

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 27, 1976

1. PRESIDENT:

2. The hour of four having arrived, the Senate will come to
3. order. Prayer will be by Father Kevin B. Sullivan, Cathedral of
4. Immaculate Conception, Springfield, Illinois. Will our guests
5. in the gallery please rise.

6. FATHER SULLIVAN:

7. Heavenly Father, you sent your word to bring us truth and
8. your spirit to make us holy. You reveal yourself in the depths
9. of our being, drawing us to share in your life and in your love.
10. As your leaders in government gather here today, may they always
11. be mindful of your presence in their work and turn to you for
12. help in their deliberations. May your care for us stand beside
13. and guide us as we unite our minds and hearts for justice, for
14. honor and for peace. We ask this through Christ our Lord.

15. PRESIDENT:

16. Reading of the Journal, Senator Davidson.

17. SENATOR DAVIDSON:

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

25. PRESIDENT:

26. You've heard the motion. All in favor will say Aye.

27. SENATOR DAVIDSON:

28. Aye.

29. PRESIDENT:

30. Opposed Nay. Ayes have it. The motion carries.
31. Senator Rock. House Bills on 2nd reading, page 4 of your
32. Calendar. House Bill 3191, Senator Rock. Read the bill

33. SECRETARY:

HB 3637
6/27/76

1. House Bill 3191
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDENT:
5. Senator Rock.
6. SENATOR ROCK:
7. Thank you. Just so there is no misunderstanding, Mr.
8. President and members, I have two bills on 2nd, both of which
9. I would request be moved to 3rd with the...the full understanding
10. that they can and will be called back if necessary.
11. PRESIDENT:
12. Any amendments from the Floor? 3rd reading. House Bill
13. 3420, Senator Don Moore. Read the bill.
14. SECRETARY:
15. House Bill 3420
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. 3637, Senator Daley.
21. SECRETARY:
22. House Bill 3637
23. (Secretary reads title of bill)
24. No committee amendments.
25. PRESIDENT:
26. Any amendments from the Floor?
27. SECRETARY:
28. Amendment No. 1 offered by Senator Daley.
29. PRESIDENT:
30. Senator Daley.
31. SENATOR DALEY:
32. Mr. President, fellow Senators, Amendment No. 1 is a -
33. technical amendment. In the bill itself, I used Superintendent

1. of Public Instructions which I struck, and I in placed State
2. Superintendent of Education.
3. PRESIDENT:
4. Senator Daley moves the adoption of Amendment No. 1 to
5. House Bill 3637. All in favor will say Aye. Opposed Nay.
6. Amendment No. 1 is adopted. Any further amendments?
7. SECRETARY:
8. No further amendments?
9. PRESIDENT:
10. 3rd reading. House Bill 3656, Senator Rock. Read the bill.
11. SECRETARY:
12. House Bill 3656
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. 3831, Senator Carroll. House Bill 3903, Senator Carroll. Read
18. the bill. Representative Carroll.
19. SECRETARY:
20. House Bill 3903
21. (Secretary reads title of bill)
22. 2nd reading of the bill. No committee amendments.
23. PRESIDENT:
24. Any amendments from the Floor? 3rd reading. House Bill
25. 3918, Senator Schaffer. Read the bill.
26. SECRETARY:
27. House Bill 3918
28. (Secretary reads title of bill)
29. 2nd reading of the bill. No committee amendments.
30. PRESIDENT:
31. Any amendments from the Floor? Amendment No. 1 offered
32. by Senator Schaffer.
33. PRESIDENT:

1. Senator Schaffer is recognized.

2. SENATOR SCHAFFER:

3. Mr. President, this is a technical amendment to this bill

4. proposed by the legal counsel for the Park Board Association.

5. I cleared it with Senator Carroll and Senator Nimrod. Don't

6. believe it's controversial.

7. PRESIDENT:

8. Any discussion? Question is on the adoption of Amendment

9. No. 1 to House Bill 3918. Those in favor will say Aye. Opposed

10. Nay. The Ayes have it. The motion carries. Amendment No. 1

11. is adopted. Any further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDENT:

15. 3rd reading. Senate Bills on 2nd reading. 1535, hold.

16. On the order of the Secretary's Desk for matters on nonconcurrency,

17. page 6 of your Calendar, House Bill 2804, Senator Vadalabene.

18. Nonconcurrency. Page 6, House Bill 2804. House Bill 3553,

19. Senator Mohr...Senator Howard Mohr. House Bill 3374, Senator

20. Bruce. House Bills on 3rd reading. House Bill 3036, Senator

21. Dougherty. Read the bill.

22. SECRETARY:

23. House...excuse me...House Bill 3036

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Dougherty.

28. SENATOR DOUGHERTY:

29. Thank you, Mr. President, members of the Senate, House

30. Bill 3036 is a bill that was introduced in the House and subsequently

31. ...subsequently amended to provide absolute concurrence with

32. Senate Bill 1789 which had previously passed this House. It's

33. over, there, there may be a slight amendment offered, amended this

1. bill a few days earlier this week to bring out some degree of...that
2. provides there will be competition that removes any opportunity
3. for monopoly of...of anybody operating this facility. I ask
4. for a favorable vote on the matter.

