. dollars or eighteen percent. And by contrast, the total appropriations
26. from 1973 to 1977 will increase only slightly more than 2.3
27. billion...

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator...

30. SENATOR MITCHLER:

31. ...but...and I'll wind it up...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Thank you.

71 B 3518
Amendment 2
6/25/76

1. SENATOR MITCHLER:

2. ...but of that reduced amount, public schools seem to
3. be getting about a billion, which is more than forty-six percent
4. of the amount of increase that we have in our budget, about
5. 2.3 billion during that four year period. Now, I say that I
6. think we're providing for schools. We're providing a great
7. deal, and I'm not going to be pressured in just because they
8. have to cut...they know they have to cut, and they've got
9. this inflationary problem that they have to meet. But I wanted
10. to put those figures into the record so that they know that...
11. the people will know that we are providing, but Gentlemen and
12. Ladies of the Senate, you can't go over what you got money to
13. spend, and you're coming up, Senator Brady, with what I can
14. calculate here, listening to the debate, and putting my figures...
15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator, you have to bring your remarks to a conclusion...

17. SENATOR MITCHLER:

18. ...over a hundred million dollars more than is in the Governor's
19. budget and you know very well that the Governor is going to out..line item
20. that out of there. Thank you, Mr. President, for the additional
21. time.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. You're welcome. Further discussion? Senator Hynes.

24. SENATOR HYNES:

25. Mr. President and members of the Senate, I...this amendment
26. has been debated here extensively and I don't want to repeat much
27. of what...of what has been said, but there are one or two things
28. that I do want to emphasize. And I think Senator Harber Hall
29. and some of the others that have risen in opposition to this
30. amendment ought to carefully rethink their positions, because
31. this bill is the best thing that has happened to downstate Illinois
32. in a long, long time. It does remove the inequities that were
33. in the existing resource equalizer formula which we passed a few years

HB 3518
Amendment 2
6/25/76

1. ago. It is going to bring substantial additional aid to
2. Bloomington and a number of other downstate districts, and
3. with the whole harmless provision that is in the amendment,
4. there will be no injury to any other district. The one point
5. that I would really like to address myself to is the question
6. of spending over the budget. Senator Mitchler and others have
7. talked about the hundred million dollar cost of this. That...
8. it is true that these provisions when fully...implemented will
9. cost that amount of money, but it has nothing whatsoever to do
10. with the amount that we appropriate this year. There is no one
11. in this General Assembly at this moment in history as far as
12. I know who takes the position that full-funding is in the cards
13. this year. It simply is not. Therefore, it is the level of
14. appropriations in the Office of Education Bill that will control
15. how much money is spent and that bill left here at a level of
16. one billion two hundred sixty million dollars which is the
17. Governor's budget level. Because of the hold-harmless amend-
18. ment, that now it will be amended upward by twenty-two million
19. dollars which will be distributed to those districts that might
20. be adversely impacted by this formula...with...for a total of
21. twelve eighty-two. That's what we're talking about. The balance
22. of the formula changes here will not be funded until next year,
23. and if necessary, the following fiscal year. So it does not
24. have the fiscal impact this year that some would suggest. We
25. are able to control expenditure through the appropriation
26. process. The formula revision that we are considering here today
27. simply tells us how the money at whatever level we finally
28. agree is to be distributed, and this amendment makes that
29. distribution equitable, and I think it is a very good amendment,
30. and I think it ought to have overall support in this Body.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Wooten.

33. SENATOR WOOTEN:

HB 3518
Amendment 2
6/25/76

1. Mr. President and colleagues, earlier in opposition to
2. an amendment to this bill and in moving to reduce the funding
3. for common schools, I said I was going to stake out some
4. territory which I would occupy to the end of the Session. Let
5. me say that this amendment contains in it elements that some
6. of us have been working on for a good long time. It goes back
7. to the Buzbee compromise of last Fall, includes Senator Morris'
8. concern for senior teachers. Several people on this side and
9. I believe on the other side and across the rotunda have
10. contributed elements to this compromise amendment. I will say
11. quite bluntly it is not the compromise I had in mind a few
12. days ago, but as things have evolved, it contains in it elements
13. which are absolutely essential to the school districts which
14. I represent. I was disturbed by the forgiveness in Chicago,
15. but coming down to the one one hundred seventy-six figure for
16. this year, I believe we have done that which is legislatively
17. responsible. We have reached a compromise, approximately half
18. of the figure that was involved. As has been suggested, no
19. package, no compromise is ever ideal. I believe, though, that
20. this is an arrangement that we can live with. I believe it
21. accomplishes more good than anything else, and I rise in support
22. of this amendment.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Further discussion? Senator Brady.

25. SENATOR BRADY:

26. Yes, Mr. President and fellow members, I, too, rise in
27. support of the amendment, and I just want to add a few comments.
28. Number one, I believe Senator Hynes clearly stated the case when
29. he said we are talking formula changes not level of funding,
30. therefore the figures we throw around of a hundred million or
31. such are not germane to what we are doing right here in spreading
32. out the appropriated level that we will finally come up with to a
33. more equitable way in all school districts in the State. Point

1. number two, there was a point brought out by Senator Glass that
2. he asked suggestions of me as to amendments and provisions and
3. whether they had fiscal impact. I stated that the seniority
4. provision in this changed bill did not have fiscal impact upon
5. the appropriation or funding level that we are seeking here in
6. this year, and yet I feel that that provision belongs in the
7. changes in the School Aid Formula. So, I support that in the
8. amendment as it is stated. Last I would like to say that
9. Senator Hall asked for a printout, a printout which I don't
10. have, but I can say this, from the figures I've been dealing
11. with...I have looked at, Senator Hall, your two biggest counties
12. ...your two biggest school districts within McLean County in
13. Normal gets approximately a hundred and twenty-two thousand
14. dollars more and Bloomington gets approximately a hundred and
15. seventy thousand dollars more. Places like Olympia, ninety-seven
16. thousand. McLean County winds up with four hundred and forty-six
17. thousand dollars more in the redistribution of an appropriation
18. at the level of twelve sixty. That and for other reasons that
19. I think we have come to a fair and agreeable and well-worked
20. out compromise with the majority of members of this Body, I urge
21. your support of this amendment.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Partee.

24. SENATOR PARTEE:

25. Mr. President and members of the Senate, just very briefly,
26. this is not an easy issue. It never was. It is not now. When
27. this issue first commenced to be discussed in this Session of
28. the legislature, many of the men of vision and compromising
29. attitudes and spirits were very diametrically at variance in what the
30. components of this bill should be. I compliment all of them.
31. Many of whom who have given in some quarters, accepted in
32. others for coming up with what is a palatable amendment to a
33. bill which solves a very difficult problem. I watched Senator

93518
Amendment 112
6-25-76

1. Hall, who offered this amendment, and Senator Hynes, and
2. Senator Brady and Senator Wooten who was very expressive of
3. one of the concepts the other day, Senator Buzbee, and Bruce,
4. and Shapiro, and yourself, Mr. President and many other members
5. of this Body who've actually agonized over this subject because
6. of its severe impact, because of the problems that are entailed
7. in trying to reach an accord. Finally one has been reached
8. which in my judgement is a salutary one, it's palatable to all of
9. us and will save us from an ignominious situation. I compliment all
10. of them, and I say this is a good amendment which I plan to
11. support. Thank you.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any further discussion? Senator Soper, for the second
14. time.

15. SENATOR SOPER:

16. No, I didn't speak on this subject. I had a parliamentary
17. question about the lights. That's all I talked about. I want
18. to say this...

19. PRESIDING OFFICER: (SENATOR ROCK)

20. They're on.

21. SENATOR SOPER:

22. ...thank you very much. Senator Brady said that all this
23. amendment is within the budget, within the one billion two
24. hundred million some dollars, and everybody is going to get some
25. additional money. Now, for the life of me, I don't know how
26. everybody is going to get some additional money and still stay with-
27. in the amount that was supposed to be appropriated. Now, if
28. he can show me that, he's got the hat trick. That's all.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. All right, any further discussion? Senator Bruce, for
31. what purpose do you arise?

32. SENATOR BRUCE:

33. Well, first Mr. President, to ask leave of the Senate to

7663518
Amendment 2
4/25/76

1. amend the amendment presently before us, Amendment No. 2, on
2. its face. A typographical error was discovered by Senator
3. Fawell in that on line 27 of page 2 of that amendment, the word
4. "than" should appear after the word "less", so that line 27
5. in its entirety would read - equivalent to point five six
6. eight one eight percent for each day less than the number of
7. days. I would...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Is there...

10. SENATOR BRUCE:

11. ...ask leave to have the amendment amended on its face.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. ...is leave granted? So ordered. Further discussion?
14. Senator Berning, did you seek recognition? Senator Hall is
15. about to close.

16. SENATOR BERNING:

17. Yes, I did, Mr. President, and I recognize that Senator
18. Hall is about to close and I assume that everybody else's
19. mind is closed, but I just want to emphasize that as far as my
20. district is concerned, to quote Senator Wooten - "as things
21. have evolved"- unquote, it's obvious that the City of Chicago
22. is going to be getting just about everything they want and my
23. district will be fortunate if it gets a crumb. The whole difficulty
24. with this, in my opinion, Mr. President, is simply that it is now
25. going to absolve the Chicago Teachers' Union of any responsibility
26. for the inordinate increase in the cost to the school district
27. in...in Chicago by their tax...their wage settlement that was
28. above and beyond the ability of the district to pay. Here we
29. have a very skillful proposal in front of us to minimize almost
30. entirely eliminate the penalties for the early closing. And
31. what caused the early closing? The very same thing that's going
32. to be causing the layoff of State employees or, and more likely
33. the or will be with us, deficiency appropriations before us in the

HB 3518
Amendment 2
4/25/76

1. Spring of 1977 when it's apparent that the employees who are
2. on the payroll will have to be let go early sixteen days or
3. sixty days because there is no money to pay the increased
4. compensation rates agreed to by the executive and the bargaining
5. agent. So, Mr. President, what I'm saying is that once again,
6. it's evident how sweet it is. How sweet it is when you have
7. every horse necessary to trample over the prostrate bodies of
8. the rest of the State and I say the rest of the State. The
9. crumbs contained in here are meaningless. For instance, in
10. my district if I read the first part of page 1, line 14, we may
11. again tax ourselves more and not be hurt by the State-aid
12. Formula because we don't get anything anyway. We are going to
13. get it again both ways. I submit this is completely unfair,
14. indefensible and it's kind of underhanded greedy approach that
15. ought to be summarily rejected.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any further discussion? Senator Hall may close the debate.

18. SENATOR HALL:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. I'll be brief. This amendment has, I think, been
21. discussed thoroughly. I've been asked the question, of what the
22. Governor is going to do. I will not attempt to quarterback and
23. be a Monday quarterback for the Governor. I just want to tell
24. you that what we're doing we're attempting to bring...equity in the
25. formula and if this amendment goes, no district is going to be
26. hurt. So, I've asked...I'd move for the adoption of this amend-
27. ment.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Hall has moved the adoption of Amendment No. 2
30. to House Bill 3518. All those in favor signify by saying Aye.
31. All those opposed. The Ayes have it. There has been a request
32. for...there has been a request for a roll call. Those in favor
33. of the adoption of Amendment No. 2 will vote Aye. Those opposed

403518
Amendment #3
6-25-76

- 1. will vote Nay. The voting is open. Have all voted who wish?
- 2. Take the record. On that question, the Ayes are 33, the Noes
- 3. are 21, 3 Voting Present. The Amendment is adopted. Any
- 4. further amendments?
- 5. SECRETARY:
- 6. Amendment No. 3 offered by Senator Glass.
- 7. PRESIDING OFFICER: (SENATOR ROCK)
- 8. Pardon me.
- 9. SECRETARY:
- 10. Amendment No. 3 offered by Senator Glass.
- 11. PRESIDING OFFICER: (SENATOR ROCK)
- 12. Oh, I beg your pardon. Senator Glass.
- 13. SENATOR GLASS:
- 14. Thank you, Mr. President and Ladies and Gentlemen. I have
- 15. not distributed copies of this amendment and I will be glad
- 16. to do so, but let me describe briefly what it does, and I
- 17. don't think there'll be any need to. It would eliminate the
- 18. provision regarding tenure teachers being discharged on the
- 19. basis of seniority. And it does that by deleting the lines
- 20. on Page 3, line...which contained the new material in lines
- 21. 24 through 27, and I would like to speak to this amendment.
- 22. I'll...I'll yield if there is a question...required copies
- 23. of the amendment, but if not, I would like to go ahead and
- 24. proceed on it.
- 25. PRESIDING OFFICER: (SENATOR ROCK)
- 26. Senator Brady, for what purpose do you arise?
- 27. SENATOR BRADY:
- 28. Mr. President, Senator Glass and I at length debated back
- 29. and forth this provision as we placed the last amendment on and
- 30. for that reason, I would move to Table this amendment.
- 31. PRESIDING OFFICER: (SENATOR ROCK)
- 32. All right. That...that motion will be in order. Senator

HB 3518
2010 and #3
9/2/2010
1-25-76

1. Glass had not yet finished his explanation. Senator Glass.

2. SENATOR GLASS:

3. Thank you, Mr. President. The...the tenure books...the
4. tenure laws in this State have been on the books for many years,
5. and with the advent of our fiscal limitations and the declining
6. enrollments, this question of how teachers should be dismissed,
7. when it becomes necessary to do so has, in fact, become an
8. issue this year. And as a result of that, bills were introduced
9. here in the Senate and over in the House to put this provision
10. into law. They were introduced as separate bills. I don't
11. think it's a good idea to hamstring boards of education to require
12. that they not be entitled to decide which teachers should be
13. removed when they must reduce their faculties. I think it's
14. a bad idea. I think boards of education ought to be able to
15. keep the best qualified teachers so that students are going to
16. get the best possible education. This amendment would eliminate
17. that possibility. Senator Fawell has pointed out some of the
18. technical problems with the amendment when you might have a
19. teacher who specializes in one field such as a foreign language,
20. being forced out of the school and other teachers without those
21. qualifications being required to be retained. I...that's a
22. technical, perhaps, matter that could be corrected, but in any
23. event, I think it's a bad policy and moreover it in no way
24. belongs in this bill which deals with changes in the school-aid
25. formula. It is an entirely separate issue, should not be a part
26. of this legislation. This amendment would take it out, and I
27. would urge you to join with me in passing this amendment to take
28. that portion of 3518 which deals with the...the formula changes
29. out of that bill. Thank you.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. All right. Senator Glass has moved the adoption of Amendment
32. No. 3. Senator Brady has moved that that motion lie upon the
33. Table. That motion is not debatable. All those in favor of the

433518
Bill 143
2nd reading
1-25-76

1. motion to Table indicate by saying Aye. All those opposed.
2. The Ayes...roll call is...roll call is requested. Those in
3. favor of Senator Brady's motion to Table will vote Aye. Those
4. in favor...those against that motion will vote Nay. The voting
5. is open. Have all voted who wish? Take the record. On that
6. question, the Ayes are 38, the Noes are 18, 1 Voting Present.
7. The...the motion prevails. The amendment is Tabled. Any further
8. amendments? Senator Fawell, for what purpose do you arise?
9. SENATOR FAWELL:

10. I...I have an amendment which is in process, and I'm not
11. going to hold things up if...if the sponsor doesn't wish to,
12. but I've talked to Senator Bruce about the point that I was
13. trying to bring out in my discussion with Senator Brady, and
14. he has, I think, agreed that this amendment should take place.
15. Now, perhaps it can be done in a Conference Committee if there's
16. going to be a Conference Committee. There may not be. And
17. I think we have a real problem, because I think we are all
18. agreed that...as far as seniority is concerned, we're talking
19. about teachers who are legally in the same position, and we
20. don't mean to say that seniority should take over in the situation
21. where the two teachers are not on comparable positions. It's
22. a very simple amendment, and I can have it ready in a very short
23. order. Again, I...I'm not trying to hold things up, but I think
24. it is important, because it can cause...if the bill finally passes
25. in this way, it can cause a lot of problems throughout the State
26. of Illinois. School board attorneys, I think, would have to say
27. that seniority literally would control, and if the sponsor is
28. ...of the bill, Senator Brady, would be willing to take it back
29. to 2nd reading in just a few minutes, I'd like to have that
30. amendment put on.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Sponsor indicates he is not so disposed. Any further
33. amendments?

E.R.H.
June 25-76

1. SECRETARY:

2. No.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. 3rd reading. All right, will the members please be in
5. their seats. Leave has been requested for the UPI to take
6. some photographs. Is leave granted? So ordered. Senator
7. Partee.

8. SENATOR PARTEE:

9. Mr. President...

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Harber Hall, would you remove that conference,
12. please, right in front of the President.

13. SENATOR PARTEE:

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

15. PRESIDING OFFICER: (SENATOR ROCK)

16. State your point, Sir.

17. SENATOR PARTEE:

18. There reposes on the Secretary's Desk, House Joint Resolution
19. 18, and there appears on the Calendar Senate Joint Resolution 1
20. both of which relate to the subject of the Equal Rights Amendment.
21. In an effort to relieve some of the anxiety of both of our
22. members and of the press who have questioned me with reference
23. to what our position was, I seek this point of personal privilege
24. to state what it is. This issue has been in the Legislature since
25. the early '70's and both Houses have dealt with the issue, having
26. different results on different occasions. Originally the Senate
27. passed it and the House did not pass it. Lately the House has
28. passed it, and the Senate has not yet passed it. It was passed
29. back in the early '70's in this House as a rather simple issue
30. which gave a woman, a female person, the right to a job without
31. discrimination on the basis of her sex and gave her the con-
32. comitant right to be promoted on that same basis. The issue
33. has now become quite complicated by a large number of untruths

1. which have been flowing from the pen of one particular organization,
2. and I'm going to get back to some of those in a minute. But
3. more than that the fact that I have not called this resolution or
4. either of them to date has suggested to some that I have lost
5. interest or that I am weak on the subject, or that I don't really
6. care. Nothing could be further from the truth. I have throughout
7. my legislative career been in the forefront of all fights that
8. had something to do with the lessening of discrimination. Even
9. one television station, Mr. President, in Chicago, in an editorial
10. said that I was something less than vigorous in this matter, and
11. in that editorial in an uncomplimentary way mentioned the name
12. Cecil Partee on three occasions. I called that station and asked for
13. the opportunity to rebut what they had said, and you won't believe
14. this, Mr. President, but they told me that I could not have that
15. opportunity to rebut it for the reason that I was a State-wide
16. candidate, and I asked them if they knew that I was a State-wide
17. candidate at the time they made the three unkind references in
18. their editorial. There was not much of an answer to that question,
19. but a lot of rhetoric. I thought really about going to the FCC
20. and making a complaint, but so many things are said you just
21. get tired of worrying about them so I'm not going to worry about
22. that, at least not at this moment. There are those persons who
23. are interested in this concept, Mr. President, who would be
24. suggestive that I call this resolution even though a careful
25. mathematical assessment of the strength of the votes would mean
26. that there are not enough votes to pass it. There are those who
27. would say - call it none the less. In my judgement, that would
28. be an unwise course of action. There is no sense in being a
29. loser when you know that you're going to lose, and I want you to
30. know that this decision to not call it when not enough votes were
31. present to pass it is not a unilateral decision. House Joint
32. Resolution 18 is a product of several fine people in the House,
33. one of whom was here a minute ago. Yes, Representative Chapman

1. and Representative Giddy Dyer, Representative MacDonald, and
2. many of the other ladies in the House who passed that resolution
3. there. I feel some responsibility to them inasmuch as it is
4. their resolution. I am but the Senate sponsor of that resolution,
5. and it is their unanimous opinion that this resolution should
6. not be called unless we know that we have the necessary votes.
7. I would say to you further, Mr. President, that in any legislative
8. activity the bottom line is, do you have enough votes to pass
9. it. All of the rhetoric, all of the feelings of euphoria con-
10. cerning it, all of the ideas and attitudes that may be expressed
11. in many, many ways fade into insignificance when it comes to the
12. bottom line which is the votes. I've cajoled, I've asked, I've
13. sought, I've impeached, implored every member in this Senate
14. who I thought would vote for this resolution to be supportive.
15. Some of them are in granite. Some of them won't even talk
16. about it. The proponents have, in my judgement, done a lot of
17. work toward changing some of these intractable attitudes, but
18. obviously we have not done enough. This is an issue which is
19. a fair, reasonable issue which has been distorted, distorted
20. needlessly I feel and many people have commenced to believe that
21. this simplistic issue is something a great deal different from
22. what it really is, and they've been successful in turning the heads
23. of the people of this State and of the General Assembly away from
24. the real issues of discrimination and toward some other rather phony
25. issues. There's a June newsletter around here that was published
26. by the leading opponent of ERA, and in that report it talks about
27. a rally held here in Springfield on the 16th of May, a rally
28. which I attended. And anybody who attended that rally or even spoke
29. to the participants who came here from all over this State and
30. from all over the United States will find very little resemblance
31. to the experience they personally witnessed if they were here,
32. and the distorted propaganda which has been set out about that
33. rally. The report, in my judgement, deliberately distorts the

1. rally and deliberately distorts the issue. There's a statement
2. in that report that says that the...those who are opposed to
3. ERA are working to deprive the Catholic Church of its tax exemption.
4. Now, this is the kind of outrageous distortion which the opponents
5. have resorted to. Several weeks ago a very fine woman, Sister
6. Anna Ida Gannon, who is a former president of Mundelein College
7. and is a supporter of ERA visited us and spoke to us from that
8. podium. Do you believe for one moment that that intelligent nun
9. who's given her life to Catholic education could be duped in
10. such...into such a position? Of course, you don't believe that
11. because it just is not so. They say that those who favor ERA
12. also favor abortion. I'm sure that some do, and I'm also sure
13. that some don't. Those two issues are not wed. They bear no
14. relationship, one to the other, and as a matter of actual fact,
15. on the last ERA vote taken on the Floor of this Senate, fourteen
16. of the twenty-eight Senators voting for it were publicly against
17. abortion. Two of those Senators introduced a resolution urging
18. Congress to pass an anti-abortion amendment, and both of them
19. voted for ERA, because they know that there is no relationship
20. between those two issues. My friends who oppose abortion and favor
21. the ERA tell me that they believe in the dignity of all life, male
22. and female, from conception to the grave. They've also gone so
23. far as to say that those who favor ERA hate veterans. Now, we
24. can sit back and let our friends and neighbors be bombarded but with
25. this kind of distortion, but I think we can no longer remain silent
26. while these truths are perpetuated by our constituents...to our
27. constituents. There's no connection between the ERA and hating
28. veterans. It's just time we stood up and said so. Well, they've
29. been talking about the fact that lesbians support the ERA. Now,
30. I will not deny that there was a small group who identified themselves
31. as lesbians by a banner at that rally. I offer no opinion as to
32. their life styles, but I want you to know that this Senator is
33. secure enough not to be threatened by their presence. And I want

June 25-76
ERA

1. you to know that this Senator, also, respects our precious
2. freedom of speech, enough to not object to that banner. The
3. simple fact is and ought to be that none of us should be moved
4. or influenced by extremists on either side of this question.
5. We must return to the language of this amendment, strip away the
6. distortion, the lies, the circus aspects of the debate, and ask
7. quite simply whether we in the State of Illinois can publicly
8. state that we oppose discrimination, whether it is to be based
9. on the color of a person's skin, or whether it's based on the
10. shape of a person's skin. This issue will pass one day. Today
11. is not the day; but it will pass because it's right, it's
12. proper, and it lessens and destroys one of the eating cancers
13. of America - discrimination. Thank you, Mr. President.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. House Bills 3rd reading. 3553, Senator Mohr. Well,
16. we'll...we'll get...you want to call the DOT? We...we wanted
17. to...Senator Mohr, 3553. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 3553

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Howard Mohr.

24. SENATOR HOWARD MOHR:

25. Yes, Mr. President. this bill appropriates a million dollars
26. for the Disaster Fund the...the disasters that...disasters that
27. taken place in March of this year in the Franklin Park, Schiller
28. Park, Northlake and Leyden Township area. It has been declared
29. a disaster area by the Governor and I ask for a favorable roll
30. call.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any discussion? Question is, shall House Bill 3553 pass?

33. Those in favor vote Aye. Those opposed vote Nay. The voting is

1 open. Have all voted who wish? Take the record. On that
2 question, the Ayes are 51, the Nays are none, none Voting
3 Present. House Bill 3553 having received a constitutional
4 majority is declared passed. Senator Partee, for what
5 purpose do you arise?

6 SENATOR PARTEE:

7 Let the record show that I was late getting to the switch.
8 I would have voted Aye on that bill.

9 (continued on next page)

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

1. PRESIDING OFFICER: (SENATOR ROCK)

2. The record will so show. 3518, Mr. Secretary. Read the
3. bill.

4. SECRETARY:

5. House Bill 3518.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Brady. May we have some order. Will those not
10. entitled to the Floor, please vacate and the members be in their
11. seats. Senator Brady.

12. SENATOR BRADY:

13. Yes, Mr. President. We have debated both the amendment
14. and the bill several times. I will be glad to answer any
15. questions that anyone might have left.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Is there any discussion? Senator Schaffer.

18. SENATOR SCHAFFER:

19. Really, Senator Brady a question as the bill is amended.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Sponsor indicates he will yield. Senator Schaffer.

22. SENATOR SCHAFFER:

23. It's my understanding that the Chicago School District
24. does lay off teachers on the basis of seniority. I don't have that
25. carved in granite, but I'm led to believe that that is the policy
26. and that it's a big enough school district that it could very
27. well, you know, achieve that policy. So, one would then
28. conclude that the amendment that was placed on providing
29. for the layoff of teachers by seniority would basically impact
30. in suburban Cook County and downstate Illinois and my question
31. is if this is a bill of milk and honey and plenty, why is it
32. necessary to have a provision for seniority on layoff. On one
33. hand you say there will be money flowing in all of our coffers
34. and on the other hand you give us a procedure for laying off our

1. teachers in downstate and suburbia. I see a slight inconsistency
2. there and I was just wondering if you would care to comment on the
3. need for layoff procedures in a bill to provide milk and honey
4. throughout the land.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Brady.

7. SENATOR BRADY:

8. In a...in a bill such as you described to provide milk
9. and honey, maybe this is a provision that strikes at the
10. situation of teachers with declining enrollment. If as you
11. suggest that Chicago does lay off teachers on the basis of
12. seniority, then it truly has a fiscal impact there as it does
13. everywhere else, because one area of the State already does
14. it, does not mean that it is either right or wrong that not
15. all areas do it, and that we do not have it in the School
16. Code. I suggest that this is a good bill. It is a protection
17. for some teachers who might otherwise not be protected who
18. have given such years of service that they should be recognized
19. for it.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. Senator Rock, thank you for recognizing me. Senator, I
24. don't object to the provision on the seniority. I think that
25. makes sense, and you may notice, I actually voted with you on
26. that. I was under the impression though that this bill did
27. take care of schools with declining enrollments and while that
28. doesn't dramatically affect my district, are you now saying that
29. this bill will impact negatively on districts that have declining
30. enrollments?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Brady.

33. SENATOR BRADY:

H 33518
3rd reading
6-25-76

1. No.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Further discussion? All right. ...Senator Berning.
4. SENATOR BERNING:
5. Thank you, Mr. President. Let me pursue that question on
6. discharge of tenured teachers one step further if you will, Mr.
7. sponsor.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Sponsor...
10. SENATOR BERNING:
11. Do I understand...
12. PRESIDING OFFICER: (SENATOR ROCK)
13. ...sponsor indicates he will yield. Senator Berning.
14. SENATOR BERNING:
15. ...do I understand your answer correctly that the City of
16. Chicago will not be affected by this recent amendment and that
17. it already has a procedure for the elimination of tenure teachers
18. in a fashion that it deems best?
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Brady.
21. SENATOR BRADY:
22. I...I don't know how to answer that, but No, Yes, No. It's
23. about three different questions, Senator Berning. If you could
24. restate it, maybe I could address it.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Berning.
27. SENATOR BERNING:
28. Does the City of Chicago come under this provision?
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Brady.
31. SENATOR BRADY:
32. Yes.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Berning.

2. SENATOR BERNING:

3. Are you saying that the City of Chicago does not now have
4. a procedure?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Brady.

7. SENATOR BRADY:

8. I'm not addressing whether the City of Chicago now, in
9. the past, or in the future has a procedure. I'm suggesting
10. that we are now putting into the School Code that the State
11. statutorily says there is a procedure.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Berning.

14. SENATOR BERNING:

15. Well, let me state to you that from the best information
16. I have, this Article does not affect Chicago. It affects solely
17. the other districts, and I think that it's a presumptuous position
18. to dictate to us as to how we should handle our teachers. This
19. does not enter into the situation with the rest of the Chicago
20. procedures...whatsoever.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Further discussion? Senator Shapiro.

23. SENATOR SHAPIRO:

24. Well, Mr. President and Ladies and Gentlemen of the Senate,
25. though this proposal is a step in the right direction, I think
26. it's a little bit too much too soon and goes down the road so
27. far that it'll place the entitlement and the proration to our
28. districts throughout the State particularly those high school
29. districts that do not share in these changes in much deeper and
30. dire straights than they are, because it's obvious that the
31. Governor is not going to fund this to its full extent for next
32. year. The point was raised during the debate on the amendment
33. that all we were talking were formula changes and that cost had

1. no consideration as far as the amendment in the bill was
2. concerned. Well, nothing could be further from the truth, because
3. the changes that we do make do have cost implications for next
4. year. As a matter of fact with these changes, we can anticipate
5. a deficiency of at least a hundred and forty million and
6. possibly a hundred and eighty million or more next year as it concerns
7. full entitlement. These changes placed the total entitlement
8. cost for the resource equalizer for FY '77 in the neighborhood
9. of 1.4 billion dollars. Taking this into consideration and
10. taking into consideration that there will not be enough funds
11. in the next year, it extends full implementation of the
12. resource equalizer down the road another two or three years.

13. In the past week or two, several of us have attempted to place
14. before the General...the Senate in the General Assembly a
15. proposal that wasn't quite as far reaching as this one. A little
16. bit more modest within the parameter of the dollars available,
17. but we were unsuccessful so far. There is a carrot in this
18. proposal called hold-harmless, but I want to point out to you that
19. that proposal at is...as it is written could very well wipe
20. out the total deficit or the total fifty-five million that
21. the Chicago school district will hold. Taking into consideration
22. these proposals which are in the neighborhood of a cost of a
23. little over a hundred million, Chicago will benefit to the
24. tune of approximately forty-five million minimum, and it could
25. go as high as sixty million. I think the proposal that we are
26. facing before us is a step in the right direction, but I think that
27. we have to exert a little constraint. We do not have the funds
28. available. We can go this same route at a more modest rate over
29. a greater period of time, accomplish the same thing for our
30. unit and our elementary districts throughout the State to everyone's
31. satisfaction and achieve it when we achieve full-funding so that
32. no one was hurt. I would recommend a No vote on House Bill 3518.

33. PRESIDING OFFICER: (SENATOR ROCK)

443518
3rd reading
6-25-76

1 Senator Harris.

2 SENATOR HARRIS:

3 Thank you, Mr. President. I just want...it's really a
4 redundancy. It's been said different ways, but the fact is
5 that we really no longer are in a position to have available
6 a billion two hundred sixty million for this purpose. The tax
7 acceleration bills seem to be suffering extreme infirmity
8 and we, in fact, should be talking about a billion two twenty-two.
9 There's no way, there is no way House Bill 3518 can be funded
10 as it presently is before us, and we're just kidding ourselves
11 by passing it in this form. Thank you, Mr. President.

12 PRESIDENT:

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

14 SENATOR BRADY:

15 Yes, thank you, Mr. President and fellow members. I think that
16 we have had a good thorough debate on this subject. We probably
17 have more people now familiar with some of the provisions of
18 the School Aid Formula than ever before. For that, I think it's
19 a good thing, but in the ensuing debate that continues to
20 go on and go on, we talk about the number of dollars available
21 and the cost of these changes. When we deal with the formula,
22 we must deal with formula changes, and we then must address
23 ourselves to the appropriation that we had available for that
24 and that creates a distribution. In my opinion the distribution
25 of funds is...is at its most equitable state since the implemenation
26 of the formula. The appropriation we passed out of here at a
27 Body was at one billion two hundred and sixty million dollars.
28 For those that are still confused on the issue of money, last
29 year approximately one billion one hundred and fourteen million
30 of State funds was used or appropriated for the school aid
31 distribution. When you come up with an increase, the one billion
32 two hundred and sixty million, although the formula changes
33 don't necessarily allow you to reach full-funding,

433518
2nd reading
1-25-76

1 "sooner", all school districts share in the proceeds or the added
2 benefits of added funding. Therefore, all school districts
3 can and will profit under this measure, and for those that don't,
4 I suggest that, number one, the hold-harmless takes care of
5 any loss this year, and number two, their share has been larger
6 than all the other groupings in the past. I urge your favorable
7 support of this bill.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 All right, the question is, shall House Bill 3518 pass?
10 Those in favor vote Aye. Those opposed vote Nay. The voting
11 is open. Have all voted who wish? Take the record. On that
12 question, the Ayes are 33, the Nays are 18, 6 Voting Present.
13 House Bill 3518 having received a constitutional majority is
14 declared passed. Senator Johns moves to reconsider the vote
15 by which House Bill 3518 has passed. Senator Brady moves to
16 Table that motion. All those in favor signify by saying Aye.
17 So ordered. All those opposed. Nay. The Ayes have it. So
18 ordered. There has been a request pursuant to leave granted
19 earlier that we would return to House Bills on 2nd reading
20 for the purpose of dealing with amendments to the annual
21 appropriation request of the Department of Transportation and
22 hopefully the Department of Mental Health. Is leave granted?
23 So ordered. On the order of House Bills on 2nd reading,
24 be it Page 8 at your Calendar. It's House Bill 3816. Read
25 the bill, Mr. Secretary.

26 SECRETARY:

27 House Bill 3816

28 (Secretary reads title of bill)

29 2nd reading of the bill. The Committee on Appropriations offers
30 eighteen amendments.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Senator Hynes, are you ready to proceed with Amendments 1
33 through 18? All right, on the order of House Bills on 2nd reading,

1 House Bill 3816. Committee Amendment No. 1, Senator Hynes.

2 SENATOR HYNES:

3 Amendment No. 1 makes numerous structural changes in the
4 ...the appropriation bill. The overall effect of it dollar
5 wise is an additional five hundred seventy-three thousand
6 dollars to restore part of the cuts made in the House which
7 were considered by the committee to...to have been deep, and
8 I'd move the adoption of Amendment No. 1.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Any discussion? Senator Hynes moves the adoption of
11 Amendment No. 1 to House Bill 3816. All those in favor signify
12 by saying Aye. All those opposed. The Ayes have it. Amendment is
13 adopted. Amendment No. 2, Senator Hynes.

14 SENATOR HYNES:

15 Amendment No. 2 makes no dollar change. Increases new
16 capital by 1.4 million and a...a decrease in the reappropriations
17 by 1.4 million dollars, so they balance out to reflect what,
18 in fact, should be the case that this a new project and I'd move
19 the adoption of Amendment No. 2.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Hynes moves the adoption of Amendment No. 2 to
22 House Bill 3816. All those in favor signify by saying Aye.
23 All those opposed. The Ayes have it. The amendment is adopted.

24 SECRETARY:

25 Committee...Committee Amendment No. 3.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Hynes.

28 SENATOR HYNES:

29 Amendment No. 3 is a clarification of Section 22 to point
30 out...to make it clear that the planning grants are to be
31 appropriated from the Road Fund and I move its adoption.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Senator Hynes...any discussion? Senator Hynes moves the

1 adoption of Amendment No. 3 to House Bill 3816. All those in
2 favor signify by saying Aye. Those opposed. The Ayes have
3 it. The amendment is adopted. Further amendments?

4 SECRETARY:

5 Committee Amendment No. 4.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Hynes.

8 SENATOR HYNES:

9 Amendment No. 4 makes no dollar change. It decreases the
10 appropriation for the Aeronautics Fund by twenty-nine thousand,
11 of the Air Transportation Fund by forty thousand, makes a
12 corresponding increase of sixty-nine thousand from the Road
13 Fund. I'd move its adoption.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Hynes moves the adoption of Amendment No. 4 to
16 House Bill 3816. Any discussion? All those in favor signify
17 by saying Aye. All those opposed. The Ayes have it. The
18 amendment is adopted. Further amendments?

19 SECRETARY:

20 Amendment No...Committee Amendment No. 5.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senator Hynes.

23 SENATOR HYNES:

24 Amendment No. 5 is a technical amendment. It breaks out
25 the appropriation for the study hazard materials into a
26 separate section. I move its adoption.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Any discussion? Senator Hynes moves the adoption of
29 Amendment No. 5 to House Bill 3816. All those in favor signify
30 by saying Aye. All those opposed. The Ayes have it. The
31 amendment is adopted. Further amendments?

32 SECRETARY:

33 Committee Amendment No. 6.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Hynes.

3 SENATOR HYNES:

4 Amendment No. 6 would restore one hundred five thousand
5 of the two hundred thirty-five thousand cut in the House for
6 formal contracts, so that the bill will now be at a level of
7 a hundred and thirty thousand below its introduction level.

8 I move the adoption of this amendment.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Any discussion? Senator Hynes moves the adoption of
11 Amendment No. 6 to House Bill 3816. All those in favor signify
12 by saying Aye. All those opposed. The Ayes have it. The
13 amendment is adopted. Further amendments?

14 SECRETARY:

15 Committee Amendment No. 7.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Hynes.

18 SENATOR HYNES:

19 It's a technical change in the title of the bill to include
20 the Governor's Traffic Safety Committee which has been added by
21 ...added by an amendment in the House. I move its adoption.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Hynes...any discussion? Senator Hynes moves the
24 adoption of Amendment No. 7 to House Bill 3816. All those in
25 favor signify by saying Aye. All those opposed. The Ayes have
26 it. The amendment is adopted. Further amendments?

27 SECRETARY:

28 Committee Amendment No. 8.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Senator Hynes.

31 SENATOR HYNES:

32 Amendment No. 8 is a technical change in one position
33 classification. I'd move its adoption.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Any discussion? Senator Hynes moves the adoption of
3 Amendment No. 8 to House Bill 3816. All those in favor signify
4 by saying Aye. All those opposed. The Ayes have it. The
5 amendment is adopted. Further amendments?

6 SECRETARY:

7 Committee Amendment No. 9.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Senator Hynes.

10 SENATOR HYNES:

11 This would add 1.3 million for planning and constructing
12 a new District 8 headquarters facility and I move its adoption,
13 and Senator Donnewald seconds that motion.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Any discussion? Senator Hynes moves the adoption of
16 Amendment No. 9 to House Bill 3816. All those in favor signify
17 by saying Aye. All those opposed. The Ayes have it. The amendment
18 is adopted. Further amendments?

19 SECRETARY:

20 Committee Amendment No. 10.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senator Hynes.

23 SENATOR HYNES:

24 Amendment No. 10 would add one million dollars for planning
25 of railroad grade separations. I move its adoption.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Is this the objectionable one?

28 SENATOR HYNES:

29 To a number of members it is, but I think there might be
30 a slight majority if favor of it.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Any discussion? Senator Hynes moves the adoption of Amend-
33 ment No. 10 to House Bill 3816. All those in favor signify by

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

3 SECRETARY:

4 Committee Amendment No. 11.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Hynes.

7 SENATOR HYNES:

8 Amendment No. 11 increases the appropriation from Series
9 A Bonds by 38...36.8 million dollars. I'd move its adoption.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Any discussion? Senator Hynes moves the adoption of
12 Amendment No. 11 to House Bill 3816. All those in favor signify
13 by saying Aye. All those opposed. The Ayes have it. The
14 amendment is adopted. Further amendments?

15 SECRETARY:

16 Committee Amendment No. 12.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Senator Hynes.

19 SENATOR HYNES:

20 Amendment No. 12 adds 8.4 million dollars in appropriations
21 to Series...Series B Bonds and I'd move its adoption.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Any discussion? Senator Hynes moves the adoption of Amend-
24 ment No. 12 to House Bill 3816. All those in favor signify by
25 saying Aye. All those opposed. The Ayes have it. The amend-
26 ment is adopted. Further amendments?

27 SECRETARY:

28 Committee Amendment No. 13.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Senator Hynes.

31 SENATOR HYNES:

32 No. 13 adds...increases the appropriation for the Bi-State
33 Authority by two million dollars. I move its adoption.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Any discussion? Senator Hynes moves the adoption of
3 Amendment No. 13 to House Bill 3816. All those in favor signify
4 by saying Aye. All those opposed. The Ayes have it. The
5 amendment is adopted. Further amendments?

6 SECRETARY:

7 Committee Amendment No. 14.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Senator Hynes.

10 SENATOR HYNES:

11 This would add an appropriation of a hundred seventy-two
12 thousand three hundred ninety-three dollars and ninety-four
13 cents for the Lake Shelbyville project, and I move its adoption.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Any discussion? Senator Hynes moves the adoption of
16 Amendment No. 14 to House Bill 3816. All those in favor signify
17 by saying Aye. All those opposed. The Ayes have it. The
18 amendment is adopted. Further amendments?

19 SECRETARY:

20 Committee Amendment No. 15.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senator Hynes.

23 SENATOR HYNES:

24 They add one million three hundred thirty-five thousand
25 to the Road Fund for a road resurfacing project in Kankakee, and
26 I would move its adoption.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Any discussion? Senator Hynes moves the adoption of
29 Amendment No. 15 to House Bill 3816. All those in favor signify
30 by saying Aye. All opposed. The Ayes have it. The amendment
31 is adopted. Further amendments?

32 SECRETARY:

33 Committee Amendment No. 16.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Hynes.
3. SENATOR HYNES:
4. Amendment No. 16 would add three hundred fifty thousand
5. dollars for a road construction project in Cook County. I move
6. its adoption.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. ...Any discussion? Senator Hynes moves the adoption of
9. Amendment No. 16 to House Bill 3816. All those in favor signify
10. by saying Aye. All those opposed. The Ayes have it. The
11. amendment is adopted. Further amendments?
12. SECRETARY:
13. Committee Amendment No. 17.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Hynes.
16. SENATOR HYNES:
17. No. 17 adds thirty thousand dollars for the construction
18. of a traffic signal in DuPage County. I move its adoption.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. ...Any discussion? Senator Hynes moves the adoption of
21. Amendment No. 17 to House Bill 3816. All those in favor signify
22. by saying Aye. All those opposed. The Ayes have it. The
23. amendment is adopted. Further amendments?
24. SECRETARY:
25. Committee Amendment No. 18.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Hynes.
28. SENATOR HYNES:
29. Committee Amendment No. 18 adds 1.1 million dollars for the Pekin
30. bridge project and I would move its adoption.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Hynes has...any discussion? Senator Hynes has moved
33. the adoption of Committee Amendment No. 18 to House Bill 3816.

1. All those in favor signify by saying Aye. All those opposed.
2. The Ayes have it. The amendment is adopted. Further amendments?
3. SECRETARY:
4. Amendment No. 19 offered by Senator Sommer.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Sommer.
7. SENATOR SOMMER:
8. Mr. President, this is the technical employees' play plan...
9. pay plan amendment that was offered in the committee. I'm
10. simply offering it on 2nd reading. I leave it to your judgment.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Any discussion? Senator Hynes.
13. SENATOR HYNES:
14. Well, I...I would oppose this amendment.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Any further discussion? Senator...Senator Sommer moves the
17. adoption of Amendment No. 19 to House Bill 3816. All those in
18. favor signify by saying Aye. All those opposed. It's the
19. opinion of the Chair the Noes have it. The amendment fails.
20. Any further amendments?
21. SECRETARY:
22. Amendment No. 20 offered by Senators Lane and Don Moore.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Lane.
25. SENATOR LANE:
26. Thank you, Mr. President and members of the Senate. Amend-
27. ment No. 20 is used to reimburse the Village of Lansing for the
28. purchase of the Chicago-Hammond Airport which is now designated
29. as the Lansing Municipal Airport. This is an air field that's
30. much needed in the South Cook area, and the Department of Aviation
31. favors this airport. I move for your...for the adoption of the
32. amendment.
33. PRESIDING OFFICER: (SENATOR ROCK)

1 Any discussion? Senator Lane moves the adoption of Amendment
2 No. 20 to House Bill 3816. All those in favor signify by saying
3 Aye. All those opposed. The Ayes have it. The amendment is
4 adopted. Further amendments?

5 SECRETARY:

6 Amendment No. 21 offered by Senator Bloom.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Senator Bloom.

9 SENATOR BLOOM:

10 Thank you. This...this would blacktop some roads south of
11 Wyoming. ...It's heavily traveled with farmers and it's used
12 as an alternate route by the workers at the Joan of Arc canning
13 place in Princeville, and it's deteriorated, and I'd appreciate
14 favorable support.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 Any discussion? Senator Donnewald.

17 SENATOR DONNEWALD:

18 I object to that amendment.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Further discussion? Senator Bloom moves the adoption of
21 Amendment No. 21 to House Bill 3816. All those in favor signify
22 by saying Aye. All those opposed. It's the opinion of the
23 Chair that the Noes have it. The amendment fails. Further
24 amendments?

25 SECRETARY:

26 Amendment No. 22 offered by Senators Lemke and Soper.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Senator Lemke.

29 SENATOR LEMKE:

30 This is an amendment to correct an error that was made in
31 the House. Inadvertently took out a...the completion of a project
32 on 39th Street and Pershing Road in the...in the Cook County.
33 It's a budgeted item.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Lemke moves...any discussion? Senator Lemke moves
3 the adoption of Amendment No. 22 to House Bill 3816. All those
4 in favor signify by saying Aye. All those opposed. The Ayes
5 have it. The amendment is adopted. Further amendments?

6 SECRETARY:

7 No. ...Amendment No. 23 introduced by Senator...offered
8 by Senator Davidson.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Davidson.

11 SENATOR DAVIDSON:

12 Mr. President and members of the Senate, this puts fifty
13 thousand dollars in Department of Conservation from the Governor's
14 Traffic Safety Federal funding for traffic safety signs, both
15 on roads and water. It gets seventy percent reimbursement
16 from the Federal Government. It's only...the Department of
17 Conservation supports it. I know of no objection to it.
18 Move the adoption of the amendment.

19 PRESIDING OFFICER: (SENATOR ROCK)

20 Any discussion? Senator Davidson moves the adoption of
21 Amendment 23 to House Bill 3816. All those in favor signify
22 by saying Aye. All those opposed. The Ayes have it. The
23 amendment is adopted. Further amendments?

24 SECRETARY:

25 Amendment No. 24 offered by Senator Ozinga.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator Ozinga.

28 SENATOR OZINGA:

29 This is the authorization for eight hundred thousand bucks
30 for the Series A Bond Fund on Western Avenue in the City of
31 Blue Island.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 Any discussion? Senator Ozinga moves the adoption of

1 Amendment No. 24 to House Bill 3816. All those in favor signify
2 by saying Aye. All those opposed. The Ayes have it. The
3 amendment is adopted. Further amendments?

4 SECRETARY:

5 Amendment No. 25 offered by Senator Buzbee.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Buzbee.

8 SENATOR BUZBEE:

9 Mr. President, this is an amendment that deletes money.
10 It's...I don't have any pork barrel projects. This one just
11 takes money away. This...this amendment will delete two out
12 of the seven positions, and what was originally the Governor's
13 Traffic Safety Coordinating Committee, it's now part of the
14 Department of Transportation. This will delete two of the
15 seven positions for a total cut of forty-one thousand seven
16 hundred seventy-three dollars in the comprehensive support system
17 program, and transfers seventy percent of the Federal funds...
18 that's seventy percent Federal fundings, rather, to local government
19 projects, and then it deletes twenty-four thousand dollars
20 for forty-eight films to be purchased in the Secretary of State's
21 Office in the film library and transfers seventy percent of
22 those funds to local government projects. The forty-eight films
23 ...they wanted to buy new films because they said the old films
24 were...were old. And that to me didn't seem to be sufficient
25 reason, and so the total cut would be sixty-five thousand seven
26 hundred and seventy-three dollars. It adds forty-seven thousand
27 and forty-one dollars of the Federal funds to local government
28 projects for a net reduction of nineteen thousand seven hundred
29 and thirty-two, and I would move its adoption.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 Discussion? Senator Hynes.

32 SENATOR HYNES:

33 Mr. President, I would rise in support of Senator Buzbee's

1 amendment, but I'd also to like to clarify the record to this
2 extent. I...I agree Senator Buzbee does not have any special
3 projects pending here in the legislature. His are all on the
4 Governor's Desk already.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 Senator Donnewald.

7 SENATOR DONNEWALD:

8 Mr. President, I object to this amendment and would urge
9 a No vote.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 All right. Senator Vadalabene.

12 SENATOR VADALABENE:

13 Yes, I also object to this amendment. Now, Senator Buzbee
14 went over this kind of cute and sort of lackadaisically, but what
15 we're talking about taking away the driver education programs
16 that will teach our students and upgrade the...the driving
17 training in our schools and so forth, I think that's something
18 that should be dealt with and we should oppose this amendment,
19 and not be so casual about it, Senator Buzbee.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Any further discussion? Senator Buzbee may close the debate.

22 SENATOR BUZBEE:

23 Well, I'd like to clarify one thing, Senator Vadalabene.
24 We're not taking money away from driver training programs and
25 went very carefully over this whole...this whole budget and the
26 whole traffic safety thing. I talked to the two gentlemen who
27 are sitting in balcony today, as a matter-of-fact, from the
28 Governor's Traffic Safety Coordinating Committee and they are
29 in agreement that these...these two things that I have offered
30 here can be deleted without hurting them or without hurting
31 driver's traffic safety in anyway, and we have left many, many
32 thousands and, in fact, millions of dollars in to promote traffic
33 safety and promote better driver education programs. The...I

1 want to make...I want to emphasize that two...the two positions
2 we are eliminating are electronic data processing positions. They've
3 got nothing to do with teaching driver education, and the...the
4 films that we are eliminating are films that would be...that
5 would replace present films, so we're not...we're not taking
6 anything way that's going to hurt driver education in anyway
7 whatsoever, because there are already existing films, and I
8 submit that it is a good amendment.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Vadalabene, for what purpose do you arise?

11 SENATOR VADALABENE:

12 Just one thing. There is a home plate, second base,
13 third base and so forth. He didn't clear this with the Secretary
14 of State's Office, and I oppose this amendment.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 All right. Senator Weaver, for what purpose do you arise?

17 SENATOR WEAVER:

18 Thank you, Mr. President, well, I stand in support of
19 this amendment. Basically this will give these monies to local
20 projects, instead of to the Secretary's project. I think it'll
21 be money better spent and I would support Senator Buzbee's amendment.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 All right, Senator Buzbee has moved the adoption of Amend-
24 ment 25 to House Bill 3816. All those in favor...signify by
25 saying Aye. All those opposed. It's the opinion of the Chair
26 the Ayes have it. Roll call has been requested. Those in
27 favor of the adoption of Amendment No. 25 to House Bill 3816 will
28 vote Aye. Those opposed will vote Nay. The voting is open.
29 Have all voted who wish? Take...take the record. On that
30 question, the Ayes are 31, the Nays are 18, none Voting Present.
31 Amendment No. 25 is adopted. Further amendments?

32 SECRETARY:

33 Amendment No. 26 offered by Senator Morris.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. I got a...I just have an idea what this one might...Senator
3. Morris.
4. SENATOR MORRIS:
5. I'm glad that you, Mr. President, helped get the attention
6. for me on this, because I'm sure that this is another...this is
7. a somewhat technical amendment. It's a merely amendment,
8. and I'd urge a positive roll call.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Will you...will you explain the amendment.
11. SENATOR MORRIS:
12. Well, the amendment is very simple. It just changes two
13. line items in the budget. On page 23, line 17, we delete the
14. figure of one hundred twenty-two million five hundred thousand
15. dollars and insert a figure of sixty-one million two hundred
16. and fifty thousand dollars. We cut that in half, because we're
17. trying to be fiscally responsible. You see that...that line
18. item goes to an agency in Chicago which is housed in Reta
19. City which is known as the Regional Transportation Authority,
20. and I just think it's appropriate since we have a money shortage
21. in Illinois this year that we make that sixty-one million
22. dollars that we've cut out available to education, and I'd urge
23. a Yes on the roll call.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Any discussion? Senator Donnewald.
26. SENATOR DONNEWALD:
27. Well, Mr. President, I...of course, I oppose this amendment,
28. and would urge a No vote.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Hynes.
31. SENATOR HYNES:
32. Mr. President, I...I would also point out that if this
33. amendment were to succeed, it does not improve the fiscal posture.

1. of the State, because the money is in a special trust fund
2. and simply stays there and is not available for any other
3. purpose. I think this amendment is irresponsible and I think
4. it ought to be rejected.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further discussion? Senator Morris, do you wish to close
7. the debate?

8. SENATOR MORRIS:

9. Yes, thank you very much, Mr. President. This money comes
10. directly from sales taxes collected in Illinois and it is not
11. necessarily in a special trust fund. The money would, in fact,
12. be available because it comes out of the Illinois General Fund,
13. and I'd urge a Yes vote.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Partee.

16. SENATOR PARTEE:

17. Just ask one question.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. ...Sponsor indicates he will yield.

20. SENATOR PARTEE:

21. You say that it is not necessarily in a special fund, what does
22. that mean?

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Morris.

25. SENATOR MORRIS:

26. Of the money that goes into the RTA subsidy, the one hundred
27. and twenty-two point five million dollars, approximately fifteen
28. point three million of that is from the sale of license plates
29. within the City of Chicago. That is in a special trust fund.
30. The remainder of that is of about what...well, a hundred and
31. three million dollars is from the State sales tax and that is
32. from the Illinois General Fund.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Any further discussion? The question is, the adoption
2. of Amendment 26 to House Bill 3816. All those in favor
3. signify by saying Aye. All those opposed. It's the opinion
4. of the Chair, the Noes have it. Roll call has been requested.
5. On the question before the Body is the adoption of
6. Amendment No. 26 to House Bill 3816. Those in favor of the
7. amendment will vote Aye. Those opposed will vote Nay. The
8. voting is open. Have all voted who wish? Take the record.
9. On that question, the Ayes...on that question, the Ayes are
10. 23, the Nays are 26, none Voting Present. The amendment fails.
11. Senator Morris. Senator Morris has requested...Senator Morris
12. has requested a verification. Will all the Senators please
13. be in their seats. The Secretary...you asked for the negatives,
14. Senator. The Secretary will read the negative votes.
15. SECRETARY:

16. The following voted in the negative: Brady, Buzbee,
17. Carroll, D'Arco, Daley, Donnewald, Dougherty, Egan, Kenneth
18. Hall, Hynes, Knuppel, Kosinski, Lane, Merritt...no, I'm
19. sorry, ...Latherow, Lemke, McCarthy, Netsch, Newhouse,
20. Nudelman, Rock, Savickas, Smith, Soper, Vadalabene, Welsh,
21. and Mr. President.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. He's in his seat. The...the...Senator Knuppel is...is
24. present. Senator Smith is in the back of the Chamber. All
25. right, the roll has been verified. On that question, the Ayes
26. are 23, the Nays are 26, none Voting Present. Amendment No.
27. 26 fails. Further amendments?

28. SECRETARY:

29. Amendment No. ...

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Hold it, Mr. Secretary. Senator Palmer, for what purpose do
32. you arise?

33. SENATOR PALMER:

34. I just want the record to show that I pushed the my No button on
35. that vote and it did not record. I want the record to show that...

PRESIDING OFFICER: (SENATOR ROCK)

1. The record will so show...

2. SENATOR PALMER:

3. ...my vote on that would be No.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. ...The record will so indicate. Senator, check the key.

6. All right, Mr...further amendments, Mr. Secretary?

7. SECRETARY:

8. Amendment No. 27 offered by Senator Bell.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Bell..

11. SENATOR BELL:

12. Okay. Thank you, Mr. President. I have two amendments.

13. Might he identify which...thank you, Mr. President. It's come

14. to my attention that the RTA budget that's being proposed calls for

15. an amount as far as the RTA Board possible approval is concerned of

16. a hundred and fourteen million. Now, if I could have the attention

17. of the Body, please.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. You certainly may. Will the members please be in their seats.

20. We are discussing Amendment No. 27 which again concerns itself with

21. the Regional Transportation Authority. While I have the attention of

22. the membership, the Speaker of the House has requested permission

23. for his photographer to take a couple of still pictures. Is leave

24. granted? Well, he has to show the other side of the rotunda. All

25. right, Senator Bell.

26. SENATOR BELL:

27. What I'm saying members of the Senate is, that there is, in fact,

28. a 8.5 million dollar difference between what we are attempting to

29. provide here in the Department of Transportation budget in reference

30. to this item, and to what the RTA Board is, in fact, itself con-

31. sidering. I would think that in these austere time, the Illinois,

32. economy, and the job that we're about, that we should then, in fact,

33. adopt a hundred and fourteen million in this DOT budget to bring it in

34. line. I ask for approval of the amendment.

35. PRESIDING OFFICER: (SENATOR ROCK)

133816
-25-76
memor 27-28-29

1. Any discussion? Senator Schaffer.
2. SENATOR SCHAFFER:
3. Senator Bell, a question. Do you mean to tell me that
4. the State after all the cries of fiscal crisis we have heard
5. is actually appropriating eight million dollars more than they're
6. putting in their budget and requesting for the RTA?
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Bell.
9. SENATOR BELL:
10. Yes.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Mitchler.
13. SENATOR MITCHLER:
14. You...you know I heard...I think I heard right in this
15. ear what Senator Bell said the first time, and then I think I heard
16. it again in this ear, but I'd like to hear it again in both ears.
17. You mean to tell me, Senator Bell, that the RTA Board is appropriating
18. a hundred and fourteen million in their budget for this next year,
19. but the State is going to fund them a hundred and twenty-two
20. point five million? You mean we're going to give them more than
21. they actually got in their budget? Is that what I hear?
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Bell.
24. SENATOR BELL:
25. Right.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Any further discussion? Senator Hynes.
28. SENATOR HYNES:
29. Mr. ...Mr. President, that is what he heard, but it was
30. incorrect. The fact is that this money is appropriated from the
31. special public transit fund which is fed by the share of the
32. sales tax and the license plate fees, and this is the estimate
33. by the Bureau of Budget of...of the amount of the money that will

H 13 3816
6-25-76
Amended 27-28-29

1. be collected in the coming year, and therefore, we appropriated
2. from that fund. If, in fact, the collections are less, that
3. money will not be in the fund, and then there will...it...it
4. simply cannot be distributed. This is the best estimate though
5. of the Bureau of the Budget and the Department of Revenue and
6. the Department of Transportation as to what the...what the avail-
7. able resources will be, and that is what we should be appropriating.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Further discussion? Senator Mitchler.

10. SENATOR MITCHLER:

11. Thank you very much, Senator Hynes, for that clarification,
12. but I'm a little confused here. There's a fifteen million
13. dollars that is appropriated into a special fund that comes
14. directly from the City of Chicago based on the license plate
15. collections...the revenue from license plate. Is that not correct?
16. Clarify that for me, first.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Hynes.

19. SENATOR HYNES:

20. There is a special trust fund established, and the money
21. to fund that public transportation trust fund comes from the
22. share of the license plate revenues in the City of Chicago and
23. from three thirty seconds of the...of the sales tax collected in the six
24. county area, and whatever that amount happens to be is auto-
25. matically transferred into this trust fund, and from that trust
26. fund distributed.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. All right. Now, I...I can understand where the fifteen
31. million from the license plates in the City of Chicago. Now,
32. clarify for me and the other Senators, some of them have asked
33. me on this question also, the two thirty seconds of the sales

H 13 38 16
6-25-76
Amend 17-25-29

1. tax generated in the six county RTA area goes into the General
2. Revenue Fund? Now, is that automatically transferred into this
3. trust fund or does that have to be appropriated out of the
4. General Revenue Fund by the Illinois General Assembly, approved
5. by the Governor, then it is transferred into that fund? Now, please
6. clarify that for me.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Hynes.

9. SENATOR HYNES:

10. It is simply transferred pursuant to the the statute
11. by the Governor into this fund. Just as it is done with the
12. Common School Fund. We appropriate so much money in the Common
13. School Fund and the Governor is, by law, directed to transfer money
14. in.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Well, then we have no control over the funding into that
19. special fund from the license plate collection in the City of
20. Chicago and from the two thirty seconds of the sales tax
21. generated in the six county area. That goes in automatically.
22. The General Assembly has no control over that money, is that
23. correct?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Hynes.

26. SENATOR HYNES:

27. We have control to the extent that we can change the law
28. if that's the desire, and that would take a substantive bill to
29. do it, or the money can simply be left there without ever being
30. spent if there is not an appropriation such as we are attempting
31. to pass here from that fund.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Mitchler, your time is well run. Senator Mitchler.

1. SENATOR MITCHLER:

2. ...important this is a hundred and twenty-two point five
3. million dollars. Now, Senator Hynes, what if, in fact, we did
4. not appropriate the hundred and twenty-two point five million
5. dollars as contained in the DOT budget? What if we did adopt
6. Amendment No. 27 to House Bill 3816 in the amount of a hundred
7. and fourteen million? What...would we be violating the Constitu-
8. tion of the State or...or something? What would happen?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Hynes.

11. SENATOR HYNES:

12. No, the...the Constitution of...of the State would...does
13. not speak to the issue. If we do not appropriate the money,
14. then the money simply sits in this permanent trust fund. It
15. is not available for other purposes. It simply sits in the
16. trust fund, and this is an estimate of what will be in that
17. trust fund during the coming fiscal year.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Nimrod. All right, Senator Mitchler, and your
20. time has run now twice. He's answered the same question three
21. ...

22. SENATOR MITCHLER:

23. And I...

24. PRESIDING OFFICER: (SENATOR ROCK)

25. ...times.

26. SENATOR MITCHLER:

27. ...I appreciate very much, Mr. President. Well, then if
28. this would remain in the fund, and there would be no problem
29. there, I don't think that we should appropriate...appropriate
30. out of any fund more than the agency is requesting, and they
31. have a hundred and fourteen million dollars in their budget,
32. and I've heard that repeated several times, and I think that's
33. all we ought to appropriate to them. Why should we give them

HB 3816
6-25-76
amend 27-28-29

1. millions of dollars more than they actually have in
2. their budget? The cost of government always rises to meet
3. whatever tax funds are available, and that applies to the RTA
4. as well as anybody else.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Nimrod.

7. SENATOR NIMROD:

8. All right. Yes, I guess the light is burned out. Yes,
9. Mr. President, I am a supporter of the RTA Act. I voted for it,
10. and I certainly worked to bring in the amendments, but it
11. disturbs me...at first I thought this amendment was another
12. one that was just anti, but I want to tell you, there's seems
13. to be some merit to this amendment, and the reason I mention
14. that is this. Here is an agency that's asking for a hundred and
15. fourteen million and we're appropriating more money so that
16. they'll not come back for any supplemental from release
17. from that area, and we won't have any knowledge or what their needs
18. are for. If we did this with every department, we would have
19. a budget that...what's wrong with having a surplus in that fund
20. there use that money for next year? We should not be appropriating more
21. money than what an agency is asking for unless we have some
22. justification for it, so my question is, is what is the justifi-
23. cation for offering the giving the RTA more money than what they're
24. asking for? And the second part of my question is, what is
25. wrong with leaving the surplus if the revenue is going to be there
26. in that fund? And Senator Hynes, I guess has been answering the
27. question, and maybe he's the one I should direct this to.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Hynes.

30. SENATOR HYNES:

31. Well, the...first of all, the budget of the RTA is not finalized.
32. Secondly, the needs of the RTA in terms of the requests for
33. funding of various projects so far outstrip the available revenues

HB 3816
6-25-76
Amended 27-28-29

1. that this and substantially more could be put to very, very good
2. use. I think that the problem we're facing is that we're dealing
3. with an estimate of available revenue, and that is what is
4. included in the bill, the...the revenue that will be available
5. insofar as the Bureau of the Budget and the other departments
6. are...are able to determine, and that is what the statute calls
7. for as the contribution to the funding of this Authority and
8. that's what we ought to be appropriating.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Nimrod.

11. SENATOR NIMROD:

12. Yes, Senator Hynes and those members who support the
13. RTA, I think we do our cause a disservice if we are going to be
14. as frivolous and take this kind of a stand that really there is
15. no justification for...appropriating this money. We should
16. appropriate what they've asked for, that what we know what they're
17. going to use it for. If they need more for an appropriation,
18. they ought to come back and tell us what it's for, that's the
19. normal process. I think we do ourselves and the cause a disservice
20. and we certainly give more cause for those who oppose the RTA
21. to point a shameful figure. I would hope that we would then
22. adjust this figure to do...to provide that money for which they've
23. requested in their budget.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Palmer.

26. SENATOR PALMER:

27. Senator Soper has given me leave to move for the previous
28. question.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Palmer has moved the previous question. All those
31. in favor signify by saying Aye. All those opposed. The Ayes
32. have it. Senator Bell may close the debate.

33. SENATOR BELL:

HB 3816
-25-76
march 27-28-29

1. Yes, thank you, Mr. President. This issue of the RTA
2. has been one that's been tearing this particular General Assembly
3. apart for quite a period of time. It's obvious that amendments
4. that are destructive or seek to meaningfully...let's put it that
5. way...seek to meaningfully address the problems of the collar
6. counties are not going to be handled by this Body or possibly
7. the House in a manner that's meaningful to the collar counties.
8. So with that in mind, I try to take a constructive approach
9. as I always have before this Body in reference to the people of
10. my district in reference to this question. Consequently, I
11. sought only by this amendment to bring our funding in line
12. with what the RTA budget is, in fact, calling for. It saves
13. the State 8.5 million dollars. I think that is the merit of
14. the amendment. I ask for the adoption.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Question is, the adoption of Amendment 27 to House Bill
17. 3816. All those in favor signify by saying Aye. All those
18. opposed. It's the opinion of the Chair, the Noes have it. The
19. amendment...roll call has been requested. Question on roll
20. call before the Body is the adoption of Amendment No. 27 to
21. House Bill 3816. Those in favor of this amendment will vote
22. Aye. Those opposed will vote Nay. The voting is open. Have
23. all voted who wish? Take the record. On that question, the
24. Ayes are 21, the Nays are 29, none Voting Present. Amendment
25. No. 27 fails. Further amendments?

26. SECRETARY:

27. Amendment No. 28 offered by Senator Bell.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Bell.

30. SENATOR BELL:

31. Thank you, Mr. President, I think I detected a note of
32. reticence in your recognition. Again, this is one of my better
33. amendments, seeking to be constructive. I note that the hundred

H B 3576
6-25-76
Amend 27-28-29

1. and twenty-two point five million that we're talking about
2. here and to my knowledge, has not had the Governor's call for
3. six percent reduction. I think it ought to apply here as to
4. everywhere else. It brings it down to a hundred and fifteen
5. million one hundred and fifty thousand. I ask for its adoption.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any discussion? Senator Hynes.

8. SENATOR HYNES:

9. I just simply voice the same objection as to the previous
10. amendments.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. All right. The question before the Body is the adoption
13. of...of Amendment No. 28 to House Bill 3816. All those in
14. favor signify by saying Aye. All those opposed. The opinion
15. of the Chair, the Noes have it. Roll call has been requested.
16. Those in favor of Amendment No. 28 to House Bill 3816 will
17. vote Aye. Those opposed will vote Nay. The voting is open.
18. Have all voted who wish? Take the record. On that question,
19. the Ayes are 23, the Noes are 29, none Voting Present. Amendment
20. No. 28 fails. Further amendments?

21. SECRETARY:

22. Amendment No. 29 offered by Senators Harris and Schaffer.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Harris.

25. SENATOR HARRIS:

26. Thank you, Mr. President. We have calculated and these
27. figures come from the Bureau of the Budget that there will be
28. deposited in the General Revenue Fund from this three thirty
29. seconds allocation some eighty-eight million, seven hundred eighty-one
30. million dollars during Fiscal '77. Now, I hope that the member-
31. ship will give me some attention here, because I'm deadly serious
32. about this and I know that those of you on the other side of the
33. aisle know that I'm an advocate of the RTA. There will not be

1. a billion two hundred sixty million for the common schools as
2. a result of the failure of the tax acceleration bills. And we
3. calculate that that means that there is approximately 87.7
4. percent available for full funding of the formula for the common
5. schools, and if anything makes sense, Ladies and Gentlemen of
6. the Senate, it seems to me that we ought to fund mass transit
7. with respect to the General Revenue Fund to that same 87.7
8. percent level. And I think this is honestly a responsible
9. amendment. It sets aside the fifteen million three hundred
10. thousand derived from the revenues anticipated for Fiscal '77
11. from the sale of license fees in Chicago, and it sets aside
12. the five million that local governments contribute to this
13. purpose, but it does apply the 87.7 factor...percentage factor
14. against the yield from the General Revenue Fund and treats
15. the State's commitment to mass transportation at an equitable
16. level that we are committing to the common schools. Now, really
17. this makes sense when you add fifteen million three hundred
18. thousand and the five million from those localized identified
19. sources and apply the 87.7 percent percentage factor against
20. the yield from the six county area of the sales tax factor, you
21. produce a total figure of ninety-eight million one hundred
22. sixty thousand nine hundred thirty-seven dollars, and so, in
23. effect, we are saying, Ladies and Gentlemen, we recognize the
24. importance of this public responsibility just like we recognize
25. the importance of the public responsibility of funding the
26. common schools and we'll treat them both the same, and I urge
27. you on the other side of the aisle to join me in the adoption
28. of this sensible amendment, and it's responsible as well, and
29. it's consistent with what we're doing for the common schools.
30. Thank you, Mr. President. I move the adoption of Amendment No. 29.
31. PRESIDING OFFICER: (SENATOR ROCK)

32. Yes, I would just point out for the benefit of the member-
33. ship, the young man up in the gallery taking pictures is he who

HB 3816
6-25-76
Amended 27-2 P-29

1. was sent over by the Speaker. Senator Hynes.

2. SENATOR HYNES:

3. Mr. President, I...I rise in opposition to this amendment.
4. It...it differs from the preceding amendment only in the sense
5. that the sponsor has offered an alterative rationale. I think
6. that the RTA has been established by this Legislative Body with
7. a permanent source of funding which was carefully thought out and
8. the Statutes require the transfers in question into the special
9. fund and I think that we ought to follow what is required,
10. and I would urge the defeat of this amendment.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. I feel called upon to comment that in the weeks to come
15. we're going home and we're going to explain to the boards of
16. education and teachers who are being laid off, and our con-
17. stituency in general why we weren't able to fund the school
18. aid formula, and I think we can honestly say the impact of
19. Public Aid certainly was part of it, but I think we also
20. honestly have to say that the assumption by the State of the
21. RTA and that annual burden certainly was a major contributing
22. factor to the problems of the State's finances. I think we
23. all go back to our districts...at least as I read the local
24. papers or the papers through our press summary, I hear all of
25. us making pious pronouncements about making education our
26. first priority, the children and the little people. This amendment is
27. rational and it says that the RTA, which I note with interest
28. pays its chairman...was it eighty-two or seventy-two thousand
29. dollars a year...shall be funded at the same level as the little
30. people and the children that we hear so much pious talk about.
31. I think it's fair, I think it's rational, I think it's in the
32. best interest of this entire State, and I will be interested to
33. see how anyone from the outside the six county area can rationalize a

1. vote to fund the CTA...oops, I meant the RTA...I guess I
2. really meant the CTA...at a hundred and ten percent level and
3. at the same time not fund the School-aid Formula. I suggest
4. to you that from downstate that you figure out a good answer
5. to explain to those teachers who've been laid off why you
6. chose to pour more money into the CTA...oops, RTA than they
7. even asked for.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Further discussion? Senator Carroll.

10. SENATOR CARROLL:

11. Just to remind the last speaker that when he had the option of
12. voting for the opt out, he didn't do it.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Morris.

15. SENATOR MORRIS:

16. Thank you, Mr. President. I rise in support of this
17. amendment. This amendment really gets at the heart of what
18. the issue is on the RTA. Anybody who is in the collar counties or...
19. in fact, in Illinois I believe that just about every school
20. district in Illinois in this past year was required to lay off
21. teachers with the exception of one, and I think that this gets
22. down to where we're setting our priorities at a similar level.
23. I don't think we're penalizing the RTA here, and we are not
24. penalizing the schools in Illinois. We are saying, by this
25. amendment, that the fact of the matter is, we don't have as much
26. money as we would like to give everyone so that this amendment is
27. a way of addressing that situation so that we can treat all of
28. the people in the State of Illinois on an equal basis, and I
29. think a positive roll call on this would be a good vote.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Any further discussion? Senator Harris, do you wish to
32. close?

33. SENATOR HARRIS:

HB 3816
6-25-76
Amend 27-28-29

1. Yes, I think it's all been said. I will just respond by say-
2. ing that this will treat two important responsibilities equally.
3. It will make available for us some ten million nine hundred
4. twenty-one thousand dollars that we, in fact, can utilize
5. differently for some other important purpose, perhaps education,
6. perhaps some other equally important need that isn't being
7. adequately responded to. Everyone of you know that this
8. amendment makes sense. Won't you join me in being consistent
9. with two of our tremendously important responsibilities.

10. I move for the adoption of Amendment No. 29.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Harris has moved the adoption of Amendment No.
13. 29 to House Bill 3816. All those in favor signify by saying
14. Aye. All those opposed. The opinion of the Chair, the Noes
15. have it. The amendment...roll call has been requested. Those
16. in favor of the...Senator Harris' motion to adopt Amendment No.
17. 29 to House Bill 3816 will vote Aye. Those opposed will vote
18. Nay. The voting is open. Have all voted who wish? Take
19. the record. On that question, the Ayes are 29, the Nays are
20. 26, none Voting Present...wait...I just want to announce
21. it. Amendment No. 29 is adopted. Senator Harris, for what
22. purpose do you arise?

23. SENATOR HARRIS:

24. Having voted on the prevailing side...

25. PRESIDING OFFICER: (SENATOR ROCK)

26. All right.

27. SENATOR HARRIS:

28. ...I move to reconsider the vote by which that motion carried.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. The...Senator has...Senator, that motion will be honored.

31. There has been a request for a verification. Senator Donnewald
32. has requested a verification of the affirmative votes. Will the
33. members please be in their seats. Senator Donnewald has requested

1. a verification. The Secretary will read the affirmative votes.

2. SECRETARY:

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

4. Bell, Berning, Bloom, Bruce, Clarke, Davidson, Fawell, Glass,
5. Graham, Harber Hall, Harris, Hickey, Joyce, Latherow, Merritt,
6. Mitchler, Howard Mohr, Don Moore, Morris, Nimrod, Ozinga,
7. Philip, Regner, Roe, Schaffer, Shapiro, Sommer, Weaver, and
8. Wooten.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. The roll has been verified. The Ayes are 29, the Nays
11. are 26, none Voting Present. Amendment No. 29 is adopted.

12. Further amendments? Oh, I beg your pardon. Senator Harris.

13. SENATOR HARRIS:

14. Having voted on the...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Harris moves...

17. SENATOR HARRIS:

18. ...prevailing side of a verified roll call, I move to
19. reconsider the vote by which the motion carried.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. ...Senator Harris...Senator Harris moved...moves to re-
22. consider the vote by which Amendment No. 29 was adopted. Senator
23. Mitchler moves to Table that motion. All those in favor signify
24. by saying Aye. All those opposed. The Ayes have it. The
25. motion is Tabled. Further amendments?

26. SECRETARY:

27. Amendment No. 30 offered by Senator Berning.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Berning.

30. SENATOR BERNING:

31. Thank you, Mr. President. This is a very small amendment
32. affecting my Village of Deerfield. Right through the middle of
33. Deerfield runs State Route 43 which for the past three years the

1183816
1/25/76

1. Division of Highways has assured me was to be improved with
2. an overlay. It is the most miserable, rough, rocky, hobly road
3. in the...and I mean h-o-l-e road, in the whole northeast section.
4. I'd like to have approval of this amendment to require an
5. overlay on Route 43 for a distance of about four miles, Mr. President.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any discussion? All right, Senator Berning has moved the
8. adoption of Amendment No. 30 to House Bill 3816. All those in
9. favor signify by saying Aye. All those opposed. The Ayes have
10. it. The amendment is adopted. Further amendments?

11. SECRETARY:

12. Amendment No. 31 offered by Senator Bloom.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Bloom.

15. SENATOR BLOOM:

16. Thank you very much, Mr. President. This amendment would
17. add four hundred thousand to the Department of Aeronautics.
18. Presently, there are three helicopters located in Elgin, Spring-
19. field and Carbondale. This is for emergency medical services.
20. Now, the 8th of June a series of incidents happened that could
21. of have just been disastrous for the people involved. A little
22. girl over in Pontiac was playing with a friend and she was
23. attacked by dog. Her face was mangled. Her right eyelid was
24. ripped and it was necessary to get plastic surgery. The plastic
25. surgeon in Peoria wasn't available. Luckily, the DOT helicopter
26. was available to come up and fly this little girl down. There
27. are...there was also a premature baby that had to flown to Springfield
28. on the 12th of June. Now, the problem here is there are these
29. helicopters. One of them is down at any given time. Now, the
30. response time when all three are operational is about one and
31. a half hours, but it doubles when say - one of those three helicopters
32. is down, so I'd appreciate a favorable roll call.

33. PRESIDING OFFICER: (SENATOR ROCK)

1 B 3816
1/25/76

1. Is there any discussion? Senator Bloom has moved the
2. adoption of Amendment No. 31 to House Bill 3816. All those
3. in favor signify by saying Aye. All those opposed. The Ayes
4. have it. The amendment is adopted. Further amendments?

5. SECRETARY:

6. Amendment...Amendment No. 32 offered by Senator Donnewald.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Donnewald.

9. SENATOR DONNEWALD:

10. Yes, Mr. President, this is the...this change...this
11. Amendment No. 32 restores the request to the...the amount originally
12. introduced in the bill, and the formal contracts appropriation
13. of central division of highways for maintenance, traffic contracts
14. for expressway lighting, guardrail maintenance, city...city
15. maintenance agreements(machine cut off)

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Discussion? Senator Donnewald has moved the adoption of
18. Amendment No. 32 to House Bill 3816. All those in favor signify
19. by saying Aye. All those opposed. The Ayes have it. The
20. amendment is adopted. Further amendments?

21. SECRETARY:

22. Amendment No. 33 offered by Senator Donnewald.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Donnewald.

25. SENATOR DONNEWALD:

26. ...Yes, Mr. President, this amendment restores a portion
27. of the personal services retirement and social security line
28. item appropriations that were reduced by the amendment from the
29. original budget request and it restores a total of one million
30. two hundred and three thousand for a total of one million seven
31. hundred eleven six hundred for these line items. I would appreciate
32. a favorable...I would appreciate that the amendment be adopted. I
33. move its adoption.

HB 3816
6/25/76

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Donnewald has moved the adoption of Amendment No.
3. 33. Is there any discussion? Senator Hynes.
4. SENATOR HYNES:
5. Mr. President, I would object to this amendment and oppose
6. it. I think that with a budget this size, the Department of
7. Transportation is well able to get along with the amount in the
8. bill as it came out of the committee. This was considered by
9. the committee. I simply think the restoration is unnecessary
10. and I'd ask for a roll call on the amendment.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Any further discussion? Senator Donnewald has moved the
13. adoption of Amendment No. 33 to House Bill 3816. Those in favor
14. of adoption will vote Aye...I beg your pardon, Senator Harris,
15. for what purpose do you arise?
16. SENATOR HARRIS:
17. Well, I...I just want to join Senator Donnewald in the
18. adoption of these...of this excellent amendment. This is the one
19. that restores the money for...what it is it, a total of about
20. four hundred some thousand dollars, Senator Donnewald?
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Donnewald.
23. SENATOR DONNEWALD:
24. Yes, a little over nine hundred thousand, Senator.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Harris.
27. SENATOR HARRIS:
28. I do know that these programs are excellent and I would hope
29. the members of this side of aisle would join.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Question is, on the adoption of the amendment of House...
32. Amendment No. 33 to House Bill 38...Senator Hynes.
33. SENATOR HYNES:

103816
1/25/76

1. I wonder if the sponsor might hold up this amendment. I
2. think we might get together with Senator Harris and Senator
3. Morris and some of the others and use this money and perhaps
4. another forty or fifty maybe a hundred million dollars in
5. there for some of these unnecessary road projects and put that into
6. the Common School Fund. Would that...would that be acceptable?
7. Senator Harris, would you want to get together and work that out?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Harris.

10. SENATOR HARRIS:

11. I'm willing to get together and work things out anytime,
12. Senator Hynes.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Hynes.

15. SENATOR HYNES:

16. Well, Senator Donnewald, I...you'll hold the amendment?
17. No, he...I see. You want...you want to get together and work
18. it out after the amendment has been adopted, Senator.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Further discussion? Now, everybody is way out of order
21. here. Senator Donnewald has closed the debate. Senator Buzbee,
22. for what purpose do you arise?

23. SENATOR BUZBEE:

24. I'm sorry. I...I just wanted to know what the money was
25. being spent for. I'd...I missed that part. I'm...

26. SENATOR HYNES:

27. Jobs.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any further discussion?

30. SENATOR HYNES:

31. Jobs...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Question is, the adoption of Amendment No. 33 to House Bill

3816
1/25/76

1. 3816? Those in favor of the amendment will vote Aye. Those
2. opposed will vote Nay. The voting is open. Have all voted
3. who wish? Take the record. On that question, the Ayes are 27,
4. the Nays are 23, 1 Voting Present. Amendment No. 33 is adopted.
5. Further amendments? Senator Hynes, for what purpose do you
6. arise?

7. SENATOR HYNES:

8. Well, Mr. President, I...I neglected to...I just want to
9. point out to the membership that by the adoption of this last
10. amendment, we have now enabled the Department of Transportation
11. to continue funding the consumer advocate and a number of other
12. important road related agencies, and I think that it's a commendable
13. step forward we've taken.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Donnewald.

20. SENATOR DONNEWALD:

21. Yes, Mr. President, there was Amendment 21 which I
22. voted on the prevailing side, and I move you now, having voted
23. on the prevailing side for the defeat of Amendment No. 1 I move
24. to vote by which that failed be reconsidered. It's for a road
25. in Warsaw.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. You're...moving to reconsider...

28. SENATOR DONNEWALD:

29. Wyoming, I mean.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. ...moving to reconsider the vote by which Amendment No. 21
32. failed or was adopted? By which it failed. Senator Donnewald
33. moves to reconsider the vote by which Amendment 21 lost.

H B 3876
6/25/76
H B 3377
6/25/76

1. All those in favor signify by saying Aye. All those opposed.
2. The Ayes have it. The vote is reconsidered. The question now
3. is the adoption of Amendment No. 21 to House Bill 3816. All
4. those in favor signify by saying Aye. All those opposed. The
5. Ayes have it. The amendment is adopted. Further amendments?
6. Do you want a roll call on the adoption of Amendment 21?
7. Any further amendments? 3rd...
8. SECRETARY:
9. No further amendments.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. ...3rd reading. On the order of House Bills on 2nd reading,
12. pursuant to leave heretofore granted, we will go to the order
13. of House Bill 3377, Senator Joyce. ...Senator Joyce. Senator Joyce
14. 3377. He's going to read the bill. On the order of House Bills
15. 2nd reading is House Bill 3377. Read the bill, Mr. Secretary.
16. SECRETARY:
17. House Bill 3377.
18. (Secretary reads title of bill)
19. 2nd reading of the bill. The Committee on Appropriations offers
20. seven amendments.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Hynes, will you present the committee amendments
23. or who is going? All right, proceed, Mr. Secretary.
24. SECRETARY:
25. Committee Amendment No. 1.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Hynes.
28. SENATOR HYNES:
29. Mr. ... Mr. President, I...I would like to make a brief
30. statement with respect to all of these amendments, if I might
31. at this point.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. You are in order.

B 3377
12/2/76

1. SENATOR HYNES:

2. The...the Committee on Appropriations adopted a number of
3. amendments affecting the Department of Mental Health's annual
4. appropriation. There has been since the adoption of those
5. amendments continuing and extensive discussion among members
6. of the committee and others with respect to whether, in fact,
7. we were accurate in our original analysis. There is some
8. feeling that...that there may be areas which we have overex-
9. tended the reduction, particularly with respect to the new
10. institutions, but at this point, we are not prepared to...
11. in...to conclude exactly to what extent that might be, and
12. it is my judgement in view of the time in the Session at which
13. we find ourselves in the Session and the problems that are
14. inherent in dealing with a bill of this size, that we ought
15. to move forward with the amendments. The bill is going to
16. go into a Conference Committee without any shadow of a doubt,
17. and that those problems ought to be resolved in the Conference
18. Committee, so with that preface, I will move the adoption of
19. Amendment No. 1 which eliminates the...the Federal Funds
20. clause allowing unlimited expenditure of funds and adds the
21. fifty percent Partee amendment, and I would move the adoption
22. of Amendment No. 1.

23.
24. (continued on next page)

25.
26.
27.
28.
29.
30.
31.
32.
33.

AB 3571
Amendment
H.S.
6/25/76

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Hynes has moved the adoption of Amendment No.1
3. to House Bill 3377. Any discussion? All those in favor signify
4. by saying Aye. All those opposed. The Ayes have it. The
5. amendment is adopted. Further amendments?

6. SECRETARY:

7. Committee Amendment No. 2.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Regner. Committee Amendment No. 2.

10. SENATOR REGNER:

11. Yes, Mr. President and members of the Senate. What this amendment
12. does, it's a reduction of seven and a half million dollars and
13. it reflects the amount of money that was in this budget
14. for the Collective Bargaining agreement reached last year under
15. the Governor's Executive Order Six, we've done this on each
16. and every other department that had monies in for Collective
17. Bargaining and I'd move the adoption of Amendment No. 2.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Regner has moved the adoption of Amendment No. 2.
20. I would ask the members' attention. Any discussion? Senator
21. Joyce.

22. SENATOR JOYCE:

23. Yes, Mr. President and members of the Body. I would resist
24. this amendment. It is 7.6 million dollars. It...if the department
25. were to spread this over the entire Fiscal Year, it could possibly
26. mean a...a loss of seventeen hundred and twenty-four positions,
27. or eight hundred and sixty-two would have to be dropped if it
28. is done by July 1st, and I think that this is the...the people
29. that are doing the...the job of taking care of our mentally
30. ill and handicapped, they're the...doing the job that is the
31. ...the hard and not nice job of taking care of the people
32. in the State of Illinois who are not so fortunate as us and with
33. that I would just like to have everyone resist this amendment
34. and it is...there has been a...some thought that...of the legality

1. of it and, you know, we have contracts with Teamsters,
2. Meat Cutters and other unions in the State of Illinois and
3. I think we should honor this contract as well.

4. PRESIDENT:

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Thank you, Mr. President. We started this particular
8. fight, of course, several weeks ago when the Department of
9. Children and Family Services' Annual appropriation bill was
10. in before us. That was one of the departments that...one of
11. the three departments along with Mental Health and Corrections
12. that signed the AFSCME Collective Bargaining agreements that
13. worked them out with the...with the Governor's Office. I know
14. everybody has philosophical differences as to whether they
15. believe in the right of public employees to bargain collectively
16. or not, that really isn't the question here. It's my
17. understanding from different attorneys that there absolutely
18. is no question as to the legality of the Governor's decision
19. to issue that Executive Order that, in fact, he did do what
20. was in...within the purview of the law, that he could issue
21. an Executive Order saying that you can collectively bargain.
22. But, we're...some of us, myself in particular, had problems...
23. was the fact that we agree up to that point with what the
24. Governor did, but what our problem was that he went ahead and
25. signed a collective bargaining agreement that had a fiscal
26. impact in the middle of the Fiscal Year, last year that is,
27. giving pay raises effective 1, December last year where there
28. was no money appropriated by this Legislature, and that, I think,
29. was an illegal act. The fact of the matter is that has already
30. been done, the various departments, including Mental Health
31. had to eat those pay raises by simply not filling vacant positions.
32. That's the only thing they could do because they only had so
33. much money, or they could have come back to us for a supplemental

1. and I think they realized that we weren't...would be in
2. no mood to give a supplemental for an unauthorized pay
3. increase in that case. However, we did, just a couple of
4. weeks ago in this Chamber, vote for a supplemental for a pay
5. increase, but it happened to be with a different department
6. and with a different union, and that is the Department
7. of Transportation and their collective bargaining agreement
8. with the Teamsters. The reason that they were going to lay
9. those folks off for the last three weeks of the Fiscal Year
10. was there simply was no money there to pay for the pay increase.
11. And so we got muddled and had to come in and vote a supplemental
12. appropriation for that pay increase. Now, I submit to you
13. again, I don't see the difference if we have expressed our
14. legislative intent by voting a supplemental for the Department
15. of Transportation to pay for a pay increase for Teamsters
16. in...in the Teamsters' Union, what is the difference in our
17. supporting a collective bargaining agreement with AFSCME
18. for the Department of Mental Health, the Department of Corrections and
19. the Department of Children and Family Services. Now, we're
20. not getting at what you want to get at by cutting this seven
21. and some odd million dollars. What you're going to do is get
22. people fired. And you're going to stop providing services
23. that are currently being provided. So, I submit to you that you
24. better think what you're doing here with this seven and some
25. odd million dollar cut. We're going to lose, as Senator Joyce
26. said, some eight hundred employees in the Department of Mental
27. Health. Now, sometime down the road, maybe that's the way
28. to go. But, right now there's no way that the Department can
29. take care of their patients if we make this move. I think
30. that eventually we're going to end up...all of these three bills
31. will end up in conference committees because I don't believe
32. the House is going to go along with us on this action, I don't
33. know.

1. PRESIDENT:

2. Time has expired, Senator.

3. SENATOR BUZBEE:

4. Thank you, Mr. President, I'll conclude. But, I just
5. submit that you better think long and hard. You are affecting
6. jobs, but more than that you are affecting mentally ill
7. people that are wards of the State.

8. PRESIDENT:

9. Senator Demuzio.

10. SENATOR DEMUZIO:

11. Well, thank you, Mr. President and members of the Senate.
12. I just want to rise in opposition to this amendment as well.
13. I think most of us that are on the Commission to Visit and
14. Examine State Institutions and Nursing Homes certainly
15. realize that the staffing pattern of most of the mental health
16. institutions throughout Illinois is less than what it
17. ought to be. As a matter-of-fact, as Senator Buzbee and Senator
18. Joyce have just concluded, the layoffs of the eight hundred
19. or so employees, or seventeen hundred employees, you know and
20. I know that it's not going to be the professional staff that
21. are...that are laid off. It's going to be the mental health
22. technicians, and those that are providing the direct services
23. to the mental health patients at our institutions. This
24. is a very important amendment, and it goes beyond that of the
25. collective bargaining agreement. Yes, we did establish
26. a precedent in the Department of Transportation, three million
27. dollars here about two or three weeks ago, but I'm more concerned about
28. the patients at our mental institutions, and to cut that many
29. direct care patient staff out, it just really unconscionable.

30. PRESIDENT:

31. Senator Weaver.

32. SENATOR WEAVER:

33. Thank you, Mr. President. I rise in support of this amendment.

1. The Appropriation Committee has worked long and hard reviewing
2. every budget. If we take Senator Buzbee's premise, we could
3. have been out of here thirty days ago. We could have come down
4. here and rubber stamped the Governor's Budget and made no
5. input, no judgement, just rubber stamped the budget. But the only
6. problem is, the Governor didn't propose any tax increases to
7. go along with these wage increases. We're setting up two categories
8. of State employees by giving one set of employees nine or
9. ten percent increase in wages, other employees, a two or
10. three percent increase. I think it's up to us to make these
11. judgements as long as we're elected to represent people in our
12. district and the people of the State of Illinois. It's our
13. responsibility to raise taxes, to support these pay increases.
14. If we don't have guts enough to that, we better have guts
15. enough to vote for this amendment, and I would support
16. it.

17. PRESIDENT:

18. Senator Nimrod.

19. SENATOR NIMROD:

20. Yes, Mr. President and fellow Senators. I know we are all
21. concerned about the services that we provide through Department
22. of Mental Health and I would like to ask Senator Regner,
23. who is the sponsor, one question. Would he yield?

24. PRESIDENT:

25. He indicates he'll yield.

26. SENATOR NIMROD:

27. Senator Regner, we've heard about the possible layoffs
28. of the hundreds of people to be laid off, but I want to put the question
29. to you in this manner, if those pay raises are not given, will
30. any employees have to be laid off?

31. PRESIDENT:

32. Senator Regner.

33. SENATOR REGNER:

1. As I stated answering a similar question on the two
2. other departments that we have already taken this action on,
3. Senator Nimrod, they are subject to renegotiation. The contract
4. is open again.

5. PRESIDENT:

6. Senator Nimrod.

7. SENATOR NIMROD:

8. Thank you, Senator. Then I think that pretty well explains
9. the fact that the necessity of any layoffs could be prevented
10. and I do think that we have set a policy in this Chamber.
11. We ought to support this amendment.

12. PRESIDENT:

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. Mr. President and members of the Senate. I think we ought
16. to take heed of what is happening as a result of Executive
17. Order No. Six as it pertains to the collective bargaining
18. for wage increases in a time in the middle of a Fiscal
19. Year. Now, if you're going to allow organized labor to meet
20. with public employees in the middle of a Fiscal Year and
21. grant increases in salaries that causes the money appropriated
22. by the General Assembly to run out before the end of the Fiscal
23. Year, thereby requiring the department or agency to lay off
24. some of its employees to pay some of those they keep a higher
25. wage. You are entering into a very, very serious precedent,
26. because you will be down here and be forced to rubber stamp
27. the collective bargaining agreements as regards to public
28. employee wages. Now, once you do this, you are condoning
29. a wrong act because you are being forced with a gun at your
30. head to come and appropriate more money, and the only
31. way that you can appropriate more money is to increase taxes
32. to take it away from the taxpayers.

33. PRESIDENT:

34. Time has expired, Senator. You will please conclude your

1. remarks.

2. SENATOR MITCHLER:

3. So I'll conclude. What you're doing here may sound
4. honorable to the people in your district where you have
5. a mental health...health institution, but what you're doing
6. is doing the same thing that happened out in New York City
7. in the State of New York. And be careful how you attack this.

8. PRESIDENT:

9. Senator Hickey.

10. SENATOR HICKEY:

11. Thank you, Mr. President. Having just recently
12. gone through some of the problems of the local mental health
13. institution in my district, and being aware that shortness
14. of staff and expertise in staff...lack of expertise in staff,
15. perhaps, may have been responsible for some of the problems.
16. To promote this demoralizing cut in that institution and in the
17. others in this State would be a terrible, terrible mistake to
18. make. I beg all of the Senators to realize that as they
19. make this vote.

20. PRESIDENT:

21. Senator Graham.

22. SENATOR GRAHAM:

23. Mr. President and members. I apologize for taking up
24. so much of your time this Session. I do think that we have to
25. consider a couple of things with regard to this proposal.
26. I think that if the Governor had of known what the ultimate
27. results of the March 20th primary was going to be, he probably
28. would not have issued Executive Order No. Six. Now, we're
29. dealing with that at a time when the same man who put us in this
30. bind went around and attempted to increase his popularity
31. throughout the State by saying that he wouldn't stand for a tax
32. increase. Same gentleman that gave us all the devil, challenged
33. the Chamber of Commerce and the manufacturers on their integrity

1. and intelligence. But, who really put us in this bind?
2. The same man who would if he would have been willing to have
3. the correct control of the bureaucracies that he created.
4. We could have done this. We could have executed our responsibilities
5. down here this Session and given this money to the schools
6. and we wouldn't have been in this terrible, terrible
7. predicament. The same man is running for Governor two years
8. later and running on our record. Not on his. Ladies and
9. Gentlemen, we have a responsibility not only to ourselves,
10. but to our country as we look down the road. We have two
11. or three choices. We as the American people and taxpayers
12. of this State are going to run our State, or are we going
13. to turn it over to the unions? Now, we've damn near done
14. it now. And every state in this Union who has followed that
15. path are going down the road to disaster and if we don't have
16. the guts to prevent our State from doing it, shame on us.
17. I support this amendment.

18. PRESIDENT:

19. Any further discussion? Senator Regner may close the
20. debate.

21. SENATOR REGNER:

22. Yes, Mr. President. Very, very shortly in closing,
23. the number one question really is, does the General Assembly
24. have any input into the operation of this State government,
25. and I feel that we do. We can't give it away to the guy on the
26. second floor and a couplea friends of his to negotiate and jam
27. what could be and probably would be if this were to stay in
28. effect, tax increases upon us next year. I think we have to take
29. this stand to assert our responsibility of fiscal sanity in this
30. State, and I move the adoption of this amendment.

31. PRESIDENT:

32. The question is on the adoption of Amendment No. 2 to
33. House Bill 3377. Those in favor will vote Aye. Opposed Nay.

1. The voting is open. Have all voted who wish? Take the
2. record. On this question, the Ayes are 30, the Nays are 21.
3. Amendment No. 2 is adopted. Any further amendments?

4. SECRETARY:

5. Amendment No....Committee Amendment No. 3.

6. PRESIDENT:

7. Senator Hynes.

8. SENATOR HYNES:

9. With leave, I would go to 3 and 4 together, Mr. President,
10. since they are related. These amendments would...there are
11. substantial number of vacant positions and new positions
12. requested, and these amendments together would leave half of
13. each. Our policy has been to take all vacancies and new
14. positions except when critical and this would leave one half
15. of those and it is with respect to these two amendments in
16. particular that I have some concern about whether more should
17. not be left and as I indicated before, since this bill is
18. going to a Conference Committee, we...we have been unable to
19. come to a conclusion. We have to move the bill, and I think
20. it ought to be going to...going to a Conference Committee and
21. the problem can be resolved, and I'd move the adoption of the
22. amendments.

23. PRESIDENT:

24. Any further discussion? Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. Well, I certainly agree with
27. Senator Hynes. We support this approach. We may have cut a
28. little too deeply, but certainly we can look at it again working
29. with the agency, reevaluating it in Conference Committee, but at
30. this time, I would support both Amendments Number 3 and 4.

31. PRESIDENT:

32. Senator Joyce.

33. SENATOR JOYCE:

1. Mr. President and members, I'm going to resist these
2. amendments, also, and I'm aware that we're going to have to
3. work it out in...in a Conference Committee, so I...I just feel
4. that I'll go on record right now as...as resisting them and
5. hopefully, we can come to some agreement later on.

6. PRESIDENT:

7. Senator Regner.

8. SENATOR REGNER:

9. Yes, Mr. President, I certainly support this amendment.
10. I had one in committee that I withdrew when I knew that the
11. other side had this particular amendment. My position was to
12. cut all new positions and really the number of patients in our
13. institutions this year...mental health institutions will be
14. lower than the current fiscal year, and I support the amendment.

15. PRESIDENT:

16. Senator Buzbee.

17. SENATOR BUZBEE:

18. Well, Mr. President, I was supportive of this amendment in
19. the committee, but in...in view of what just happened on the
20. collective bargaining amendment, I think it's necessary that
21. I point out to this Body that one of the new facilities that's
22. being opened by the Department of Mental Health is in my
23. district. And it's a very unique facility in that...it's the
24. Chester Mental Health Facility and that's where they put the
25. mentally ill patients who are of a criminal bent. A lot of times
26. they're referred there by the courts. They are usually multiple
27. murderers. The ...the type of people who because of their mental
28. illness are being...going along with their mental illness have
29. performed the worst sorts of crimes against...against man. And
30. this new facility was authorized and started under Governor
31. Ogilvie. He was there for the groundbreaking ceremony. It was
32. just recently completed and they are just in the process of
33. moving in. Now, because of the design of the facility...I don't

1. know who's right or who's wrong yet but some of the people that
2. work there tell me that they cannot see the patients in a lot
3. of cases. There are cubicles and they...and they can hide behind
4. these cubicles, and we are going to be cutting down the number
5. of employees that can work there, at the Chester Mental Health
6. Facility. It's going to be forty-six people...employees that
7. will be cut out. Senator Graham, I know, is aware of that
8. facility, and I'm telling you, it's going to be bad. We're
9. going to have riots there that will accompany the riots that go on
10. at Menard Penitentiary, because of the cut back of employees
11. on the AFSCME agreement there. So, just be prepared if we...
12. if we continue this...this line of reasoning.

13. PRESIDENT:

14. Senator Nimrod.

15. SENATOR NIMROD:

16. Yes, Mr. President and fellow Senators, in light of what
17. Senator Hynes has said, I am going to make my remarks very
18. brief, but I do want to point out a couple of things. As
19. chairman of the Mental Health and Developmental Disabilities
20. Commission which has been newly formed to act as the arm which
21. can inform this Legislative Body of the needs in the mental
22. health fields and what we are doing and where our money is going,
23. I want to point out one thing that I have learned and I'm sure
24. several of my colleagues who served on that commission with me also
25. have learned. And I think we all better be aware of this that
26. in order to take care of those who are ill and those who are less
27. fortunate and those hundreds of children, that really the needs
28. and the amount of dollars that are necessary to cope with this problem,
29. approach the figure of five hundred million, rather than the
30. three hundred and eighty-eight million that were put in. The
31. reason that money is not being requested is because the Executive
32. Department had told that the director of that department that
33. that is all that's available, at least that's the best information

1 I have. I think what we have done here is we have certainly
2 attempted to go down the line with the program that has been
3 set up to take our dollars and put them in the best places,
4 but I think we have the responsibility to know that we have
5 funded and built new institutions, that we are trying to take
6 care of those twelve or thirteen thousand patients that are
7 going to be in these hospitals. We have set up certain
8 standards that they must meet by asking the Department of
9 Health to set those standards, and then at the same time, we
10 say that we're going to arbitrarily take away the money and
11 ...that fill these jobs. Now, I would hope that by tomorrow,
12 or whenever the day is, that we can come up with some figures and
13 I would hope, Senator Hynes, that I would have a little opportunity
14 to have a little input with you, that we can look to those
15 institutions that really need the monies in order to fund them;
16 that we can meet the needs of the transfers that are contemplated;
17 and that mainly, rather than save a million or two million
18 dollars this year because we lacked the knowledge and the under-
19 standing of what really is going on, that we have this opportunity
20 that we fund these institutions and provide those services and
21 that by the next year, I'm sure our commission will be in the
22 position to give you some concrete information, statistics, and
23 data that we can certainly then cope with any inequities and
24 inefficiencies that exist within those areas, but we are dealing with
25 people who are helpless...

26 PRESIDENT:

27 Time has expired, Senator...

28 SENATOR NIMROD:

29 ...and I would hope we would take this into consideration.

30 PRESIDENT:

31 Any further discussion? The question is on the adoption
32 of Amendment No. 3 to House Bill 3377? Those in favor will
33 say Aye. Opposed Nay. Roll call. Roll call. On the question

1. of the adoption of Amendment No. 3, those in favor will vote
2. Aye. Opposed will vote Nay. The voting is open. Have all
3. voted who wish? Take the record. On this question, the Ayes
4. are 25, the Nays are 22. Amendment No. 3 is adopted. Any
5. further amendments?

6. SECRETARY:

7. Committee Amendment No. 4.

8. PRESIDENT:

9. Senator Hynes.

10. SENATOR HYNES:

11. ...Mr. President, I had explained 3 and 4 together, and
12. I think the same principle applies. I move its adoption and
13. take the same roll call.

14. PRESIDENT:

15. Is there leave to apply the same roll call? Leave is
16. granted. No...that's why I asked. On the question of the
17. adoption of Amendment No. 4 to House Bill 3377, those in favor
18. will say Aye. Opposed No. The Ayes have it. Amendment No.
19. 4 is adopted. Any further amendments?

20. SECRETARY:

21. Committee Amendment No. 5.

22. PRESIDENT:

23. Senator Hynes.

24. SENATOR HYNES:

25. This...this amendment is a reduction of two hundred ten
26. thousand dollars. It removes all of the new positions requested in non-
27. institutional areas and one-half of the noninstitutional
28. vacancies, and I move its adoption.

29. PRESIDENT:

30. Any further discussion? Senator Joyce.

31. SENATOR JOYCE:

32. ...Mr. President, I would resist this amendment, also.

33. PRESIDENT:

1. Any further discussion? The question is on the adoption
2. of Amendment No. 5 to House Bill 33...77? All in favor will
3. say Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is
4. adopted. Further amendments?

5. SECRETARY:

6. Committee Amendment No. 6.

7. PRESIDENT:

8. Senator Hynes.

9. SENATOR HYNES:

10. I move to Table Amendment No. 6. ...It's...it is incorrect.
11. There will be another amendment to replace it.

12. PRESIDENT:

13. Senator Hynes moves to Table Amendment No. 6. All in
14. favor will say Aye. Opposed Nay. Amendment No. 6 is Tabled.
15. Any further amendments?

16. SECRETARY:

17. Committee Amendment No. 7.

18. PRESIDENT:

19. Senator Hynes.

20. SENATOR HYNES:

21. This adds a hundred eighty-three thousand in Federal
22. Funds and switches fifteen thousand dollars between two line
23. items as requested by the Department. I'd move its adoption.

24. PRESIDENT:

25. Any discussion? Senator Hynes moves the adoption of
26. Amendment No. 7 to House Bill 3377. All in favor will say
27. Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted.
28. Any further amendments?

29. SECRETARY:

30. Amendment No. 8 offered by Senator Joyce.

31. PRESIDENT:

32. Senator Joyce.

33. SENATOR JOYCE:

1. Yes, this clarifies the grants and purchase care language.
2. There's no change as far as dollars go.
3. PRESIDENT:
4. Any further discussion? Senator Joyce moves the adoption
5. of Amendment No. 8 to House Bill 3377. Those in favor vote
6. Aye. Pardon me, all in favor will say Aye. Opposed Nay. The Ayes
7. have it. Amendment No. 8 is adopted. Any further amendments?
8. SECRETARY:
9. Amendment No. 9 offered by Senator Joyce.
10. PRESIDENT:
11. Senator Joyce.
12. SENATOR JOYCE:
13. Yes, Mr. President, Amendment...Amendment No. 9 establishes
14. a General Revenue Refunded Account to repay a hospital for overpayment.
15. PRESIDENT:
16. Any further discussion?
17. SENATOR JOYCE:
18. Lutheran General, the cost is thirty thousand six hundred
19. dollars.
20. PRESIDENT:
21. Any further discussion? Senator Joyce moves the adoption
22. of Amendment No. 9 to House Bill 3377. Those in favor will
23. say Aye. Opposed Nay. The Ayes have it. Amendment No. 9 is
24. adopted. Any further amendments?
25. SECRETARY:
26. Amendment No. 10 offered by Senator Joyce.
27. PRESIDENT:
28. Senator Joyce.
29. SENATOR JOYCE:
30. Yes, this appropriates Federal monies received from the
31. Governor's Office of Manpower and Human Development for the C.E.T.A. and
32. I.L.E.C. Funds received from the Department of Corrections and the
33. Comptroller's office requires the appropriation in order to spend

1. and it...it spends approximately a million five hundred and
2. fifty-nine thousand dollars.

3. PRESIDENT:

4. Any further discussion? Senator Joyce moves the adoption
5. of Amendment No. 10 to House...oh, pardon me. Senator Regner.

6. SENATOR REGNER:

7. Just a question of clarification, Senator Joyce.

8. Haven't we already appropriated these in C.E.T.A. and I.L.E.C. monies
9. wouldn't this...wouldn't this result in a double appropriation?

10. PRESIDENT:

11. Senator Joyce. Senator Joyce.

12. SENATOR JOYCE:

13. The...the Department of Mental Health has a...a special
14. project with their Federal project funds.

15. PRESIDENT:

16. Senator Regner. Any further discussion? Senator Joyce
17. moves the adoption of Amendment No. 10 to House Bill 3377.

18. Those in favor will say Aye. Opposed Nay. The Ayes have it.

19. Amendment No. 10 is adopted. On a point of personal privilege

20. before the next amendment, the Chair would like to recognize in

21. the southwest gallery, Mrs. Sheila Rock, the wife of Senator

22. Rock with her children...their...their children, Kathleen,

23. Megan, Colleen and Jane. Would ask them to stand and be

24. recognized by the Senate. Any further amendments?

25. SECRETARY:

26. Amendment No. 11 offered by Senator Joyce.

27. PRESIDENT:

28. Senator Joyce.

29. SENATOR JOYCE:

30. Yes, Amendment No. 11 adds Federal funds received for

31. grants for mental illness and developmental disabilities. It's

32. a million one hundred and twenty-six thousand hundred dollars.

33. PRESIDENT:

1. Senator Joyce. Any further discussion? Senator Joyce
2. moves the adoption of Amendment No. 11 to House Bill 3377.
3. Those in favor will say Aye. Opposed Nay. Amendment No. 11
4. is adopted. Any further amendments? Pardon me.

5. SECRETARY:

6. That...that...the amendment is just...was that one that
7. Amendment 37...amend 3377 on...by adding the following on
8. Section 1. Okay. Now, you got another amendment up here without a
9. name. Would that be...

10. PRESIDENT:

11. All right. For what purpose does Senator Latherow
12. arise?

13. SENATOR LATHEROW:

14. Well in the intervening time, Mr. President, on a point
15. of personal privilege.

16. PRESIDENT:

17. State your point, Senator.

18. SENATOR LATHEROW:

19. For a question. I just had a question I wanted to ask,
20. Mr. President. I wondered who the young lady is over here
21. by Senator Bloom. Why that's Senator Bloom's wife. I'd like
22. for you to welcome her back to Senate.

23. PRESIDENT:

24. You are recognized by the Senate. Senator Merritt.

25. SENATOR MERRITT:

26. Yes, Mr. President, since we do have a little intervening
27. time, I wanted to rise on a point of personal privilege.

28. PRESIDENT:

29. State your point, Senator.

30. SENATOR MERRITT:

31. Is Senator Egan on the Floor?

32. PRESIDENT:

33. He is.

1. SENATOR MERRITT:

2. I just...I didn't make any remarks this morning, but I
3. felt inclined to do so at this time regarding House Bill 3417,
4. the one...the waterways bill's in them. I...I felt inclined to
5. do so because many of my colleagues wondered why in world I voted
6. for that bill especially after the action and the will of this
7. Body yesterday in removing one of the important projects...the
8. only project from my district. I still contend what I said
9. on the Floor yesterday. The mere fact that my feelings might
10. have been hurt or I might have been angered, I still mean what
11. I said. I've stood on this Floor, the nearly twelve years I've
12. served here, and voted for everyone of these waterways bills
13. that came through. Nothing has happened in the meantime to change
14. my mind. I'm just happy I could...cast my affirmative vote
15. in hopes that the other fine thirty-two Senators involved in
16. these projects can go back home, hold your head high. Thank you.

17. PRESIDENT:

18. Senator Nimrod.

19. SENATOR NIMROD:

20. Yes, Mr. President, I would also like to call attention
21. to the fact in the President's Gallery on the east side here,
22. we have with us the wife of Senator Bradley Glass, Mrs. Bradley
23. Glass and accompanied by Mona Brown and her daughter Kathy.
24. Would they be recognized by the...

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Will our guests please stand and be recognized. All right,
27. the question before the Body is Amendment No. 12. Oh. Read...
28. read the amendment, Mr. Secretary.

29. SECRETARY:

30. Amendment No. 12 offered by Senator Joyce.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Joyce.

33. SENATOR JOYCE:

1. Yes, it's a...it's breaks out the electronic data processing.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any discussion? Senator Joyce moves the adoption of

4. Amendment No. 12 to House Bill 3377. All those in favor signify

5. by saying Aye. All those opposed. The Ayes have it. The

6. amendment is adopted. Further amendments?

7. SECRETARY:

8. Amendment No. 13 offered by Senator Buzbee.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Buzbee. We...we appreciate it, Senator. Senator Buzbee.

11. Your time has expired, Senator.

12. SENATOR BUZBEE:

13. Pardon me, Mr. President, I was...I was talking with your

14. wife.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Okay.

17. SENATOR BUZBEE:

18. I...this...this amendment...what happened is, at...at

19. the Chester Mental Health facility they have been doing the

20. janitorial work there on a contractual services basis, and in

21. the House...the House eliminated the money for that contractual

22. service, which I am in complete agreement with, but they for-

23. got to put the money back in to...to hire State employees, and

24. that was the intention. So, this amendment adds three hundred

25. twenty-three thousand six hundred dollars for janitors at

26. Chester, and the House started to reverse this decision but

27. it did not finish it since it cut contractual services without

28. increasing personal services, and this is the exact dollar amount

29. that they...that was originally budgeted for contractual services,

30. and I would move its adoption.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any discussion? Senator Regner.

33. SENATOR REGNER:

1 Senator Buzbee, why do you always look this way when
2 you offer an amendment? If my memory serves me correct though,
3 Senator Buzbee, in committee, you...you questioned Doctor
4 Lebanon this very thing, and his statement was that if it
5 were in contractual where it is now, the State would save
6 about a hundred thousand dollars because there is someone
7 wanting to sign a contract for less money than it would cost
8 by doing it with...by having State employees. I think that
9 was Doctor Levitt's testimony in committee.

10 PRESIDING OFFICER: (SENATOR ROCK)

11 Senator Buzbee.

12 SENATOR BUZBEE:

13 Well, I would submit to you if you followed that theory
14 that we ought to do all of State government by contractual
15 services, but that doesn't seem to me to be the best way to
16 do it in the first place, and the second place, I do not recall
17 his statement about the one hundred thousand dollars. I do
18 recall that he said it would...he thought it would cost more
19 to do it in personal services rather than in contractual
20 services, but I...I do not recall that figure. Perhaps, he
21 did say it and I didn't catch it. But I also told him that
22 when I...when it...started to offer this amendment that it
23 was my intention that...that he live within that three hundred
24 and twenty-three thousand dollar figure even though they are
25 State employees, so, you know, I...we could go out and we
26 could contract for psychiatrists, for M.D., for social
27 workers and for everything else and start a whole new bureaucracy
28 outside of the...the control of the State of the Illinois, outside
29 of the government, but as long as we're going to be performing the
30 services, it seems to me we're...we're better off to perform
31 them with State employees rather than with...with private
32 contractors. By the way, this one happens to come from the
33 State of New Jersey and he has hired mostly people from the
34 State of Missouri to do this work and that's a little irksome
35 to those of us who live in Illinois and pay taxes in Illinois

1. and we think we ought to be spending our tax dollars on
2. ...with Illinois people.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Further discussion? Senator Regner.

5. SENATOR REGNER:

6. Yes, I understand they are already at the Air Force Base
7. and they are residents of Illinois that he's talking about
8. hiring, and I personally would rather see us do it the cheaper
9. way which is by contractual rather than more State employees.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any further discussion? Senator Buzbee moves the adoption
12. of Amendment No. 13 to House Bill 3377. All those in favor
13. signify by saying Aye. All those opposed. The Ayes have it.
14. The...the amendment is adopted. Roll call has been requested.
15. The question is, the adoption of Amendment No. 13 to House
16. Bill 3377? Those in favor of the adoption will vote Aye. Those
17. opposed will vote Nay. The voting is open. Have all voted
18. who wish? Take the record. On that question, the Ayes are
19. 23, the Nays are 29, none Voting Present. The amendment fails.
20. Further...Senator Buzbee, for what purpose do you arise?

21. SENATOR BUZBEE:

22. I just want to point out to you that there will be no
23. janitorial work done at the place where we keep the criminally
24. insane...because the money was eliminated.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Further amendments?

27. SECRETARY:

28. Amendment No. 14 offered by Senator Regner.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Regner.

31. SENATOR REGNER:

32. Mr. President and members of the Senate, this is a cut of
33. one million eight hundred seventeen thousand four hundred dollars

1. which is less than half of the...well, it leaves more than
2. half the money requested for the implementation of the
3. Alcohol Intoxication Treatment Act. It'll...leaves the
4. whole five million dollars for community service grants.
5. Last week we passed Senator Dougherty's bill to delay
6. implementation of the Act and I submit that we do cut some
7. of their implemenation money in half. It leaves...leaves
8. it half there so they can continue in gearing up for it.
9. It does leave the entire amount for transportation project
10. grants. That would be the mobile units and that and I
11. would move to adopt Amendment No. 14.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any discussion? Senator Joyce.

14. SENATOR JOYCE:

15. Yes, I would like to resist this amendment, also, and
16. yield to Senator Netsch on this.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. With Senator Joyce, I would
21. resist the amendment and point out two things, Senator Regner.
22. One is that the bill to which you refer has not yet left the
23. House Rules Committee and there is considerable doubt that it
24. ever will. That means that the program will probably go into
25. effect on July 1 and under no circumstances is there any
26. possibility, even a remote possibility that it will be delayed
27. a full year. So, it makes no sense really to cut the money
28. out on the expectation that the program will not be going into
29. effect until one year from now, because that simply is not
30. going to be the fact. It will be something less than that.
31. But beyond that, I think I should point out to you that a great
32. deal of the money that is in the alcoholism budget for the
33. Department of Mental Health does not relate at all to whether

1. or not that law goes into effect on July 1. The Department
2. of Mental Health has a...an ongoing continuing responsibility
3. for the treatment and help for alcoholics. That responsibility
4. continues quite apart from the law that we passed two years
5. ago and about to become effective. So that, most of these
6. projects and most of the local agency programs have been in
7. effect, will continue in effect and must continue in effect
8. quite apart from the system of detox centers. If you cut
9. this amount out, you are crippling in a very significant
10. way the Department's responsibility for the...for the treat-
11. ment and care of alcoholics and that remains true without
12. regard to the decriminalization bill. It would be a devastating
13. amendment to the State's responsibility for one of the major
14. public health problems, and I...I would hope very much that
15. this amendment would be defeated.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Weaver.

18. SENATOR WEAVER:

19. Just a couple of questions. Senator Regner, is there
20. sufficient money left in the budget to fund those facilities
21. that are ready to go and geared up ready to go that Dr. Leavitt
22. was speaking about the other day? About twenty-nine State-wide
23. ...do you presume that there's enough money to support those
24. that are ready to go?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Regner.

27. SENATOR REGNER:

28. Well, I'm...my understanding is they were going to attempt
29. to open twenty-nine, I think the number was, new ones this
30. year, and what we're doing really, is as I said, is allowing all
31. the transportation project grants in and taking half of...
32. back the purchase of care and detox, so it certainly
33. would keep the ones in operation that are in operation right now.

1 PRESIDING OFFICER: (SENATOR ROCK)

2 Senator Weaver.

3 SENATOR WEAVER:

4 Well, those that are geared up, predicated on starting
5 or being funded from July 1st, are they...is there money there to
6 support them?

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Senator Regner.

9 SENATOR REGNER:

10 Probably not all of them in their entirety, but they
11 certainly could get the program started and start the centers.
12 I think there's seven going now. Twenty-one...or seven that
13 are better than four or five months old. Twenty-one that are
14 less than a month old, just starting, and twenty-nine new
15 proposed ones, so that would leave twenty-eight in operation,
16 just started, and twenty-nine new ones to come in, so it does
17 give them half of their money.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Senator Weaver. Any further discussion? Senator Dougherty.

20 SENATOR DOUGHERTY:

21 Thank you, Mr. President and members of the Senate. While
22 I'm not going to offer any comment at this time, and I suggest to amend
23 this bill. At...at least this time, I think I want to make
24 this fact perfectly clear. That since I am the sponsor of this
25 ...bill, 1630, that would limit the...would create one more
26 limitation on putting this bill in effect, I want people to
27 know that this was not the Dougherty amendment. This was offered
28 to them by me on behalf of a large number of public officials
29 in the State of Illinois, by hospital authorities, by medical
30 authorities, and by many people to...to...to many dimensions.
31 It is not just my wish, but I am perfectly convinced that
32 there is need of it and I resent the fact that I am doing something
33 to achieve a little fame. The only fame I wanted to do is to

1 see this...this State run properly, but in looking over some
2 of these arguments, particularly by the opponents of this
3 particular bill, is that an honest appointment who has, right here
4 in my...somewhere within my reach of...offering his reason why
5 this bill should be appointment, this is the operation of a
6 group of people that are career...they are building careers.
7 They're not interested in qualifying this program. They're
8 only interested in building up jobs. This is their paper,
9 not mine. It is said that many of the Department of Transpor-
10 tation projects are already operational. This is not necessary.
11 May the...the Department feels that the State of Illinois is
12 ready to implement equivalent. The bill further postpones
13 what would be disastrous. The eight hundred and thirty members of
14 the Illinois Alcoholism and Drug Dependence Association are
15 professionals. Where are these...people going to get these jobs.
16 This is not a job to cur alcoholism. This is something to provide
17 jobs for a lot of pros that want to make money out of it.

18 PRESIDING OFFICER: (SENATOR ROCK)

19 Further discussion? Senator Savickas. Senator Schaffer.

20 SENATOR SCHAFFER:

21 Mr. President, I think when we passed the delay bill,
22 there was a lot of discussion that the delay bill was not a
23 bill to destroy the alcoholism program. And some of us feared
24 that it might be used an excuse to destroy the program. Clearly
25 the reason that the advocates of delay said let's delay is
26 because there aren't enough detox centers set up around the
27 State and you aren't ready for the program. So, now we come
28 and cut the money so that the detox centers that they say should be
29 on line July 1 won't be possibly be on line July 1 of next year.
30 So, I guess then we would have to have another delay. This
31 amendment clearly is aimed at the destruction of the detoxifica-
32 tion program and the decriminalization of alcoholism. I think

1. it's ill...ill-advised. I think it will...will continue to put
2. an unfair burden on the local municipalities and counties and
3. I think that it...this amendment should be soundly defeated,
4. so that this Body can reaffirm its conviction that alcoholism
5. is a disease and not a criminal activity.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Further discussion? Senator Soper.

8. SENATOR SOPER:

9. Thank you, Mr. President. Now, we've gone through this
10. alcoholic thing, and we've heard from people who I think little...
11. know little or nothing about alcoholics. They think that if
12. you take an alcoholic and haul him out to a hospital and put
13. him in a hospital for five or six days or seven days and dry
14. him out and then turn him loose, that he's going to be cured. Now,
15. Alcoholics Anonymous has faced that proposition. They know
16. that it takes the will of a person and the will of family to
17. have a man or a woman go into Alcoholics Anonymous and meet with
18. people who have had the problem and talk to this person and
19. say, today we will not take a drink and get up the next day
20. and say, I will not take a drink. You can take an alcoholic
21. and you can dry him out, and you can turn him out, give him
22. car fare, and he'll buy a bottle of muscatel and sit on the
23. curbstone. Now, if you want to spend hundreds of millions of
24. dollars and I don't mean just nineteen or twenty, and if you
25. want to cry...crocodile tears over this thing, you're not going to cure an
26. alcoholic. I've spent twenty-six years as a prosecutor. I've
27. seen alcoholics. I know what they do, and I know how they can
28. be cured. But a fellow that doesn't have a family, doesn't
29. want a family or a woman, and they don't want to be cured, you
30. can dry them out, and if they say to themselves - I'm not going
31. to drink and I'll go Alcoholics Anonymous and meet with people
32. who have had the problem, they'll solve the problem. But it's
33. not the kind of disease that you give a shot of penicillin or

1. a hundred days in...in a hospital, because the hundred and
2. first day, they go out and get a shot of muscatel. One drink
3. is...is...is not enough and thousand is not enough, see. I
4. say one drink is too many and a thousand drinks are not enough
5. for an alcoholic when he starts, and if you can't face that,
6. you can take all your psychologists, and...and you can take
7. all your beds and all your hospitals and you can fill them with the
8. drunks and you won't have enough money in this State for what
9. you want to do. If you'd spend your money on education instead
10. of these millions of dollars and with this seed money that
11. you're going to use, you'll do a lot better. Thank you very much.
12. You should...

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? The question is on the adoption of
15. Amendment No. 14 to House Bill 3377? All those in favor signify
16. by saying Aye. All those opposed. It's the opinion of the
17. Chair the Noes have it. The amendment fails. Any further
18. amendments? Do you wish a roll call, Senator Regner? Senator
19. Regner has requested a roll call. It's his amendment. The
20. question is on the adoption of Amendment No. 14 to House Bill
21. 3377? Those in favor of the amendment will vote Aye. Those
22. opposed will vote Nay. The voting is open. Have all voted who
23. wish? Take the record. On that question, the Ayes are 12,
24. the Nays are 32, 1 Voting Present. The amendment fails. Further
25. amendments?

26. SECRETARY:

27. No further amendments.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. 3rd reading. Senator Egan, for what purpose do you arise?

30. SENATOR EGAN:

31. Thank you, Mr. President and members of the Senate. This
32. morning House Bill 3648 was advanced to the order of 3rd reading.
33. I would ask that it be taken back. I did have an amendment

1. and because I was not here when it was advanced, I could not
2. propose it.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Is leave granted? On your Calendar on page 7 shows
5. House Bill 3648 which this morning was moved to 3rd reading.
6. Senator Egan now asks leave to bring it back to the order of
7. 2nd reading for the purpose of an amendment. Is leave granted?
8. So ordered. On the order of House Bills is 3648.

9. SENATOR EGAN:

10. Yes, Mr. President...

11. SECRETARY:

12. Amendment No. 1 offered by Senator Egan.

13. SENATOR EGAN:

14. ...this...

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Egan.

17. SENATOR EGAN:

18. ...this amendment, Mr. President and members of the Senate
19. was...has been requested by the Department of Labor. It was on
20. another bill in the House that was defeated and what it does
21. is eliminates the requirement for about twelve percent of all
22. covered employers from the need to pay unemployment insurance
23. in the amount less than one dollar. The department estimates
24. that it costs a considerable amount more money to collect this
25. low quarterly payment than it...than it takes in, and consequently
26. would eliminate that requirement. The proposed amendment would
27. result really in...in...in...in fact and in practicality to
28. removal of this significant irritant to many, many, small
29. employers, about almost twenty-five thousand in number totaling
30. about twelve percent of the total coverage. So, I would ask
31. that this amendment be adopted.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Is there any discussion? Senator Egan moves the adoption

1. of Amendment No. 1 to House Bill 3648. All those in favor
2. signify by saying Aye. All those opposed. The Ayes have it.
3. The amendment is adopted. Any further amendments?
4. SECRETARY:
5. No further amendments.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. 3rd reading. Senator Johns, for what purpose do you arise?
8. SENATOR JOHNS:
9. If there's any kind of lull in your...the activities of
10. the Senate, I'd like to move to adopt a Conference Committee
11. Report if I may.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Well, we've got a number of requests for those. Can
14. we just hold off on that a minute.
15. SENATOR JOHNS:
16. Sure, sure.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. We're trying...there have been some requests to go back
19. to the order...Senator Hickey, are...oh, yours aren't here yet.
20. Can we...can we wait and just do them all together? Senator
21. Partee, I wonder if you might indicate to the membership,
22. there has some inquiries with respect to the schedule for
23. both today and again tomorrow. Can we have the members attention.
24. Senator Partee.
25. SENATOR PARTEE:
26. Yes, thank you, Mr. President. As I said yesterday, our
27. schedule was, you know, subject to change and fluctuation,
28. we've been moving along a little bit today, and it occurs to...to
29. us now that if we continue at this pace and knock off some more
30. of the House Bills on 3rd today, we can probably work not later
31. than six this evening with not having to coming back tonight. Then
32. if we went to work tomorrow morning at ten, apparently by two, certainly
33. by three o'clock, we'd be through tomorrow. We were scheduled to

1. come in Sunday at two. I think if we are...make the same kind
2. of progress we've been making, we could defer that till four and
3. come in at four Sunday rather than at two o'clock.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. All right. With leave of the Body, we'll revert to the
6. order of House Bills on 3rd reading. Senator Dougherty, we...
7. we left off...start at page 4, House Bill 3555. Do you wish
8. that...hold. Okay. 3582, Senator Vadalabene. On the order of
9. House Bills 3rd reading is House Bill 3582. Read the bill,
10. Mr. Secretary.

11. SECRETARY:

12. House Bill 3582

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. All right, can we have some order? Senator Vadalabene.

17. SENATOR VADALABENE:

18. Yes, thank you, Mr. President and members of the Senate.
19. House Bill 3582 provides three...revisions in the current law.
20. It would first provide that the Secretary of State may instead
21. of shall, assess a service charge of five dollars in addition
22. to the fee or tax due and owing for all dishonored checks.
23. Secondly, it...it will delete the provision requiring the
24. Secretary of State to return the dishonored check to the
25. individual. This is very important to the Secretary of State
26. in...in court proceedings where the...where the original check
27. could be used rather than a carbon copy. And third, it deletes
28. the discretionary ten percent penalty charge and extends the
29. mandatory twenty five percent penalty charge to sixty days as opposed
30. to thirty days on all dishonored checks over five dollars, and I
31. I would appreciate a favorable vote.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Is there any discussion? Question is, shall House Bill 3582

1. pass? Those in favor vote Aye. Those opposed vote Nay. The
2. voting is open. Have all voted who wish? Take the record.
3. On that question the Ayes are 53, the Nays are none, none Voting
4. Present. House Bill 3582 having received the constitutional
5. majority is declared passed. Senator Sommer holds. Senator
6. Wooten. On the order of House Bills on 3rd reading is House
7. Bill 3659. Read the bill, Mr. Secretary.
8. SECRETARY:
9. House Bill 3659
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Wooten.
14. SENATOR WOOTEN:
15. Mr. President and colleagues, this bill simply amends a
16. definition in a State statute to conform to a change in Federal
17. Statutes in order to keep the Illinois Comprehensive Health
18. Planning Program going. If we don't have the change in definition,
19. the program just comes to a halt on July 1.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Is there any discussion? The question is, shall House Bill
22. 3659 pass? Those in favor will vote Aye. Those opposed will
23. vote Nay. The voting is open. Have all voted who wish? Take
24. the record. On that question, the Ayes are 56, the Nays are
25. none, none Voting Present. House Bill 3659 having received a
26. constitutional majority is declared passed. Senator Partee,
27. do wish that bill called? On the order of House Bills 3rd reading
28. is House Bill 3799. Read the bill, Mr. Secretary.
29. SECRETARY:
30. House Bill 3799
31. (Secretary reads title of bill)
32. 3rd reading of the bill.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Partee.

2. SENATOR PARTEE:

3. Mr. President and members of the Senate, in order to
4. shorten the explanation, I'd like to make an explanation as to
5. all three of these bills. These are bills which were asked for
6. ...asked by...asked of Senator Harris and myself by this General
7. Library Study Commission which has very many former members
8. of note on it. Rep...Mr...President Arrington was...is a member...
9. is the President of it, and Touhy, former speaker and the former
10. minority leader Art McGloon, and these are the three bills that
11. relate to the General Assembly Library Study Commission. I...we
12. have explained them before. Senator Harris and I are cosponsors.
13. I'd appreciate a favorable roll call on each.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any discussion? The question is, shall House Bill 3799 pass?
16. Those in favor vote Aye. Those opposed vote Nay. The voting
17. is open. Have all voted who wish? Take the record. On that
18. question, the Ayes are 55, the Nays are none, none Voting Present.
19. House Bill 3799 having received a constitutional majority is
20. declared passed. On the order of House Bills 3rd reading is
21. House Bill 3800. Mr. Secretary, read the bill.

22. SECRETARY:

23. House Bill 3800

24. (Secretary reads title of the bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Partee. Any discussion? The question is, shall House
28. Bill 3800 pass? Those in favor will vote Aye. Those opposed will
29. vote No...Nay. The voting is open. Have all voted who wish? Take
30. the record. On that question, the Ayes are 48, the Nays are none,
31. 3 Voting Present. House Bill 3800 having received a constitutional
32. majority is declared passed. Senator Johns, for what purpose
33. do you arise?

1. SENATOR JOHNS:

2. If I'd been alert and not taking care of other business,
3. I would have voted Aye. Just wanted to affirm my other record.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. The record will so show. On the order of House Bills on
6. 3rd reading is House Bill 3801. Mr. Secretary, read the bill.

7. SECRETARY:

8. House Bill 3801

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Partee.

13. SENATOR PARTEE:

14. Roll call.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Any discussion? Question is, shall House Bill 3801
17. pass? Those in favor will vote Aye. Those opposed will vote
18. Nay. The voting is open. Have all voted who wish? Take the
19. record. On that question, the Ayes are 54, the Nays are none,
20. none Voting Present. House Bill 3801 having received a con-
21. stitutional majority is declared passed. 3818, Senator Bruce.
22. 3819. I understand there will be an amendment to 3819, do we
23. have leave to come back to that? Leave is granted. 3821, Senator
24. Hall. Okay. 38...all right, on the order of House Bill 3rd...
25. 3rd reading is House Bill 3819. Senator Kosinski. Yeah, just
26. ask leave to bring it back.

27. SENATOR KOSINSKI:

28. All right. Mr. Chairman and...members of the Senate, I'd
29. like to have leave of the Body to bring back House Bill 3819 for
30. an amendment.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Kosinski seeks leave of this Body to bring House
33. Bill 3819 back to the order of 2nd reading for purpose of an

1. amendment. Is leave granted? So ordered. On the order of
2. House Bills 2nd reading is House Bill 3819.
3. SECRETARY:
4. Amendment No. 4 offered by Senator Hynes.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Hynes. Yeah, It's number...it...4 is right.
7. SECRETARY:
8. ...Amendment No. 7 instead of 4.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Hynes.
11. SENATOR HYNES:
12. Mr. President, this amends...this...well, first of all, the...
13. this bill has had a rather rocky and was...it's not a pun, Mr.
14. President, it...it has had a rather unusual road through the
15. General Assembly in the legislative process, and yesterday we
16. took action which I think was ill-advised and which was not
17. carefully considered. Some reductions were made which were too
18. deep and this amendment would restore substantial amount of the
19. ...of that taken out yesterday. It would, in effect, return
20. seventy-five thousand dollars to contractual services, restore
21. the special projects to the division in the amount of a hundred and
22. sixty-one thousand and ...put the travel item at fifteen thousand
23. six hundred as originally introduced, and I would move the
24. adoption of the amendment.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Any discussion? Senator Hynes moves the adoption of Amendment
27. No. 7 to House Bill 3819. All those in favor signify by saying
28. Aye. All those opposed. The Ayes have it. The amendment is
29. adopted. Any further amendments?
30. SECRETARY:
31. Amendment No. 8 offered by Senator Weaver.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Weaver.

1. Senator Weaver.

2. SENATOR WEAVER:

3. Thank you, Mr. President. This amendment would cut sixty-nine
4. thousand out of legal contractual services. It would still leave
5. them a hundred and fifty thousand in this line item. I think
6. to date they've spent about a hundred and twelve thousand for
7. contractual services and for legal and I would move its adoption.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Hynes.

10. SENATOR HYNES:

11. Now, Mr. President, now, so that we have this in proper
12. perspective, I have just put on an amendment and Senator Weaver
13. is now attempting to take off that amendment with the exception
14. of...he...he has magnanimously agreed to leave six thousand
15. dollars over and above...five thousand. Okay. Five thousand
16. dollars. I oppose the amendment. I think the...the bill as
17. it exists right now is in desirable form.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Weaver.

20. SENATOR WEAVER:

21. Well, this...this, Senator Hynes, would leave a hundred and
22. sixty-one thousand three hundred and seventy-two dollars in that
23. line item. On...on the...on the special projects, we're only
24. cutting sixty-nine thousand. If I think that amendment...considering
25. would still leave a hundred and fifty thousand for contractual
26. services in the legal contractual.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Hynes.

29. SENATOR HYNES:

30. That...that's correct. You...you are leaving the special
31. projects portion alone. The reduction is only in the contractual
32. services, but I oppose the amendment.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Don Moore.

2. SENATOR DON MOORE:

3. Thank you, Mr. President. I agree with Senator Hynes, and

4. I disagree with Senator Weaver. I think this amendment should

5. be defeated.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. All right, any further discussion? Are the forces sorted

8. out yet? Senator Soper and I disagree with everybody. All right,

9. the question is the adoption of Amendment No. 8 to House Bill

10. 3819. All those in favor signify by saying Aye. All those

11. opposed. Opinion of the Chair the Noes have it. The Amendment fails.

12. Any further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. 3rd reading. Senator Kosinski, you wish to get back

17. to this today? We'll have some intervening business. Okay.

18. 3821, Senator Hall. 3857, Senator Ozinga. That's the Metro...

19. okay. On the order of House Bill 3rd reading is House Bill

20. 3857, Senator Ozinga. Read the bill, Mr. Secretary.

21. SECRETARY:

22. House Bill 3857

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Ozinga.

27. SENATOR OZINGA:

28. Mr. President and members of the Body, this bill merely

29. enlarges the boundaries of the metropolitan sanitary district

30. of...of Chicago to include a seventy-two acre tract contiguous

31. to the Village of Matteson on their...at their request. It has

32. a backdoor referendum and would be effective immediately. I

33. urge a favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any discussion? Question is, shall House Bill 3857
3. pass? Those in favor will vote Aye. Those opposed vote Nay. The
4. voting is open. Have all voted who wish? Take the record.
5. On that question, the Ayes are 51, the Nays are none, none
6. Voting Present. House Bill 3857 having received a constitu-
7. tional majority is declared passed. Senator Vadalabene, for
8. what purpose do you arise?
9. SENATOR VADALABENE:
10. On...on a point of personal privilege. I ran out of
11. the telephone booth and I voted Aye for this bill. Did he
12. say Madison County, the sanitary district?
13. PRESIDING OFFICER: (SENATOR ROCK)
14. No, the Village of Matteson. M-a-t-t-e-s-o-n.
15. SENATOR VADALABENE:
16. Oh...oh. I voted for it. Okay.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. 3891, Senator Netsch. All right. 3902, Senator Bruce.
19. On the order of House...House Bills 3rd reading is House Bill
20. 3819. Mr. Secretary read the bill.
21. SECRETARY:
22. House Bill 3819
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Kosinski.
27. SENATOR KOSINSKI:
28. Mr. President and members of the Senate, I think we've quite
29. well over...over...overdone this bill. It kind of in a hot position
30. right now and I move for it...its final adoption.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Any discussion? ...Senator Buzbee.
33. SENATOR BUZBEE:

1. Well, I just wanted to very briefly say...to reiterate
2. what Senator Hynes said awhile ago when the bill was back on
3. 2nd, that the bill has had a rocky road, and I think that perhaps
4. we have, the last two years, have gotten the board's attention
5. now and have let them know that is this Legislature's intent
6. that they not continue on with their unabated spending. And
7. I think perhaps we have gotten their attention and perhaps they
8. will be a little bit more conservative with their spending habits.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. The question is, shall House Bill 3819 pass? Those in
11. favor will vote Aye. Those opposed will vote Nay. The voting
12. is open. Have all voted who wish? Take the record. On that
13. question, the Ayes are 49, the Nays are 3, none Voting Present.
14. House Bill 3819 having received a constitutional majority is
15. declared passed. Senator Harris, for what purpose do you arise?

16. SENATOR HARRIS:

17. Would the record show that if I'd been awake, I would
18. have voted for that bill, please.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. The record will so show, Senator.

21. SENATOR HARRIS:

22. Yes. Thank you.

23.
24. (continued on next page)

25.
26.
27.
28.
29.
30.
31.
32.
33.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. 3902, Senator Bruce. All right, all right. 3912,
3. Senator Newhouse. 3917, Senator Don Moore. On the order
4. of House Bills 3rd reading is House Bill 3917. Read the bill,
5. Mr. Secretary.

6. SECRETARY:

7. House Bill 3917.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Don Moore.

12. SENATOR MOORE:

13. Thank you, Mr. President and members of the Senate.
14. What this bill does, Mr. President, it gives the Department
15. of Public Aid the authority to promulgate rules and regula-
16. tions which shall require proof of receipt of prescription
17. drugs, dentures, prosthetic devices and eyeglasses to eligible
18. persons under this section, accompany each claim for reimburse-
19. ment submitted by the dispenser of such medical services.
20. No such claim for reimbursement shall be a proof for payment
21. by the Illinois Department without such proof of receipt. Now,
22. the reason for this is, what has come out, oh, about the last
23. week or ten days where the State Department of Public Aid has
24. paid for forty-two pair of eyeglasses for one recipient who
25. never heard of the optometrist that prescribed them. If there
26. was some method where there could be a proof of receipt of
27. the physical product itself I think it would do much to deter
28. fraud in the Medicaid field. I'd be happy to answer any ques-
29. tions. The bill was amended in committee to remove some ob-
30. jections from the State Medical Society. If there are no
31. questions I'd move for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? Senator Netsch.

105717
12/6/76

1. SENATOR NETSCH:

2. Thank you, Mr. President...

3. PRESIDING OFFICER: (SENATOR ROCK)

4. That's that same House Committee where we spoke so highly
5. of.

6. SENATOR NETSCH:

7. I...I know, right. I'm just trying to recall, Senator
8. Moore, because I don't have my file with me on the Floor.

9. There were a lot of concerns about the way this was put to-
10. gether that came out during the course of the committee.

11. A suggestion, for example, that in effect recipients were
12. going to have to sign something that they were just simply
13. in no position to make any intelligent signing for. Has
14. that been corrected?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Moore.

17. SENATOR MOORE:

18. Yes, it has, Senator, by Amendment No. 1 that was adopted
19. which removed the question of how does the recipient know
20. whether or not medical laboratory X ran such lab test on him.
21. He just doesn't know. So, by specifically setting forth the
22. products that are involved and taking out a signed receipt
23. and leaving the discretion to the Department as to what proof
24. of receipt of prescription drugs and so forth are, eliminated
25. the problems that we had with the...not only with the Medical
26. Society but with the recipients themselves, because often
27. times they don't know what services they are getting. They
28. do know if they get a pair of eyeglasses. That they're aware
29. of.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Netsch.

32. SENATOR NETSCH:

33. But, even with respect to those items that are...that have

1. a...an identifiable entity, the department still has discretion
2. about what form of proof so that they can work out something
3. that is reasonable under all the circumstances. Is that right?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Don Moore.

6. SENATOR MOORE:

7. That is correct. Under the original bill as introduced
8. in the House, the recipient had to physically sign. That was
9. removed and the words "proof of receipt", which gives the
10. department the leeway, the discretion to decide what type of
11. proof of receipt was necessary.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any further discussion? Senator Schaffer.

14. SENATOR SCHAFFER:

15. Mr. President, I wonder if Senator Moore would yield for
16. a couple of questions?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Indicates he will yield. Senator Schaffer.

19. SENATOR SCHAFFER:

20. Would the recipient still be required to know what type
21. of drugs or other related material is handed to him? I per-
22. sonally, if a druggist or a doctor hands me a bottle of pills
23. and says - these are this and such, I don't know for sure,
24. they might be sugar for all I know or some very inexpensive
25. product. I...I still think that this is something that we're
26. asking the recipients to sign, which I don't think they're in
27. a position to intelligently, and I might add, neither would
28. I be. I'm afraid the medical profession, whether we like it
29. or not in judging from the...and not only the medical but
30. the related health care professions, and I'm not as happy...
31. any happier about it than you are, but they are professions
32. that we sort of have to take on trust, and I don't...I think
33. we're putting recipients in a very difficult position asking

11/10/34/1
4/25/74

1. them to verify things that I think most of us could not verify.
2. I've talked to the House sponsor on this and he...he told me
3. his original idea was that they should at least sign some sort
4. of log book to acknowledge that they were in a doctor's office
5. at a specific day, and of course this bill as amended doesn't
6. even relate to that, because that's about all I think you can
7. ask a recipient or anyone else to acknowledge is that they
8. were physically present in a doctor's office and that they re-
9. ceived some form of treatment. I don't think you can do much
10. more than that, Senator, and I...I think my...anyone who's
11. bothered to listen to me on the subject of welfare would proba-
12. bly conclude that I was not a bleeding heart on the issue.
13. But, I think this does take unfair advantage of the recipient
14. and I think in the final analysis it's a doctor's signature and
15. a doctor's sworn statement that we have to hold responsible,
16. and I think that some people could interpret this as a way of
17. trying to somehow pass off some of the responsibility from
18. the doctor to the recipient, and I don't think it's justified.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Further discussion? Senator Don Moore may close the de-
21. bate.

22. SENATOR MOORE:

23. Thank you, Mr. President. I, granted this may be a little
24. inconvenience on some...doctors, on some opticians, on some
25. pharmacists. We are aware of the pharmaceutical scandal in
26. this State in the last year. We're aware of the clinical...
27. the clinical laboratory scandal, the optometric scandal, and
28. you'll hear about a dental scandal next week that's going to
29. come out. Fraud does exist in the Medicaid field to the ex-
30. tent of a minimum of two hundred million dollars. I'm con-
31. servative, the Comptroller says three hundred million. Now,
32. if we can take any steps even though we inconvenience some of
33. our medical vendors, even though the legitimate recipient is

1 B 3917
6/25/11

1. willing to help us. These recipients were incensed when
2. they found out that their family got forty-two pair of
3. glasses in twelve months and they didn't even know the
4. doctor who had forged their name and so forth on to the
5. thing that the State of Illinois paid for. I think any steps
6. that we can take to retire fraud in the Medicaid field,
7. which as you will recall is in excess of nine hundred million
8. for this next fiscal year, I think is a step in the right
9. direction, and I'd appreciate a favorable roll call.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. The question is, shall House Bill 3917 pass? Those in
12. favor vote Aye. Those opposed vote Nay. The voting is open.
13. Have all voted who wish? Take the record. On that question
14. the Ayes are 44, the Nays are 2, 1 Voting Present. House
15. Bill 3917 having received the constitutional majority is
16. declared passed. On the order of House Bills 3rd reading,
17. House Bill 3902. Mr. Secretary, read the bill.

18. SECRETARY:

19. House Bill 3902

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Bruce.

24. SENATOR BRUCE:

25. Thank you, Mr. President and members of the Senate. House
26. Bill 3902 is an indemnification bill for board members and
27. employees of the Capital Development Board. In a recent opinion
28. issued by the Illinois Attorney General, he indicated he would
29. not defend Capital Board members...Bond Board members nor employees
30. if they were sued in their individual right. This bill would
31. clarify the situation and allow them to be indemnified and covered
32. by Board attorneys in their defense. Presently we have indemnifi-
33. cation statutes for the Illinois Community College Board, the

1. Illinois Department of Transportation, the Chicago Regional
2. Port District, Public Building Commissions, the Illinois
3. State Board of Higher Education. It seems only fair that these
4. gentlemen who handle a great deal of bonded money, who have
5. liability extending over several years should be covered, and
6. this statute merely states that CDB will either defend them in
7. any suit and if they wish...the House suggested that we...adopt
8. and we did, in fact, adopt an alternate for them to obtain
9. insurance, so that we could cover them for an...an indemnification
10. policy.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Discussion? Senator Soper.

13. SENATOR SOPER:

14. Thank you, Mr. President. Senator Bruce, this relates only
15. to civil...suits, right?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Bruce.

18. SENATOR BRUCE:

19. That is correct. The question was raised in the House
20. about criminal acts, and it only relates to civil matters.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Any further discussion? Question is, shall House Bill
23. 3902 pass? Those in favor will vote Aye. Those opposed will
24. vote Nay. The voting is open. Have all voted who wish? Take
25. the record. On that question, the Ayes are 52, the Nays are
26. none, none Voting Present. House Bill 3902 having received a
27. constitutional majority is declared passed. Senator Johns, for
28. what purpose do you arise?

29. SENATOR JOHNS:

30. Again, I was called off the Floor on House Bill 3819, my
31. good friend Senator Norbert Kosinski's Board of Election bill.
32. I would like for the record to show that I would have voted Aye.

33. PRESIDING OFFICER: (SENATOR ROCK)

H 2 3730
3rd reading
6.25.76

1. The record will so show. 3930, Senator Carroll. On the
2. order of House Bills 3rd reading is House Bill 3930. Read the
3. bill, Mr. Secretary;

4. SECRETARY:

5. House Bill 3930

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Carroll.

10. SENATOR CARROLL:

11. Thank you, Mr. President, Ladies and Gentlemen of the
12. Senate. This bill started off identical to the Senate Bill
13. 1945 that we had debated a few weeks ago. We did amend this
14. yesterday incorporating therein many of the suggestions made
15. by members of this Chambers as to how to improve this concept
16. of self-help from municipal government. I think we discussed
17. the amendments at great length yesterday indicating what they
18. were. I'd be willing to answer any questions, and would ask
19. for a favorable roll call.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Is there any discussion? Question is, shall House Bill
22. 3930 pass? Those in favor will vote Aye. Those opposed will
23. vote Nay. The voting is open. Have all voted who wish?
24. Take the record. On that question, the Ayes are 43, the Nays
25. are 5, 4 Voting Present. House Bill 3930 having received a
26. constitutional majority is declared passed. 3937, you are
27. going to handle that, Senator Carroll? No. Senator Carroll.

28. SENATOR CARROLL:

29. For purpose of the record, I think yesterday I was given
30. leave to handle it. I would now toss the ball to Senator Harris.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Oh, all right. Do you wish that called, Senator Harris?

33. All right. On the order of House Bills 3rd reading is House Bill 3937.

1. Read the bill, Mr. Secretary.

2. SECRETARY:

3. House Bill 3937

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Harris.

8. SENATOR HARRIS:

9. Thank you, Mr. President. This bill, as now amended from

10. the time it was heard in committee, that...committee amendment

11. was adopted. We did learn that it had a technical flaw in it.

12. It was reconsidered and now in final proper form. I might say

13. that the taxing bodies are now pleased with this bill. It

14. extends the time for redemption an additional hundred and

15. eighty days. The final service must be delivered by a uniformed

16. officer and I think the bill now satisfies everybody. It goes

17. a long way toward curing the serious problem of...unscrupulous

18. tax sales, but truly the bill in its present form is supported

19. by the taxing bodies, and I would urge a favorable roll call.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any discussion? Senator Johns.

22. SENATOR JOHNS:

23. What's the effective date, Senator Harris, of the bill?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Harris.

26. SENATOR HARRIS:

27. In all candor, I can't tell you. We'll quickly take a look. Here.

28. October 1, if it doesn't have an immediate effective date.

29. SECRETARY:

30. It...it doesn't have an immediate effective date.

31. SENATOR HARRIS:

32. Okay, then it's October 1.

33. PRESIDING OFFICER: (SENATOR ROCK)

HB 3948
3rd Reading
6/25/76

1. Any further discussion? Question is, shall House Bill 3937
2. pass? Those in favor will vote Aye. Those opposed will vote
3. Nay. The voting is open. Senator Harris, for what purpose do
4. you arise?

5. SENATOR HARRIS:

6. I want the membership to understand that there is a final
7. section in the amendment and not in the bill as introduced. The
8. amendatory act shall become effective thirty days after its
9. becoming a law, so that is not October 1. It would be thirty
10. days from whatever time the Governor would finally sign it.
11. It might be fairly close to that date.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Have all voted who wish? Take the record. On that question,
14. the Ayes are 54, the Nays are none, 1 Voting Present. House Bill
15. 3937 having received a constitutional majority is declared passed.
16. 3948. On the order of House Bills 3rd reading is House Bill
17. 3948. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 3948

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Thank you, Mr. President. Mr. President, the creation of
26. the Jackson-Union County Port Authority District came about because
27. a lot of local citizens in that area were looking around at the
28. need for such transportation facilities, and they started holding
29. meetings and they got Southern Illinois University involved in
30. doing a preliminary economic feasibility study. The university's
31. preliminary study came out to be a very positive and so each
32. community in these two counties, some seventeen different communities
33. in the two county boards respectively, made up a pot of money.

1. They assessed themselves a certain amount of money to go and have an
2. indepth feasibility study which was done by Mulshanan Associates
3. of Washington D. C., and they said that based upon the extensive
4. research conducted by us during the course of this study, we
5. have derived quantitative estimates for traffic throughput by
6. commodity for the first ten years of operations. We've also
7. developed estimates for new employment opportunities in the
8. project area which would be stimulated by the proposed public
9. terminal facilities as well as the economic impact to be derived.
10. Our conclusions are highly favorable. Leading us to recommend
11. the most expedited project implementation feasible. We have
12. focused on the considerable but hopefully surmountable difficulties
13. to be experienced with the realization of this badly needed public
14. enterprise. And so, from this Representative Choate and Representative
15. ...Bruce Richmond and Birchler and Representative Dunn put in
16. legislation in the House and it passed there with a big majority
17. and it's...not trying to be cute, but it's your standard port
18. authority bill and if anybody has any questions, I'd be glad to
19. try to answer them.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Mr. Chairman, I'm just a country boy. I wish he'd...he'd
24. define...give me the definition of those big words he used.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Johns.

27. SENATOR JOHNS:

28. Mr. President, first I would like to ask leave of the sponsor
29. in the Senate if I might join him as a cosponsor.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Leave is granted.

32. SENATOR JOHNS:

33. Second, I am supportive of this measure, and in view of the

1. announcement by the Governor yesterday and the Congressmen and all
2. kinds of Senators and Representatives of the four hundred million
3. dollar project in Perry County, Senator Buzbee's district, of
4. a coal conversion plant, this makes this port ever so more
5. important, and I am also in...the recipient of and privileged
6. to have the appropriation in my bill that I am sponsoring.
7. And I would ask for all the support possibly for this port authority.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Further discussion? Senator Ozinga.

10. SENATOR OZINGA:

11. Well, with all his fancy talk, what's the creation of this
12. port authority going to cost?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Well, I apologize for the fancy talk. That was not my talk.
17. I was quoting from a letter that was written by Mulshman and
18. Associates, and I think that's one reason why they're in that
19. business 'cause they know all those fancy words and they know
20. how to say them and...and impress people like me. The...there
21. is an appropriation on Senator John's bill, the Business and
22. Economic Development Bill, there's an amendment for one hundred
23. thousand dollars. You will recall there was some dispute in
24. this Body on that particular amendment. However, let me say
25. this, Senator Ozinga, that the Authority will have the...the
26. board will have the authority to issue GO Bonds with a front door
27. referendum. They would also have authority to issue revenue
28. bonds and they would have the authority to put on a property tax
29. of five tenths of one percent with a front door referendum, and
30. so, with that and with the...with the amount of revenue that
31. the port authority would hopefully generate, I don't think that it
32. should end up costing the State very much money. Certainly,
33. the...economics of...of the return that will come back we believe

1. to the State via taxes and so forth will be more than compensate
2. for the amount that we're going to be spending of State money,
3. so I...I can't give you the...I know that's a little loquacious
4. but I can't you the exact answer.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Weaver.

7. SENATOR WEAVER:

8. Senator Buzbee, how many port districts are there in the
9. State of Illinois?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Well, there's, of course, the Port of Chicago, and then
14. there's the Shawneetown Port Authority which is on the Ohio
15. River about one hundred miles from this. There's the Kaskaskia
16. Port Authority which is on the Kaskaskia River. Now, there will be
17. this one. There's one in Granite City, I think. And one in
18. East St. Louis that's just been created. The Tri-City Port
19. Authority and Illinois Valley...anybody else got anymore they'd
20. like to bid?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Weaver.

23. SENATOR WEAVER:

24. Well, I know this hundred thousand was put on Business and
25. Economic Development. I just received the Conference Committee
26. Report here on this. You presume you're going to come in for
27. about hundred thousand or a million a year for...until you get
28. things rolling down there in order to promote this? I'd just
29. kind of like to have some idea what the total obligation to the
30. State of Illinois is going to be for...for this new port district?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. Well, Senator Weaver, I share your concern over that sort
2. of...of stepladder type spending. I...I...I just can't give you
3. an answer, because I don't know right now. Hopefully, if we
4. get things rolling and...and do it properly, that we will not
5. be constantly coming back to the State asking for more and more
6. money, but I...I know realistically that we are going to have
7. some sort of an impact on the State fiscally in the next few
8. years. There can be no...you can't afford that. I know that.
9. PRESIDING OFFICER: (SENATOR ROCK)

10. Further discussion? Senator Mitchler.

11. SENATOR MITCHLER:

12. I'd like to ask Senator Buzbee the relationship of Jackson
13. and Union Counties to this Regional Port District Act?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. Well, that...those two counties are, in fact, the makeup
18. of the...of the port district. The feasibility study also included
19. a portion of Williamson and Perry Counties, and they are hopeful
20. of including the communities of these two counties also. I'm
21. not quite sure of the thrust of your question, Senator Mitchler.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. I was in telephone conversation with a representative I
26. have in contact in Union County and it was recommended to me
27. that this was a good bill, so, just want to let you know that.
28. Thank you.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Further discussion? Senator Sommer.

31. SENATOR SOMMER:

32. Thank you, Mr. President and members. I...I heard the
33. Illinois Valley Port Authority mentioned. That's primarily in

1. my district, and I don't remember that Authority ever coming
2. down here for any money, Senator Buzbee.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Buzbee.
5. SENATOR BUZBEE:
6. I cannot address that, Senator Sommer. I have no knowledge.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Sommer.
9. SENATOR SOMMER:
10. Well, you spoke as if it were the same as this.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Buzbee.
13. SENATOR BUZBEE:
14. No, I did not. I was asked how many port authorities there
15. are in this State, and...by Senator Weaver, and as I started
16. reiterating the ones that I knew of, Senator Shapiro pointed
17. out that particular Authority to me and I threw it in with...as
18. ...as one of the number of port authorities in this State.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Any further discussion? The question is, shall House Bill
21. 3948 pass? Those in favor will vote Aye. Those opposed will
22. vote Nay. The voting is open. Have all voted who wish? Take
23. the record. On that question, the Ayes are 47, the Nays are
24. none, none Voting Present. House Bill 3948 having received a
25. constitutional majority is declared passed. Senator Berning.
26. On the order of House Bills 3rd reading, is House Bill 3956.
27. Read the bill, Mr. Secretary.
28. SECRETARY:
29. House Bill 3956
30. (Secretary reads title of bill)
31. 3rd reading of the bill.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Berning.

1. SENATOR BERNING:

2. Thank you, Mr. President. House Bill 3956, a counties
3. and townships committee bill, is a permissive bill allowing a
4. township board of trustees to provide for mosquito control and
5. abatement if they so wish or to contract with public or private
6. entities. The reason for the bill, Mr. President and members
7. of the Senate, is that last year there was a rather severe
8. encephalitis outbreak, and as you know, this is a disease
9. carried by mosquitoes. Now, while there are some mosquito
10. abatement districts, and they are in a position to control
11. or attempt to control mosquitoes, in some areas, there are
12. no such entities, and this would allow townships to proceed
13. to undertake a mosquito abatement program and preclude, I
14. emphasize, preclude the necessity of establishing a new taxing
15. districting. I repeat it is permissive, costs the State no
16. money and will cost the townships no money unless the board
17. undertakes such action. I would appreciate a favorable roll
18. call and will attempt to answer questions if there are such.

19. PRESIDENT:

20. Any further discussion? The question is, shall House
21. Bill 3956 pass? Those in favor vote Aye. Opposed Nay. The voting
22. is open. Have all voted who wish? Take the record. On this
23. question, the Ayes are 47, the Nays are none, with 1 Voting
24. Present. House Bill 3956 having received a constitutional majority
25. is declared passed. House Bill 3965, Senator Carroll. Read
26. the bill.

27. SECRETARY:

28. House Bill 3965

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President. This is a committee bill from
2. the House, and it provides that any special fund in the State
3. Treasury inactive for eighteen months or longer shall auto-
4. matically be terminated and those funds returned to General
5. Revenue. This meets with the...approval of everyone. I
6. would ask for a favorable roll call.

7. PRESIDENT:

8. Any further discussion? Senator Don Moore.

9. SENATOR DON MOORE:

10. In effect what we're doing, is eliminating the special
11. funds that we have in the State, is that correct, Senator Carroll...

12. PRESIDENT:

13. Senator Carroll.

14. SENATOR DON MOORE:

15. ...after an eighteen month period?

16. SENATOR CARROLL:

17. Those that have been totally inactive for eighteen months
18. or longer, and on the case of Federal Trust Funds, those that
19. the Comptroller will have discretion as to inactivate those. But they
20. had have been totally inactive eighteen months or longer. No
21. activity at all.

22. PRESIDENT:

23. Senator Moore...Don Moore.

24. SENATOR DON MOORE:

25. How many such funds are affected by this, Senator Carroll?

26. PRESIDENT:

27. Senator Carroll.

28. SENATOR CARROLL:

29. I'm sorry, but the Comptroller's office did not give me that
30. information.

31. PRESIDENT:

32. Any further discussion? Senator Don Moore.

33. SENATOR DON MOORE:

1. Yes, just one more question, Mr. President. Is the...is
2. ...did this bill come from the Comptroller or from the State
3. Treasurer...or?
4. PRESIDENT:
5. Senator Carroll.
6. SENATOR CARROLL:
7. I can only go...it was a House Committee Bill, according to
8. our staff digest. Apparently it was the Comptroller's office
9. that testified on this in support. That's all they mentioned.
10. PRESIDENT:
11. Any further discussion? The question is, shall House Bill
12. 395...65 pass? Those in favor vote Aye. Opposed Nay. The
13. voting is open. Have all voted who wish? Take the record.
14. On this question, the Ayes are 50, the Nays are none, with
15. none Voting Present. House Bill 3965 having received a consti-
16. tutional majority is declared passed.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Hall, do you wish to call 3973? On the order of
19. House Bills on 3rd reading is House Bill 3973. Read the bill,
20. Mr. Secretary.
21. SECRETARY:
22. House Bill 3973
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Hall.
27. SENATOR KENNETH HALL:
28. Okay. Thank you, Mr. President. Ladies and Gentlemen of
29. the Senate. Now, at the onset I'd like to tell you that there will
30. be no request for State funding for this Authority. There are
31. Federal funds available for the State, economic growth and
32. comprehensive planning from the Economic Development Administration
33. of the Department of Commerce. Now, the purpose of this bill is

1 that in depressed areas where there's land use and community
2 development authorities, the authorities will be responsible
3 for a long range comprehensive plan for the growth and development
4 of the depressed areas of Illinois. Now, these depressed areas
5 are those areas that are experienced to an advanced degree,
6 loss of population and blight, decay, deterioration and blight.
7 Now, if we can...go in there, clear off those places and
8 have industrial, recreation, housing plans, include for bonding
9 authority and financial arrangements, the depressed area lands
10 used and redevelopment authority shall in cooperation with the
11 State and Federal and local government, the authority shall
12 report annually to the General Assembly and the people...that
13 represent the people. There will be no request, as I've said,
14 for State funding for this Authority. The comprehensive re-
15 development plan shall be the result of...cooperative efforts of an
16 advisory committee working in conjunction with State and Federal
17 agencies and the authority in various depressed areas of the
18 State to determine the redevelopment policy and plan for that
19 area. Public hearings will be held to establish the...boundaries
20 and so at this stage of the game, the director..had planned...
21 of EDA, planning funds of technical assistance available for those
22 sponsors; Director Kirk of the Local Government endorses this;
23 John Lattimer of the Intergovernmental Relations Commission has
24 thoroughly researched this, and he has indicated to Representative
25 Young that there are Federal Funds available. Now, I've been
26 asked the question and...by Senator Glass and others, that what would
27 be the State's role, and what would be the...how the State would
28 be tied in in case of default, and if you look at the bill, and
29 it tells you on page 19, line 21, the Authority shall have no
30 part anytime or at any minute to pledge the credit or taxing power
31 of the State of Illinois, nor shall any of its obligations be
32 considered obligations of the State of Illinois. This is a good
33 bill and I would ask your support.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Partee.

3. SENATOR PARTEE:

4. Well, Mr. President and members of the Senate, I rise
5. in support of this bill. Very often when areas are seeking
6. something that is beneficial to that area, they are asking for
7. State dollars. This bill does not ask for State dollars. It
8. takes advantage of Federal programs which have dollars avail-
9. able which ought to come back to Illinois, because after all,
10. it's our money. It went down there in the form of income
11. tax, excise, liquor taxes and others, and this is an opportunity
12. for the State of Illinois to get back from the Federal Government
13. some of the dollars we've sent there for use in Illinois in
14. a depressed area. This in my...in my judgement is a rather
15. salutary kind of approach, it's very unique and I certainly
16. plan to support it.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Is there any further discussion? Senator Regner.

19. SENATOR REGNER:

20. Yes, Mr. President and members of the Senate, this is
21. virtually the same bill that was before us last year. It passed
22. the Senate by thirty votes then. The Governor vetoed it with
23. ...with very, very good reasons. I was in total agreement with
24. him on that. It's cleaned up a little bit from last year but
25. not a whole lot. Actually, this Authority created in this bill
26. would have responsibilities that would transcend the Illinois
27. Housing Development Authority, the Environmental Protection
28. Agency, and virtually every other agency in State government plus
29. all your local governments, municipalities, so on and so
30. forth. There's...no...no State dollars contained in operation
31. of this this year. They say there's Federal monies, but we've
32. all seen what happens with projects funded by Federal monies.
33. They grow and grow and grow and they're stuffed down the State's

1 throats in years...in years to come. Senator Hall did say that
2 there was wordage in the bill about no State obligation, however,
3 if these bonds should default, who pays them? I think it's
4 implied that since the General Assembly must approve these
5 ...these revenue bonds that it would come back to haunt us.
6 And if we did not pay them off after a default, I would doubt
7 very much that the State's bonding rate would remain in the
8 same good shape it's in. In Section 4, the wordage in there
9 is implied, I think, I'm not sure, it's not very clear, but
10 it may prohibit private developers from operating in the areas,
11 It would give it all to this new authority that's created, and
12 they're all appointed members. No elected members. The bonds
13 they float are nonreferendum bonds, again to come back to haunt
14 us, and contained in Section 6, the...the Authority created in
15 the bill has the ability to refund bonds issued by local units
16 without any limit. Again, the same bonds can come back to haunt
17 us and bankrupt the State. In Section 9.13, the Authority
18 created in the bill gives them the option of purchasing properties
19 at any price to be committed for any function. Simultaneously,
20 the Authority is given the option to sell any land at less
21 than their acquisition costs. It doesn't say it must be sold
22 less, but it could be because there's nothing in the bill that
23 states otherwise, and as I said, there are nonreferendum. I
24 think this bill is just as bad as the one last year. There are
25 a couple of things cleaned up, but when it's a bad bill, it can't
26 be made better by taking a couple of the bad parts out, and I
27 would urge defeat of the bill.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 Further discussion? Senator Soper.

30 SENATOR SOPER:

31 Well, as I understand this bill, Senator Hall, you have the
32 power of eminent domain, you have the powers of condemnation,
33 you could do anything you want, anyway you want it, issue bonds

1 with this...with this authority, you could take down any buildings
2 you wanted, go in any department, supersede any...any authority
3 that's...that...that's now in existence. Now, last...last
4 year when you came in with this bill, it was so badly written,
5 you had in there...you had in there an authority to issue...you
6 ...you wanted to...the State...to...to fund you in the amount
7 of ten thousand million dollars which is ten billion dollars.
8 That's how well thought out this bill was. Now, you come
9 back with...with this bill and you want to do everything.
10 You'll supersede all municipalities, all local government, and
11 you can do anything you want in anyway, and nobody is going
12 to be elected to this Body. There'll...there's no designation
13 of any...of any legislature...any legislators on this Body, and
14 I don't think you ought to be able to come into in any community
15 and tell that community exactly what you want done without them
16 having any power. You can go in there under eminent domain and
17 condemn the property, buy it, and if you don't like it, you
18 can sell it to whom you please. And if...if the City of Chicago
19 and every municipality and every county wants somebody to have
20 that authority because you want to be nice to somebody, well,
21 you go ahead and do it. When you find out what you've done,
22 you'll...you'll...you'll realize that you've give everything
23 away for a...for a silly bill.

24 PRESIDING OFFICER: (SENATOR ROCK)

25 Any further discussion? Senator Vadalabene.

26 SENATOR VADALABENE:

27 Yes, I'm sure that Senator Hall can...can answer some of
28 the questions and remarks that Senator Soper and Senator Regner
29 said. However, I feel, being the sister county to the north
30 of St. Clair County, that I am well aware of this depressed area,
31 and it's sort of a disgrace to the State of Illinois to have
32 people coming from the west, coming into our State on our inter-
33 state system to, look across the bridge and see East St. Louis and some of

1 the areas around it and what is happening to our State of
2 Illinois? I believe that Senator Hall and Representative
3 Wyvetter Youngs now have a vehicle, have a tool to do some-
4 thing about this depressed area. Let's not get too radical
5 in some of the thinking and let's start taking care of the
6 State of Illinois and support this bill.

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Senator Nimrod.

9 SENATOR NIMROD:

10 Yes, Mr. President. I have a question of the sponsor.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Indicates he will yield. Senator Nimrod.

13 SENATOR NIMROD:

14 Senator Hall, first of all, let me...let me say that 3930
15 just passed here a little bit ago and that's tax increment
16 financing and that's an area that's...that's a means of being
17 able to take care of some depressed areas and some of the blighted areas.
18 I think that you ought to look to that kind of legislation
19 first before we go ahead with us, but can you tell why did the
20 Governor veto this bill last time besides...besides the actual
21 money amount?

22 PRESIDING OFFICER: (SENATOR ROCK)

23 Senator Hall.

24 SENATOR HALL:

25 Well, in answer to that question, Senator, now that if
26 you...the bill last time stated that some of members would be
27 appointed by the General Assembly and some by the Governor and
28 he wanted it all appointed by the governor. Second, he did not
29 know where the Federal funds would come from and that was the
30 reason that he gave for vetoing the bill last time.

31 PRESIDING OFFICER: (SENATOR ROCK)

32 Senator Nimrod.

33 SENATOR NIMROD:

1 Yes, Senator Hall, how do you retire...how...how does...does
2 the present bill propose to retire the bonds?

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Hall.

5 SENATOR HALL:

6 Well, in difference to what was said here, now these are
7 not General Obligation Bonds. These are Revenue Bonds, and it
8 clearly states if you'd read the bill...it clearly states the
9 Authority in Section 20...it clearly states, the Authority shall
10 have no power at any time or in any manner to pledge the credit
11 of...of the taxing power of the State of Illinois, nor shall
12 any of its applications be considered obligations in the State
13 of Illinois. These are going to be Revenue Bonds.

14 PRESIDING OFFICER: (SENATOR ROCK)

15 Senator Nimrod.

16 SENATOR NIMROD:

17 All right, Senator Hall. These are Revenue Bonds, and in
18 order to retire Revenue Bonds, there has to be revenue from somewhere.
19 Where does the revenue come from?

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Hall.

22 SENATOR HALL:

23 Well, they'll come from the particular project. See, there
24 are no private developers down in these areas, and...and so
25 what we're starting we're starting from scratch. We're...we're...
26 we're...we're trying to plan. The big question...the hue and
27 cry today is to get people off of welfare, get people jobs and
28 this is what we're trying to do.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Senator Nimrod.

31 SENATOR NIMROD:

32 Now, I...I still didn't hear where the revenue would be
33 coming from, and I think that there are some problems with this,

1 and I think you're trying to anticipate. I wish you would
2 consider working with that tax increment bill for right now
3 and then bring this one back again next year after we've had
4 a chance to look at it, because here in this last final minutes
5 you're getting to the point where we're closing out and you're
6 asking us to indulge ourselves in such a very important issue.
7 We certainly think you need help, but this is not the way to do it.

8 PRESIDING OFFICER: (SENATOR ROCK)

9 Any further discussion? Senator Berning.

10 SENATOR BERNING:

11 My recollection is, and I'm asking the sponsor if my
12 recollection is correct, that there is a bill either pending or
13 has passed, providing for an additional form of lottery and
14 from its revenue there's a certain portion that is to go into
15 the implementation of this bill if it passes. Is that not
16 correct?

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Senator Hall.

19 SENATOR HALL:

20 Senator...pardon me, Senator, that bill has...in...nothing
21 to do with this. That bill is over in the House, is on Post-
22 Poned Consideration and it has nothing to do with this bill.

23 PRESIDING OFFICER: (SENATOR ROCK)

24 Senator Berning.

25 SENATOR BERNING:

26 Very well. I will accept that. My understanding is that that
27 is a bill that really compliments this bill and will become an
28 integral part of it if and when one or the other passes.
29 My concern for this, Mr. President, is the fact that it is a
30 very, very complex intricate bill and concept. The bill was
31 introduced on...June 2nd, and we are expected to evaluate in
32 short order, in the midst of everything else that we are comforted
33 with, this measure which has vaster, great...greater implications

1 than most of us are aware. I submit that it will be as all
2 encompassing as the RTA and I recognize that there are those on
3 the other side who are unwilling to help us resolve the problem
4 of the RTA, so that, in...in embarking on such a program as this
5 envisions, I can see just endless problems and costs and ramifica-
6 tions. One thing further, Mr. President, this is...so it's
7 enunciated, for the benefit of deprived, depressed areas
8 where there are no facilities, where there is no income, where
9 there is no means of support. It seems paradoxical then to say,
10 let's go ahead and spend a lot of money and build buildings and
11 dwellings and it will then become self-supporting. I say that
12 this is not going to make people self-supporting, this is going
13 to be a burden on people. It would appear that this measure
14 ought not to pass at this time. It should be held for closer
15 scrutiny. Among other items that concern me is, who, who is it
16 that wants this, who is it that's in back of this, who is going
17 to profit by this. There is someone, there is someone...someone
18 people who has a more than passing interest in this, and there
19 may seriously be a conflict of interest.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Any further discussion? Senator Hall may close the debate.

22 SENATOR HALL:

23 Thank you, Mr. President and fellow members of the Senate.
24 Senator Berning, the Chinese have a saying - a thousand miles
25 begins with a single step. Now, the big problem today and the
26 hue and cry of everyone is to pull yourself up by your bootstraps,
27 but if you don't have any boots, how are you going to pull yourself
28 up? What we're trying today and what we're attempting to do
29 today, is do the very thing that I hear from you all the time,
30 is that we got to get these people doing something, we've got
31 to get them off of Public Aid, we got to get them off of welfare.
32 Now, you also mentioned something about comprehensive plan...I
33 mean this is a very comprehensive bill. We have...very complex...

1 I meant complex bill. We have very complex problems. Unless
2 we have a comprehensive plan, we're never going to accomplish
3 anything. Now, it's right here before you. It tells you
4 what's going to happen. We're going to take advantage as the
5 President has told you. Federal Funds that are available.
6 We have researched this. There's been a pledge and if this
7 is what not only the people in one section, this is the people
8 of the entire depressed areas throughout the entire State of
9 Illinois. This is a good bill. It didn't just pop up on the
10 Calendar. It's been here for some time. I would ask a most
11 favorable support for this bill.

12 PRESIDING OFFICER: (SENATOR ROCK)

13 All right, the question is, shall House Bill 3973 pass?
14 Those in favor will vote Aye. Those opposed will vote Nay.
15 The voting is open. Have all voted who wish? Have all voted
16 who wish? Take the record. On that question, the Ayes are 31,
17 the Nays are 10, 5 Voting Present. House Bill 3973 having
18 received a constitutional majority is declared passed. Senator
19 Regner, for what purpose do you arise?

20 SENATOR REGNER:

21 To request a verification of the affirmative votes.

22 PRESIDING OFFICER: (SENATOR ROCK)

23 All right, will the members please be in their seats?
24 Senator Regner has requested a verification. Secretary will
25 read the affirmative votes.

26 SECRETARY:

27 The following voted in the affirmative: Brady, Buzbee, Carroll,
28 D'Arco, Daley, Demuzio, Donnewald, Dougherty, Egan, Fawell,
29 Glass, Kenneth Hall, Hickey, Hynes, Knuppel, Kosinski, Lane,
30 Lemke, McCarthy, Netsch, Newhouse, Nudelman, Palmer, Philip,
31 Rock, Savickas, Smith, Vadalabene, Welsh, Wooten, and Mr. President.

32 PRESIDING OFFICER: (SENATOR ROCK)

33 The roll has been verified. The Ayes are 31, the Nays are

1 10, 5 Voting Present. House Bill 3973 having received a
2 constitutional majority is declared passed. Senator Newhouse.
3 SENATOR NEWHOUSE:

4 Having voted on the prevailing side, Mr. President, I
5 move that the vote by which this bill passed be considered.

6 PRESIDING OFFICER: (SENATOR ROCK)

7 Senator Newhouse moves to reconsider the vote by which
8 House Bill 3973 has passed. Senator Vadalabene moves to lay
9 that motion upon the Table. All those in favor signify by
10 saying Aye. All those opposed. The Ayes have it. The motion
11 is Tabled. Senator Philip. On the order of House Bills on
12 3rd reading, House Bill 3976. Read the bill, Mr. Secretary.

13 SECRETARY:

14 House Bill 3976

15 (Secretary reads title of bill)

16 3rd reading of the bill.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 Senator Philip.

19 SENATOR PHILIP:

20 Thank you, Mr. President and Ladies and Gentlemen of the
21 Senate. House Bill 3976 as amended authorized counties over
22 four hundred and fifty thousand, and let me underline that
23 again, over four hundred and fifty thousand...that's only one
24 county, the county of Dupage, to issue by county board referendum
25 GO Bonds for thirty years at eight percent interest for the
26 purpose of the reconstruction, remodeling of court houses. The
27 rationale...the rationale for this is...I'm just am not going to
28 bore you with a lot of figures...but in 1964, our population in
29 DuPage County was three hundred and seventy thousand. In 1975
30 it is five hundred and eighty-eight thousand. Looking at caseloads
31 in the court, in 1964 we had thirty-five thousand cases in our
32 court. In 1975, we have a hundred and two thousand cases.
33 We are the fastest growing county in the State of Illinois, and

1 very honestly, we just don't have enough courtrooms. I'll answer
2 any questions, and I ask for your favorable consideration.

3 PRESIDING OFFICER: (SENATOR ROCK)

4 Senator Bloom. Senator Bloom.

5 SENATOR BLOOM:

6 Thank you, Mr. President. Question of the sponsor...

7 PRESIDING OFFICER: (SENATOR ROCK)

8 Can we have some order?

9 SENATOR BLOOM:

10 ...question of the sponsor?

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Sponsor indicates he will yield if he can hear. Senator Bloom.

13 SENATOR BLOOM:

14 Yeah, Senator, don't you think that this problem is taken
15 of in 3976...or 3973?

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Philip.

18 SENATOR PHILIP:

19 I wish it was true, Senator, but I'm sure it is not.

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Further discussion? Senator Egan.

22 SENATOR EGAN:

23 Yes, Mr. President and members of the Senate. As a
24 practicing lawyer in the greater DuPage area, as the greater
25 Cook County area, I can only attest to the...to the very dire
26 need of better facilities for the courthouses and there for the
27 ...for the judges in DuPage and I...I support it and I hope I
28 don't hurt this.

29 PRESIDING OFFICER: (SENATOR ROCK)

30 Any further discussion? The question is, shall House Bill
31 3976 pass? Those in favor will vote Aye. Those opposed will
32 vote Nay. The voting is open. Have all voted who wish?
33 Have all voted who wish? Take the record. On that question,

1 the Ayes are 33, the Nays are 14, none Voting Present. House
2 Bill 3976 having received a constitutional majority is declared
3 passed. All right, with leave of the Body, there's been a
4 request to...is Senator Wooten on the Floor? There's been a
5 request to go back to the order of Senate Bills on 3rd reading
6 for the purpose of bringing bills back for the purpose of
7 amendment. Is leave granted? All right, on the order on
8 Senate Bills 3rd reading...Senator Hickey, do you have an
9 amendment to 2...2007? All right, on the order of Senate
10 Bills, Senate Bili 2007. Senator Hickey seeks leave of this
11 Body to bring this bill back to the order of 2nd reading for
12 purposes of an amendment. Is leave granted? Leave is granted.
13 On the order of Senate Bills 2nd reading, Senate Bill 2007.
14 Amendments, Mr. Secretary.

15 SECRETARY:

16 Amendment No. 3 offered by Senator Hickey.

17 PRESIDING OFFICER: (SENATOR ROCK)

18 We are now on the order of 2nd reading, Mr. Secretary.
19 All right, Senator Hickey.

20 SENATOR HICKEY:

21 Mr. President, I want to Table Amendment No. 1, first, and
22 then...

23 PRESIDING OFFICER: (SENATOR ROCK)

24 All right.

25 SENATOR HICKEY:

26 ...substitute another one.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 Senator Hickey moves to reconsider the vote by which Amend-
29 ment No. 1 to Senate Bill 2007 was adopted. All those in favor
30 signify by saying Aye. All those opposed. The Ayes have it.
31 The vote is reconsidered. Senator Hickey now moves to Table
32 Amendment No. 1. All those in favor signify by saying Aye.
33 Those opposed. The Ayes have it. The amendment is Tabled.

1 Amendment No. 2, Senator Hickey.

2 SENATOR HICKEY:

3 Amendment No. 2 which is a committee amendment stays. I'd
4 now like to substitute another amendment for the one which we
5 just Tabled, and we'll call it Amendment No. 1. Can we...is
6 that what we do...

7 PRESIDING OFFICER: (SENATOR ROCK)

8 No...just...

9 SENATOR HICKEY:

10 ...or shall we...

11 PRESIDING OFFICER: (SENATOR ROCK)

12 ...one...one is...

13 SENATOR HICKEY:

14 ...no, we leave it...leave it a three. All right.

15 PRESIDING OFFICER: (SENATOR ROCK)

16 One...one has been Tabled. What's Amendment No...what
17 amendment are we on, Mr. Secretary?

18 SENATOR HICKEY:

19 2 was put...

20 PRESIDING OFFICER: (SENATOR ROCK)

21 No...no... No. 2...2 is already on. We're...

22 SENATOR HICKEY:

23 2 is already on.

24 SECRETARY:

25 Amendment No. 3.

26 SENATOR HICKEY:

27 No. 3.

28 PRESIDING OFFICER: (SENATOR ROCK)

29 All right. Senator Hickey.

30 SENATOR HICKEY:

31 This amendment does exactly the same thing that the one
32 which we just Tabled, but in addition to that makes this a
33 ...a situation for just one year. This was agreed to by the

1 State of Board of Education yesterday and is agreeable to most
2 of the education associations and organizations, and I move that
3 it be adopted.

4 PRESIDING OFFICER: (SENATOR ROCK)

5 Any discussion? Senator Hickey moves the adoption of
6 Amendment No. 3 to Senate Bill 2007. All those in favor signify
7 by saying Aye. All those opposed. The Ayes have it. The
8 amendment is adopted. Further amendments?

9 SECRETARY:

10 Amendment No. 4 offered by Senator Hickey.

11 PRESIDING OFFICER: (SENATOR ROCK)

12 Senator Hickey.

13 SENATOR HICKEY:

14 No, I haven't got an Amendment No. 4.

15 SECRETARY:

16 2007

17 SENATOR HICKEY:

18 2007, there were just three amendments. We just put...
19 yeah, there's one to 2008, which is...that's one we just put on.
20 That was Amendment No. 3.

21 PRESIDING OFFICER: (SENATOR ROCK)

22 Senator Hickey, do you want to confer with the Secretary.
23 There are, in fact, it appears two separate and distinct amend-
24 ments? Further amendments?

25 SECRETARY:

26 No further amendments.

27 PRESIDING OFFICER: (SENATOR ROCK)

28 So, there...are but three amendments. All right, no
29 further amendments, 3rd reading. Do you wish the same procedure
30 with respect to 2008? All right. Senator Hickey seeks leave
31 of this Body to bring Senate Bill 2008 back to the order of
32 2nd reading for purpose of an amendment. Is leave granted?
33 Leave is granted. On the order of Senate Bills 2nd reading is

1 Senate Bill 2008. Any amendments from the Floor? All right,
2 Senator Hickey.

3 SENATOR HICKEY:

4 Mr. President, we wish to Table Amendment No. 1.

5 PRESIDING OFFICER: (SENATOR ROCK)

6 All right, Senator Hickey moves to reconsider the vote by
7 which Amendment No. 1 to Senate Bill 2008 was...was adopted.

8 All in favor signify by saying Aye. All those opposed. The

9 Ayes have it. The vote is reconsidered. Senator Hickey now

10 moves to Table Amendment No. 1 to Senate Bill 2008. All those

11 in favor signify by saying Aye. All those opposed. The Ayes

12 have it. The amendment is Tabled. Further amendments?

13 SECRETARY:

14 Amendment No. 2...

15 SENATOR HICKEY:

16 Yes...

17 SECRETARY:

18 ...offered by Senator Hickey, and again, Senator Hickey,

19 I have two amendments. Which one is it?

20 PRESIDING OFFICER: (SENATOR ROCK)

21 Senator Hickey.

22 SENATOR HICKEY:

23 The...the one that I gave you formally, I want to withdraw
24 and that has not been adopted, and the one I just gave you is the

25 one we do want to adopt, and it's the exactly the same...

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Senator...

28 SENATOR HICKEY:

29 ...situation as with 2007.

30 PRESIDING OFFICER: (SENATOR ROCK)

31 ...All right, any discussion? Senator Hickey moves the

32 adoption of Amendment No. 2 to Senate Bill 2008. All those in

33 favor signify by saying Aye. All those opposed. The Ayes have it.

1. The amendment is adopted. Further amendments?

2. SECRETARY:

3. No further amendments.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. 3rd reading. On the order of Senate Bills 3rd, is Senate
6. Bill 2009. Senator Wooten seeks leave of this Body to bring
7. this bill back to the order of 2nd reading for purpose of an
8. amendment. Is leave granted? On the order of Senate Bills
9. on 2nd reading, is Senate Bill 2009.

10. SECRETARY:

11. Amendment...Amendment No. 1 offered by Senator Wooten.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Wooten.

14. SENATOR WOOTEN:

15. Mr. President and colleagues. This amendment concerns the
16. payment for summer school. It gives the State Superintendent
17. the power for one year to make those payments on the quarterly
18. basis if it is necessary because of economic conditions.
19. Otherwise, the payment will be...will be made once a year in
20. December, and after one year, will go back to the annual
21. payments. I move the adoption of the amendment.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Wooten moves the adoption of Amendment No. 1 to
24. Senate Bill 2009. All those in favor signify by saying Aye.
25. All those opposed. The Ayes have it. The amendment is adopted.
26. Any further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. 3rd reading. Senator Hickey, do you wish to...call these
31. bills for passage? All right, on the order of Senate Bills on
32. 3rd reading, Senate Bill 2007. Read the bill, Mr. Secretary.

33. SECRETARY:

1. Senate Bill 2007
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Hickey.
6. SENATOR HICKEY:
7. Mr. President and colleagues...
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Hickey.
10. SENATOR HICKEY:
11. ...2007 and 2008 both have to do with the State's cash flow
12. problems. Those were first precipitated last September when,
13. for the first time, the special education allotment was paid
14. out in one lump sum in that month - seventy-two million dollars,
15. and this is when our troubles all started. I'd like to read
16. to you something that was in the newspaper this morning entitled-
17. Lindberg renews payments split call. Warring of cash shortages,
18. State Comptroller George Lindberg renewed Wednesday his call
19. to the Legislature to split the fall lump sum payment for special
20. education and pupil transportation into quarterly payments.
21. Quote - If the one hundred and fifty million dollars special
22. education and pupil transportation reimbursements are made this
23. September as now required, there will not be enough money to
24. meet other State obligations on time, Lindberg said Wednesday
25. in his monthly financial report. After two years of deficit
26. spending there is no more cash cushion to draw upon. Lindberg
27. said there will be a cash shortage and extended period of slow
28. pay beginning in September or October if nothing is done. This
29. bill, the first one, 2007 which deals with transportation
30. addresses itself to that. It would allow for quarterly payments
31. for special education. There has been some concern that this
32. would hurt the school districts. I've talked to my own which
33. does get very sizable payments in this regard. Inasmuch as in

1. September, they also have other money coming in, they might
2. lose the interest from September, maybe through November.
3. Some years they don't have to borrow money until January. Last
4. year, they started in November, so that there would have been
5. ...if the same situation occurs again, there would be no loss
6. of interest other than two months. I think that we should also
7. think about the fact that we need the money through...we need
8. money for schools, and if we all want to cooperate in what-
9. ever way we can, we're going to make it more readily accessible
10. to us not in making the totals any different, but in making
11. the cash flow problem much less serious and I...I beg for a
12. favorable vote. Thank you.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Brady.

15. SENATOR BRADY:

16. Sponsor yield for a question?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Indicates she will yield. Senator Brady.

19. SENATOR BRADY:

20. Senator Hickey, was there not prior discussion to the fact
21. that there would be an amendable or agreeable amendment that
22. the school districts who did suffer a loss in interest would
23. be paid the amount that they would lose in interest?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Hickey.

26. SENATOR HICKEY:

27. Senator Brady, I did not agree to introduce such an
28. amendment. Some people talked about it. I said I would...I
29. would certainly not resist it. If somebody wanted to offer
30. that amendment, I do not believe that it is necessary, and I
31. did not draw it up as I...as I...I did not say that I would.
32. If...but ..and apparently no one else has that to...to introduce.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Brady.

2. SENATOR BRADY:

3. Yes, since it was my understanding that it was being in-

4. troduced, I...I wonder whether you would consider holding the

5. bill and bringing it back so that I could introduce that amendment?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Hickey.

8. SENATOR HICKEY:

9. How soon could you get that amendment ready? Yes, I'll do

10. that. ...You think that you can maybe even do it today? I'm...

11. I don't want to lose a legislative day.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right, take it from the record. How...how...

14. SENATOR HICKEY:

15. All right, fine.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. ...about 2008? Same thing? All right. Take it from the

18. record 2009? On the order of Senate Bills on 3rd reading,

19. Senate Bill 2009. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House...or Senate Bill 2009

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Wooten.

26. SENATOR WOOTEN:

27. Now, Mr. President and colleagues, this bill answers a

28. question which was raised when we reduced the appropriation

29. for summer school down to three million. The suggestion of the

30. Office of Education was that as the statutes are presently drawn

31. some district could enter its claim for its entire amount and

32. be paid that off the top. And the first districts in with

33. the summer school claim would be paid and the rest would be left

1. with nothing. The intent of leaving that three million dollars in
2. was that so we could take care of handicapped children.
3. What this does is redistribute some language through the Code,
4. specifically that dealing with summer school claims and impaction
5. aid, puts them in separate areas so that they can be dealt with
6. separately and this now enables us to say when we get three
7. million dollars appropriated for summer school, it will be
8. distributed...on a proration, that everybody will get a proportional
9. share. In addition, we have also put a provision in here on
10. summer school claims saying that they should be paid in one
11. lump sum unless we don't have the money, in which case during
12. this next year only, you can pay in quarterly amounts if it
13. is necessary, and that decision is to be made by the Superintendent.
14. And that's the substance of Senate Bill 2009. I would ask your
15. favorable consideration.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any discussion? Senator Nimrod.

18. SENATOR NIMROD:

19. Yeah, a question of the sponsor?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Indicates he will yield. Senator Nimrod.

22. SENATOR NIMROD:

23. Yeah, Senator Wooten, I...I noticed...I thought this bill
24. was similiar to the others where we were having a proration of
25. all these claims. Now, you close off by saying that for this
26. next year only, it would be in quarters, then it means it would
27. be in...in lump sum after that?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Wooten.

30. SENATOR WOOTEN:

31. Yeah, for this year only. That was the substance of the
32. amendment I just put on the bill...that if it is necessary
33. this next year...in otherwords, we don't have the money to pay

1. in one lump sum, but during the next year, we can pay by
2. quarters, and that'll be a decision by the Superintendent,
3. but that only for the next year. If there's any further problem
4. after that, we'll have to come back and give them that...that
5. separate authority.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. All right. Senator Nimrod.

8. SENATOR NIMROD:

9. All right. That...then it reverts back to the proration
10. on...in these claims for the succeeding years after this first one?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Wooten.

13. SENATOR WOOTEN:

14. What it does, it removes the language in the School Aid
15. Formual Section regarding payment of summer school claims and
16. puts it in a new section of the School Code. It does the
17. same with Impaction Aid payments, just moves it from one place
18. to another, so that it makes clear that whenever the State
19. doesn't have enough money, that what there is is distributed
20. fairly. So, otherwise, according to some people, if you get in
21. with your claim first, you get all your money, and the next
22. guy down the line may not get any. So, by putting the language
23. in different sections, it enables us to prorate, and that is
24. the substance of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Yeah, it was...it was my understanding that this was another
29. ...one of the three bills in order to help raise the curve on
30. the distribution of the funds. But what this actually does is
31. to make sure that the schools get the distribution on a more
32. proration basis and it has nothing to do with the other two
33. bills of Senator Hickey's. Is that right?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Wooten.

3. SENATOR WOOTEN:

4. That's right. All the bills were presented together, but
5. this one does something that I think we'd want to do regardless,
6. that if ever we run short, be sure everyone gets their fair share.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Yeah, and just for the record, I don't want to be the one
11. that has mislead, because I'm the one that made the motion to
12. take this out of committee, and it was my understanding that
13. this was one of the three bills that was going to do the same
14. thing, but this one actually does something different, and I
15. think the members of that committee ought to be aware that we
16. ...we are talking about a separate operation pertaining to this
17. particular issue. I do support it, but I don't think we should
18. let them be under the impression that it was going to be for
19. that same purpose as 2007 and 2008.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right, any further discussion? Senator Wooten may
22. close the debate.

23. SENATOR WOOTEN:

24. All right, just so there is no misunderstanding, this
25. shuffles some language in the School Code, so it becomes perfectly
26. clear that if there is a shortage of money, each district gets
27. its fair share. The way it's written now, there is some
28. suspicion that that in fact, would not be the case. It also provides
29. for next year only if the Superintendent does not have enough
30. cash in hand to pay in one lump sum, he can pay quarterly or
31. on something approaching that. But that permission is given him
32. only for one year. That's exactly what the bill does, and I
33. request a favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. The question is, shall Senate Bill 2009 pass? Those in
3. favor vote Aye. Those opposed vote Nay. The voting is open.
4. Have all voted who wish? Take the record. On that question,
5. the Ayes are 38, the Nays are 3, 8 Voting Present. Senate
6. Bill 2009 having received a constitutional majority is declared
7. passed. Senator Bruce, 1802. Is that the right one? All
8. right, on the order of Senate Bills 3rd reading is Senate Bill
9. 1802. Read the bill, Mr. Secretary.
10. SECRETARY:
11. Senate Bill 1802
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Bruce.
16. SENATOR BRUCE:
17. Senate Bill 1802 as amended clarifies a situation relative
18. to Federal employees such as the Bureau of Employment Security
19. that when we get a Federal grant for their payroll, that the
20. Federal government can include in the grant the amount of money
21. necessary for payment of the State Employee Group Insurance
22. Premium. We amended it also to allow...transfer into that
23. line item so that when new employees are added, or that we
24. get the Federal grants, it can be, in fact, attributed to the
25. State Employee Group Insurance Premium Fund. I would ask for
26. a favorable roll call.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Is there any discussion? The question is...Senator Berning.
29. SENATOR BERNING:
30. Would the sponsor answer a question?
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Indicates he will yield. Senator Berning.
33. SENATOR BERNING:

1. When you say that we are receiving funds to be deposited
2. in the Employee's Pension Fund, are they contributing in the
3. amount to cover the actual costs or...or...or what is the
4. proportion?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Bruce.

7. SENATOR BRUCE:

8. No, I did not say Pension Fund, the State Employee Group
9. Insurance Fund and they do not contribute anything.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. All right, any further discussion? The question is,
12. shall Senate Bill 1802 pass? Those in favor will vote Aye.
13. Those opposed will vote Nay. The voting is open. Have all
14. voted who wish? Take the record. On that question, the Yeas
15. are 48, the Nays are 1, none Voting Present. House Bill...
16. Senate Bill 1802 having received a constitutional majority is
17. declared passed. Messages from the House.

18. SECRETARY:

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

20. Mr. President - I am directed to inform the Senate
21. that the House of Representatives has refused to adopt the
22. First Conference Committee Report on House Bill 3370 and requests
23. a Second Conference Committee to consider the differences
24. between the two Houses in regard to Amendment No. 3.

25. Further directed to inform the Senate that the Speaker of the
26. House has appointed a...such committee on the part of the House:
27. Representatives DiPrima, Bradley, Barnes, Tatten, and Ryan.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Representative Tatten. All right, the question...

30. SECRETARY:

31. That's Senator Joyce's bill. House Bill 3370.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. ...The question is, shall the Senate accede to the request

1. of the House that a Second Conference Committee be appointed?
2. All those in favor signify by saying Aye. All those opposed, Nay.
3. The Ayes have it. The motion carries, and the Senate accedes
4. to the request of the House to appoint a Second Conference
5. Committee.

6. SECRETARY:

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

8. Mr. President - I am directed to inform the Senate that
9. the House of Representatives has adopted the following joint
10. resolution in the adoption of which I am asked...I am instructed
11. to ask the Senate...concurrence by the Senate. House Joint
12. Resolution 104.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Do we have any idea who the sponsor...Senate sponsor of
15. that is? All right, Secretary's Desk.

16. SECRETARY:

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

18. Mr. President - I am directed to inform the Senate
19. that the House of Representatives has concurred with the Senate
20. in the passage of a bill with the following title: Senate Bill
21. 1600, together with House Amendment No. 1.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Secretary's Desk.

24. SECRETARY:

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

26. Mr. President - I am directed to inform the Senate
27. that the House of Representatives has concurred with the Senate
28. in the passage of a bill with the following title: Senate Bill
29. 1795, together with House Amendment No. 6.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Secretary's Desk.

32. SECRETARY:

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

1. Mr. President - I am directed to inform the Senate
2. that the House of Representatives has passed a bill with the
3. following title in the passage of which I am instructed to
4. ask the concurrence of the Senate, to-wit: House Bill 3604.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Secretary's Desk. Rules Committee. All right, with
7. leave of the Body, we'll revert back to the order of Senate
8. Bills on 3rd reading. I understand Senator Brady has with-
9. drawn his request for an amendment, and we can proceed on
10. Senate Bills 2007 and 2008. Senator Nimrod, for what purpose
11. do you arise?
12. SENATOR NIMROD:
13. Mr. President, I knew you were on orders of motions, and
14. I just wanted the...to dispense...
15. PRESIDING OFFICER: (SENATOR ROCK)
16. No, we were not on the order of motions. We were on the order...
17. SENATOR NIMROD:
18. ...Oh.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. ...of messages from the House.
21. SENATOR NIMROD:
22. Okay.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. We will get to the order of motions. All right, Mr. Secretary,
25. on the order of Senate Bills on 3rd reading is Senate Bill 2007.
26. Read the bill.
27. SECRETARY:
28. Senate Bill 2007
29. (Secretary reads title of bill)
30. 3rd reading.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Hickey.
33. SENATOR HICKEY:

1. Mr. President and colleagues, Senator Brady has agreed
2. that it's all right with him if we go ahead with the bills
3. now, and he gets this amendment put on in the House because
4. of time and the possible loss of a legislative day. So, I...
5. with no further ado, I'd ask for the roll call.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any discussion? Senator Nimrod.

8. SENATOR NIMROD:

9. Yeah, one...one comment that I would like to make. At...in
10. the Senate Revenue Committee, this bill was discussed and it
11. does do the things that Senator Hickey has said, and the
12. Comptroller was there and in fact, this is a great help to
13. our cash flow problem. It does raise the curve and this makes
14. money available on a cash flow basis for the State at a time
15. when they need it the most, and at the same time, it's also
16. is money for the schools when they need it the least, so it...
17. it works out well both ways, and it's...it's...it's...these
18. ...they're two good bills. I think they satisfy a serious
19. problem for the State.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Fawell.

22. SENATOR FAWELL:

23. Well, I...I think a lot of the school districts are unaware
24. of this. These bills did not go into the Education Committee,
25. and I'm not necessarily complaining about that. I'm sure they had a
26. good hearing in Revenue, but we should understand exactly what
27. is being done here. The schools are just going to have to wait
28. that much longer for their...in this case, the reimbursement
29. for transportation. I rise in opposition to it. I don't think
30. that we can continue to just...to utilize our school districts
31. to practice the economy that otherwise we aren't very well practicing.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Further discussion? Senator Brady.

1. SENATOR BRADY:

2. Yes, Mr. President and fellow members, after discussion
3. with the Senate sponsor, Senator Hickey, I've agreed to support
4. these bills at this time and look forward to trying to amend
5. them in the House, at least to make up the fiscal impact that
6. will happen to the school boards in a local level. Apparently,
7. it came out in the Revenue Committee when they were heard it'll cost
8. about three and a half million dollars to local school districts to
9. alleviate the pressure of the lump sum payment as it is going
10. against our General Revenue amounts. I think these bills approach
11. it in a sound manner, and I think, as amended will be good for
12. our fiscal management this year, and I urge your support.

13. PRESIDING OFFICER: (SENATOR ROCK)

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

15. SENATOR HICKEY:

16. Mr. President, I simply want to point out to Senator Fawell
17. and to the rest of the Senators that the school board...the
18. State School Board did approve this concept yesterday at its
19. meeting, and I have also been told by the Office of Education
20. that the school...the State-wide school associations and
21. organizations all approve this.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. All right, the question is, shall Senate Bill 2007 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 48, the Nays are 4, none Voting
27. Present. Senate Bill 2007 having received a constitutional
28. majority is declared passed. On the order of Senate Bills on 3rd
29. reading is Senate Bill 2008. Mr. Secretary, read the bill.

30. SECRETARY:

31. Senate Bill 2008

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Hickey.

3. SENATOR HICKEY:

4. Mr. President, everything we said about 2007 applies to
5. 2008 except that special education is the...is the issue. If
6. there are no questions, I request a roll call.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any discussion? Senator Fawell.

9. SENATOR FAWELL:

10. Senator, is...isn't the State reimbursement we're talking about
11. here funds that we're raising by bonds, now, rather than by
12. General Revenue?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Hickey.

15. SENATOR HICKEY:

16. I'm...I'm sorry, I...I...I thought it came out of General
17. Revenue.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Fawell.

20. SENATOR FAWELL:

21. Normally speaking, that is true, but this year on really a one
22. shot measure...again to alleviate the cash crunch, I believe
23. what we have done is in effect switched from General Revenue of
24. approximately ten million dollars and gone into financing this
25. reimbursement via the Capital Development Board Bonds, and I
26. can't see why, therefore, we should...again schools wait long
27. enough for this money, and now even on special education, we're
28. going to evidently drag it out over four installments. And
29. I...I just repeat to everybody on this Floor when the school
30. districts wake up and realize...they count on this money a great
31. deal. It comes out of their general corporate funds and they
32. count on the money coming in and they're counting on it coming
33. in, and I don't see why, if I'm accurate in my appraisal here,

1. if these are Bond Funds, why in the world we have to do that
2. here?

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Hickey.

5. SENATOR HICKEY:

6. Senator Fawell, if they're Bond Funds, I must admit that
7. I don't know it. That was not brought up, either by George
8. Lindberg in committee, by anyone who has talked to me about
9. this from the administration. I reiterate that the State
10. School Board approves of this, and my own school district
11. approves of this and does not feel that there will be any
12. trouble in handling this situation at all.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any further discussion? The question is, shall Senate
15. Bill 2008 pass? Those in favor will vote Aye. Those opposed
16. will vote Nay. The voting is open. Have all voted who wish?
17. Take the record. On that question, the Ayes are 46, the Nays
18. are 6, none Voting Present. Senate Bill 2008 having received
19. a constitutional majority is declared passed. We have about
20. twenty minutes remaining before the time that the President
21. indicated he wished to adjourn. We could go to the Secretary's
22. Concurrence Desk. Senator Partee.

23. SENATOR PARTEE:

24. Well, you are exactly right. That's just what I was going
25. to suggest - getting to the concurrences.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. All right, on the order of Secretary's Desk on concurrences.
28. Senate Bill 1603, Senator Bruce. 1610, Senator Lane. Senator
29. Lane.

30. SENATOR LANE:

31. Yes Sir, Mr. President and members of the Senate, the Senate
32. has agreed to concur with the House, hopefully. It's just a
33. technical amendment. The...there was a row of figures that were

1. added incorrectly. The House caught the error.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any discussion? The question is, shall the Senate concur
4. in House Amendment No. 1 to Senate Bill 1610? Those in favor
5. will vote Aye. Those opposed will vote Nay. The voting is
6. open. Have all voted who wish? Take the record. On that
7. question, the Ayes are 48, the Nays are none, none Voting
8. Present. The Senate does concur in Amendment No. 1 to Senate
9. Bill 1610, and the bill having received a constitutional
10. majority is declared passed. 1614, Senator Morris.

11. SENATOR MORRIS:

12. I would like to nonconcur in all of the House amendments,
13. so that we may have a Conference Committee to resolve the
14. problem.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Morris moves that the Senate...Senator Morris
17. moves to nonconcur in House Amendments 1, 4, 5, 6, 7, 8, 9,
18. 12, 18, 19, 20 and 22. All those in favor signify by saying
19. Aye. All those opposed, Nay. The motion carries, and the
20. Secretary shall so inform the House. 1625, Senator Wooten.
21. Senator Wooten.

22. SENATOR WOOTEN:

23. Mr. President and colleagues, I would like at least to
24. have a run at this. There are five House Amendments on this
25. bill. Amendments 1, 2, 4 and 5, I do not believe present any
26. problem. Amendment No. 3 is the one that is the stumbling block,
27. and that is the amendment which the House properly, I think,
28. put on returning 2.3 million that was cut by the Senate in
29. an argument over collective bargaining. My position is that
30. regardless of the philosophical merits, and I think this Senate
31. has gone two different ways on this issue as has been pointed
32. out here before, that the Department of Corrections simply
33. cannot take a cut for any reason, however good, as our prison

1 population is not exactly exploding but expanding rapidly,
2 and a cut of this size would be fatal. I believe that they're
3 ...I would like some kind of response as to the nature of...
4 of House Amendments 1, 2, 4 and 5 if I may from the Appropriations
5 staff of either or both sides to see if my assessment of those
6 amendments is correct that 1...if there are any questions
7 about 1, 2, 4 and 5, I'd...I'd to address that, because
8 I would like to ask for concurrence overall.

9 PRESIDING OFFICER: (SENATOR ROCK)

10 Senator Weaver.

11 SENATOR WEAVER:

12 Well, thank you, Mr. President. We've got a real problem
13 with House Amendment No. 5, also, that hundred and thirty
14 thousand dollars working cash fund. That should go into
15 General Revenue, Senator Wooten.

16 PRESIDING OFFICER: (SENATOR ROCK)

17 Senator Wooten.

18 SENATOR WOOTEN:

19 Well, that stops me, because I didn't think we'd have
20 any difficulty on that one. I'm too weak. Take this from
21 the record and come back to it in just about three minutes?

22 PRESIDING OFFICER: (SENATOR ROCK)

23 You certainly may.

24 SENATOR WOOTEN:

25 All right.

26 PRESIDING OFFICER: (SENATOR ROCK)

27 Take it from the record. 1627, Senator Nudelman. Senator
28 Nudleman.

29 SENATOR NUDELMAN:

30 Thank you, Mr. President. I move that we...this is the
31 budget for R & E, and the...there were several changes and the
32 bottom line is...is that there is an additional cost of ninety-five
33 hundred dollars over and above what we sent over there. There
34 have been some deletions, some...some changes...line item changes
35 and the...the net change is ninety-five hundred dollars.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any discussion?
3. SENATOR NUDELMAN:
4. I move that we concur.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator...the question is, shall the Senate concur in
7. House Amendments 1, 2, 3, 5 and 6 to Senate Bill 1627? Those
8. in favor will vote...any discussion? Those in favor will
9. vote Aye. Those opposed will vote Nay. The voting is open.
10. Have all voted who wish? Take the record. On that question,
11. the Ayes are 53, the Nays are 1, none Voting Present. The
12. Senate does concur in House Amendment...in Amendment...House
13. Amendments 1, 2, 3, 5 and 6 to Senate Bill 1627, and the bill
14. having received the required constitutional majority is declared
15. passed. 1637, Senator Hynes. 1684, Senator Brady. 1742...
16. Senator Hynes, would you mind handling that for me? I wish
17. to concur in 1, 2, 4 and 9 and to nonconcur in 6. Here I
18. have one up here. I'm going...I'm asking Senator Hynes to
19. handle 1742 and make a motion to concur in 1, 2 4 and 9 and
20. nonconcur in 6. Is that...okay...Senator Hynes.
21. SENATOR HYNES:
22. House Amendments...House Amendment 1...makes technical
23. changes in the bill. It...certain minor deletions and additions.
24. The House Amendment 2 prohibits expenditure of the funds for a
25. purpose other...for purposes other than specifically appropriated
26. for and...and in particular the Rock Island Trail. House Amendment
27. No. 4 reduces the reappropriation for the department, for con-
28. struction of...of boat ramps by thirty thousand dollars which
29. the department is in...in accord with. House Amendment No. 6
30. deletes a...why you...you are objecting to No. 6...
31. PRESIDING OFFICER: (SENATOR ROCK)
32. I'm...I'm...
33. SENATOR HYNES:
34. ...I join you in that objection, and House Amendment No.

1. 9 deletes four hundred five thousand dollars for the acquisition
2. of...of land for the expansion of the State Police Training
3. Academy...

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any discussion? Senator...Senator Hickey.

6. SENATOR HICKEY:

7. Where is the Rock Island Trail? I mean legislatively,
8. not where is it located. I heard you refer...heard you refer
9. to it, but I don't know what's happened to it.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. The...the money...the money was taken out of the budget
12. and additionally over in the House by virtue of Amendment No.
13. 2, they put in a proscription against using any money in the
14. bill for that purpose.

15. SENATOR HICKEY:

16. And that's what we're now to concur with?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. I'm asking...well, we are moving to concur in House
19. Amendment No. 2, yes. Senator Partee.

20. SENATOR PARTEE:

21. Just for Senator Hickey's edification, the Rock Island
22. Trail is most near Peoria.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. All right, the question is, shall the Senate concur in
25. ...in House Amendments No. 1, 2, 4 and 9 to Senate Bill 1742?
26. Those in favor will vote Aye. Those opposed will vote Nay.
27. The voting is open. Have all voted who wish? Take the record.
28. On that question, the Ayes are 45, the Nays are 6, none Voting
29. Present. The Senate does concur in House Amendments 1, 2, 4
30. and 9 to Senate Bill 1742. Senator Hynes...Senator Hynes moves
31. to nonconcur in House Amendment No. 6 to Senate Bill 1742. All
32. those in favor signify by saying Aye. Those opposed Nay. The
33. Ayes have it. The motion carries, and the Secretary shall so

1. inform the House. Senator Wooten, are we ready to proceed
2. on Senate Bill 1625, Senator Wooten?

3. SENATOR WOOTEN:

4. Yes, Mr. President and colleagues, it seems as if we don't
5. have any real problems on 1, 2 and 4. We're going to have a
6. difference of opinion on 3. I think we can get the House to
7. recede from 5 with no difficulty, so I'm going to move, for
8. the sake of my own conscience and belief that the Senate concur
9. in House Amendments 1, 2, 3 and 4. As I say, I don't believe
10. there's any argument on 1, 2 and 4. The question centers on
11. No. 3. The central issue...it's a troubling matter, I know,
12. but I simply say that regardless of how you cut the philosophical
13. issue, this budget cannot stand a cut of 2.3 million dollars.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Might...might I suggest, Senator, for the purpose of the
16. record and everything, if...if there is no controversy at all with
17. respect to 1, 2 and 4 that we move to concur in those to get
18. those out of the way...

19. SENATOR WOOTEN:

20. All right...

21. PRESIDING OFFICER: (SENATOR ROCK)

22. ...and then we can...

23. SENATOR WOOTEN:

24. ...that's fine.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Okay.

27. SENATOR WOOTEN:

28. I move that we concur in House Amendments 1, 2 and 4.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Is there any discussion? All right, the question is, shall
31. the Senate concur in Amendments 1, 2 and 4 to Senate Bill 1625?
32. Those in favor will vote Aye. Those opposed will vote Nay. The
33. voting is open. Have all voted who wish? Take the record. On

1. that question, the Ayes are 46, the Nays are none, none Voting
2. Present. The Senate does concur in Amendments 1, 2, and 4 to
3. Senate Bill 1625. Further motions? Senator Wooten.

4. SENATOR WOOTEN:

5. Mr. President, I now move that the Senate concur in
6. House Amendment No. 3 to Senate Bill 16...

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any discussion? Senator Regner.

9. SENATOR REGNER:

10. Yes, Mr. President and members of the Senate, I certainly
11. oppose the motion to concur in this instance. It's involving
12. two million three hundred twenty-six thousand nine hundred
13. dollars of collective bargaining money that the Senate took
14. action on a couple of weeks ago, and I think the vote was
15. 30 something to about 12 or 13 and I think that certainly
16. expressed the sense and the attitude of the Senate at that
17. time, and I would urge a No vote on the concurrence motion of
18. Senator Wooten's.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Any further discussion? Question is, shall the Senate
21. concur...Senator Harris.

22. SENATOR HARRIS:

23. Mr. President, I...I just want to make a very brief comment.
24. I've been wrestling with this issue for all these weeks, and
25. these contracts have been arrived at without the sanction of statutory
26. enactment, and I don't want to treat one department different from
27. the other knowingly, but I truly have concluded that with respect
28. to Corrections, we just don't have any choice. I probably have
29. more correctional institutions in my district than any other
30. legislative district - Valley View, St. Charles, Geneva, Sheridan,
31. Dwight and Pontiac - and you're perfectly free to conclude that
32. I'm being political. And I...I'm not satisfied at all with the
33. fact that these contracts were negotiated under the authority of

1. an Executive Order, and the whole problem of public employee
2. collective bargaining has been complicated by that, not
3. assisted by it. The Illinois General Assembly has not yet
4. concluded to authorize public employee collective bargaining
5. in the regular legislative process that results in statutory
6. direction. I am honestly honestly, sincerely concerned about the
7. prospect of major disruption in the penal institutions of this State
8. and I'm not kidding. And on this amendment and for the concerns
9. that I've expressed here now, I'm going to support the action
10. by the House. Thank you, Mr. President.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Further discussion? Senator Harber Hall.

13. SENATOR HARBER HALL:

14. Mr. President and Ladies and Gentlemen of the Senate.

15. I rise to oppose the concurrence of this amendment, because
16. Ladies and Gentlemen, it's been proven to me in my years down
17. here that Illinois does an outstanding job of compensating their
18. employees. They do so in terms of their salary, and they do
19. so in terms of fringe benefits such as pensions, sick time,
20. days off, leave, insurance program, life insurance, health
21. insurance, medical, and so, I say when we consider these bills
22. on collective bargaining where specific sums have had to be
23. added because of collective bargaining agreements without
24. statutory sanction by this Body, we are giving up, and I say
25. we...we are giving up to the agency heads who are not elected
26. and agency employees who have only their own interest at heart.
27. We are relinquishing our representative positions...representatives
28. of the people, and we dare not do that. I ask you to consider
29. on the basis of establishing a precedent on collective bargaining
30. from which we may not return. Do you want that to happen? I
31. do not. I say pay people good salaries, adequate salaries.
32. Yes, even pay them better than commensurate work on the outside
33. in private industry, but do not relinquish the right to do so here,

1. and place it in other hands who are not elected and do not
2. represent the taxpayers. Thank you.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Savickas.

5. SENATOR SAVICKAS:

6. Yes, Mr. President and members of the Senate. Some of
7. these bleeding hearts that are concerned about what's going to
8. happen in our correctional institutions, for their information
9. I just point out that subsequent to our Senate action, one
10. million four hundred thousand in C.E.D.A. funds for personnel and
11. two million eight hundred nineteen thousand five hundred dollars
12. in I.L.E.C. funds for personnel have been appropriated for the
13. Department of Corrections in addition to the moneys within
14. Senate Bills 1625 and in the I.L.E.C. funds are included eight
15. hundred and twenty-eight thousand nine hundred dollars for one
16. hundred and sixty-six more guards, so I would join in opposition
17. to this amendment.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Further discussion? Senator Nimrod.

20. SENATOR NIMROD:

21. Yes, Mr. President. Again, I'd like to refer to Senator
22. Regner. Is it true, Senator Regner, that in this bill as in the
23. previous one that if, in fact, there are provisions for re-
24. negotiation and employees would not have to be let go if these
25. raises were not passed on?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Regner.

28. SENATOR REGNER:

29. There certainly is. The contracts are always open for
30. negotiation and I think they have one coming up early this fall.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Nimrod.

33. SENATOR NIMROD:

1. Thank you.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any further discussion? Senator Wooten may close the debate.

4. SENATOR WOOTEN:

5. Thank you, Mr. President. This Body has expressed itself
6. in two different ways on this subject. We passed the supplementary
7. appropriation for the Department of Transportation which
8. validated a contract with the Teamsters. We have gone the other
9. way on a couple of AFSCME contracts. It seems to me we're
10. talking about prison guards, prison guards who are truly pro-
11. fessionals, who are required to have a good deal of training,
12. people we are having trouble keeping on the job, particularly
13. in our northern institutions. We have difficulties there. It
14. is not an attractive job in and of itself. It takes great dedication.
15. Properly or improperly these men were given the opportunity to
16. bargain collectively and reach an agreement with the depart-
17. ment. It is true we depend on I.L.E.C. Funds and Federal Funds
18. to an almost shameful degree I think to get the job done here
19. in Illinois, but I tell you we have already cut this depart-
20. ment in other amendments. We have cut deeply. I believe that
21. the department can sustain the cuts we have made, including
22. some that we have just validated in accepting House amendments,
23. but I tell you this cut of 2.3 million dollars goes beyond the
24. bounds of good reason. I ask you to look beyond the divided
25. position we have taken on collective bargaining, and believe
26. me it is inconsistent in this Session alone, and simply consider
27. what you may be doing to our correctional institutions. It's
28. difficult enough to get some of those institutions staffed.
29. Throw the gauntlet in their faces and see what happens. I
30. suggest to you that that is not an action that this Body wants to
31. be responsible for, and I urge that we concur in House Amendment
32. 3 to Senate Bill 1625.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Question is, shall the Senate concur in Amendment
2. No. 3 to Senate Bill 1625? Those in favor will vote Aye.
3. Those opposed will vote Nay. The voting is open. Have all
4. voted who wish? Take the record. On that question, the
5. Ayes are 20, the Nays are 32, none Voting Present. The
6. Senate does not concur in Amendment No. 3 to Senate Bill
7. 1625. Senator Wooten.

8. SENATOR WOOTEN:

9. Mr. President, then I now move to you that we...

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Wooten.

12. SENATOR WOOTEN:

13. ...that we nonconcur in House Amendments 3 and 5 and
14. ask the House to recede.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Wooten moves to nonconcur in House Amendments
17. 3 and 5 to Senate Bill 1625. All those in favor signify by
18. saying Aye. All those opposed, Nay. The Ayes have it. The
19. motion carries and the Secretary shall so inform the House.
20. Senator Knuppel, for what purpose do you arise?

21. SENATOR KNUPPEL:

22. We've now reached that hour of six o'clock, and I would
23. move that we stand adjourned until nine-thirty tomorrow morning.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Would you just...yeah, hold that motion for a moment, please.
26. Senator Davidson, for what purpose do you arise?

27. SENATOR DAVIDSON:

28. I have a motion to discharge a House Bill. I talked to the
29. President of the Senate and Minority Leader. This is a bill
30. that was Representative Jones'. It came over here when he was
31. ill, and I was not notified it was here and there, and in agreement
32. to discharge Rules and place it on 2nd reading. House Bill 3841.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Partee.

2. SENATOR PARTEE:

3. Representative Jones had a rather serious operation. He
4. was home for several weeks. This was a bill he expected someone
5. to pick up and it just...communication got lost. I think for
6. any member who was ill under those circumstances, we can do
7. that kind of thing, and I think it's just only humanly decent
8. that we do. I support the motion.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. All right, the motion is to discharge...Senator Davidson,
11. what does the bill do?

12. SENATOR DAVIDSON:

13. The bill makes a technical correction in the election of
14. members to the Civic Auditorium Board terms, here which was
15. printed wrong last year. They would all go off the board at
16. the same time rather than at staggered terms, and this corrects
17. the...that part where they will be on a staggered term.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. All right, Senator Davidson has moved to discharge the
20. Committee on Rules from further consideration of House Bill 3841,
21. have the bill read a first time and moved to the order of 2nd
22. reading. All those in favor signify by saying Aye. All those
23. opposed. The Ayes have it. Read the bill, Mr. Secretary.

24. SECRETARY:

25. House Bill 3841

26. (Secretary reads title of bill)

27. 1st reading of the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. 2nd reading. Senator Glass, for what purpose do you arise?

30. SENATOR GLASS:

31. Thank you, Mr. President. For purposes...purposes of a
32. couple of motions. I would like to move that House Bill 3124
33. which is on the order of House Bills 2nd reading of which I am

1. the Senate sponsor be recommitted to the Committee on Insurance
2. and Licensed Activities. This is a medical malpractice bill
3. that is...received a good deal of attention in the last few
4. days and I have spoken to the chairman of that committee
5. and he assures me that this bill will be placed in...in a very
6. active and working subcommittee, and so, I...I would make that
7. motion at this time.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. You've heard the motion. All those in favor signify by
10. saying Aye. All those opposed. The Ayes have it. The bill
11. is recommitted. Pardon me. ...Senator Glass.

12. SENATOR GLASS:

13. That would be commit. I...I said...

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Commit then.

16. SENATOR GLASS:

17. ...yeah.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Okay.

20. SENATOR GLASS:

21. And if I can...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. The bill is so...so committed...so ordered. Senator Lane.

24. SENATOR LANE:

25. I'd like, Mr. President, I'd like to ask leave of the rules
26. to waive the Six Day Notice so that the Insurance Committee can
27. have a meeting immediately after adjournment in back of the
28. Senate Chambers for the sole purpose of forming a subcommittee.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. It...you've heard the request. Is leave granted? Leave
31. is granted. So ordered Senator Glass, for what purpose do you arise?

32. SENATOR GLASS:

33. Well, Mr. President, for the purpose of a motion. I would

1. like to move at this time to discharge House Bill 3566 from the
2. Rules Committee and place it on the order of 2nd reading. This
3. is a bill which would regulate poly-chlorinated biphenyls
4. or PCB's. This is a bill that I know is opposed by the Rules
5. Committee but very strongly favored by a number of...of people
6. in the State and Illinois is one of the few states that has not, in
7. fact, regulated this chemical which is very harmful to the
8. environment and I would urge upon the membership that it place
9. this bill on the order of 2nd reading so that it may have a
10. hearing.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any discussion? You've heard the motion. All those in
13. favor signify by saying Aye. All those opposed. The Noes
14. have it. The motion fails.

15. (continued on next page.)
16.
17.
18.
19.
20.
21.
22.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

6/25/76

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator McCarthy.
3. SENATOR KNUPPPEL:
4. Come on. We said six o'clock.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. I...I appreciate that, Senator.
7. SENATOR KNUPPPEL:
8. Well, I appreciate it, too...
9. PRESIDING OFFICER: (SENATOR ROCK)
10. At...
11. SENATOR KNUPPPEL:
12. ...but listen...
13. PRESIDING OFFICER: (SENATOR ROCK)
14. ...at the hour of six...
15. SENATOR KNUPPPEL:
16. ...I've got a health problems and diabetes and...
17. PRESIDING OFFICER: (SENATOR ROCK)
18. ...John...all I...Senator, all I can...
19. SENATOR KNUPPPEL:
20. ...let's get the hell out of here...
21. PRESIDING OFFICER: (SENATOR ROCK)
22. ...Senator...Senator, all I can suggest to you, is at the
23. hour of six depart.
24. SENATOR KNUPPPEL:
25. ...I...I get a little tired of all this bull shit.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Glass. Senator Glass has requested a roll call
28. with respect to his motion to discharge the Rules Committee on
29. House Bill 3566. Those in favor of the motion to discharge will
30. vote Aye. Those opposed will vote Nay. The voting is open.
31. Please vote me No, Mr. President. It shall be done. Have all
32. voted who wish? Take the record. On that question, the Yeas
33. are 19, the Noes are 21, 2 Voting Present. The motion fails.

1/25/76

1. Senator McCarthy, for what purpose do you arise?

2. SENATOR MCCARTHY:

3. To make a motion that House Bill 3042 be discharged from
4. the committee which I chair. It's a House Committee Bill that's
5. been over here for awhile and Representative O'Brien came over
6. this side and asked that it be moved onto the Calendar. I'm
7. not personally in favor of it, but I'm the sponsor, but I would
8. like to move it out and there'll be a change of sponsorship.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. All right. You've heard the motion. All those in favor
11. signify by saying Aye. All those opposed. The Noes have it.
12. The motion fails. Senator Mitchler, for what purpose do you
13. arise?

14. SENATOR MITCHLER:

15. Mr. President and members of the Senate...

16. PRESIDING OFFICER: (SENATOR ROCK)

17. All right...

18. SENATOR MITCHER:

19. ...I...

20. PRESIDING OFFICER: (SENATOR ROCK)

21. ...hold on, Senator Mitchler. Senator Partee, for what
22. purpose do you arise?

23. SENATOR PARTEE:

24. Well, I do feel just a little sensitive to Senator Knuppel's
25. plaintive statement. We did say six o'clock.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Yes, indeed...

28. SENATOR PARTEE:

29. ...and I think we've just about really done all that we are
30. capable of doing today. We've been here since 9:30, and we'll
31. be back tomorrow at 10:00, and whatever we're going to do now can
32. wait until then.

33. PRESIDING OFFICER: (SENATOR ROCK)

6/25/76

1. Senator Knuppel moves that the Senate stand adjourned
2. until Saturday, June 26th at the hour of 10:00 a.m. Senate
3. stands adjourned.

- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.
- 31.
- 32.
- 33.