5. PRESIDENT:

6. Any further discussion? Senator Merritt.

7. SENATOR MERRITT:

8. Yes, Senator Dougherty...thank you, Mr. President and members
9. of the Senate. Yes, Senator Dougherty, while I didn't have the
10. opportunity of reviewing those amendments put on in the House,
11. I do understand that 1789 was amended out so that it didn't
12. cover State-wide but only to the City of Chicago. Is that...is
13. that not correct?

14. PRESIDENT:

15. Senator Dougherty.

16. SENATOR DOUGHERTY:

17. I just ask favorable consideration of this bill is all, Sir.
18. I think it's in proper form and it had to go back over for
19. concurrence of the amendment that I offered.

20. PRESIDENT:

21. Senator Merritt.

22. SENATOR MERRITT:

23. Senator, you didn't answer my question. The only question
24. I had was, was your 1789 over in the House amended to be the
25. same as 3036 that's before us now, because it...the performance
26. at those harbors and ports under 3036 confines to the City of
27. Chicago only. 1789...

28. PRESIDENT:

29. Senator...

30. SENATOR MERRITT:

31. ...as it left here, left performance State-wide, which
32. I don't think was the intention.

33. PRESIDENT:

1. Senator Dougherty.

2. SENATOR DOUGHERTY:

3. Sir, if you'll recall, I mentioned that to you the other
4. day. I said the amendments had been put on over there, and they
5. will be back here. I just mentioned the fact that there will
6. be further concurrence.

7. PRESIDENT:

8. Senator Merritt.

9. SENATOR MERRITT:

10. Just as long as it does that, why I'm...I'm very much in
11. favor of it. Certain aspects I don't like about it, but
12. at least, they're...they're both in conformity. Now, my own...
13. only one other question to you, Senator Dougherty. On the
14. amendment put on..and I think I understand the reason behind
15. it, so that we're not dealing with just one entity there at that
16. newly acquired property. As...I understand though, as amended
17. one...one landlord operation or one lease operation could not
18. extend over a thousand lineal feet under your amendment. I
19. believe the present Youngstown Sheet and Tube Property there
20. with the TOT site and dockage, if memory serves me correct and
21. our physical inspection of the property runs about twelve hundred feet.
22. Would that mean...don't misunderstand me, I want to support it,
23. but does that mean then they would be obligated to tear down
24. the remaining two hundred feet of that in order to comply with
25. your amendment?

26. PRESIDENT:

27. Senator Dougherty.

28. SENATOR DOUGHERTY:

29. I don't think so. If you read the amendment as offered,
30. it...no property or facility acquired pursuant to this amendatory
31. Act of 1976 and having over a thousand lineal feet...of feet of
32. dockage...frontage shall be leased..operate or operated either by a
33. single contracting party or by two or more contracting parties

1. but during whose capital stock is commonly under control, directly
2. - indirectly. Any such property or facility shall be leased
3. or operated if at all only by two or more unrelated contracting
4. parties in parcels that are as unequal...as unequal in all respects
5. as practical. In other words, it provides for competition and
6. removes any opportunity for...for...for monopoly.

7. PRESIDENT:

8. Senator Merritt.

9. SENATOR MERRITT:

10. I'm...I'm very much in favor of it, Senator. I know what
11. we're attempting to do, but I think we ought to do it with our
12. eyes wide open. Let's...let's say for instance, TOT would want...
13. be one of the parties involved. There are approximately three
14. thousand feet...lineal feet involved in that area, and if TOT
15. is one of them, it sounds like to me they just have to take that
16. transit shed they've got and cut off two hundred feet off the
17. end of it...

18. PRESIDENT:

19. Senator Dougherty.

20. SENATOR MERRITT:

21. ...Now, it's all right with me, but we ought to know what
22. we're doing.

23. SENATOR DOUGHERTY:

24. Well, say you're familiar with that facility and I'm far
25. more...familiar with the entire area. I do believe that there's
26. ...there if at all, there is a probably maybe two hundred or
27. three hundred feet that's not necessary, so they could remove it
28. as a matter of fact, and if they put any trucking facilities there,
29. they will have to remove it.

30. PRESIDENT:

31. Any further discussion? Senator Netsch.

32. SENATOR NETSCH:

33. Thank you, Mr. President. As I understood Senator Dougherty,

1. he indicated that this bill is in the same form as the earlier
2. amended bill that left this Body previously. If so, it changes
3. the control of the Chicago Port District, it changes its
4. territorial limits, it provides for certain powers which are
5. obscure at best and frightening at worst, and I think it is
6. a...a very disturbing bill. I don't see why it is necessary
7. to make these radical changes in the Chicago Port District in
8. order to provide a healthy port facility which a...an objective
9. which all of us, of course, would share as evidence by the fact
10. that we have already authorized the use of seven million dollars
11. of State Bonding Authority for the purchase of land so that
12. the containerized cargo facility could be added to the facility.
13. That, it seems to me, was at least a defensible move, because
14. the Port District, if it functions properly, can work to the
15. benefit of the whole State, but it seems to me rather than
16. recognizing that it is an asset or should be an asset for the
17. entire State, the provisions in this bill tend to confine it,
18. both in terms of territorial jurisdiction and in terms of
19. power. I think it is very badly done, as it is done, and I think
20. it not pass.

21. PRESIDENT:

22. Senator Dougherty.

23. SENATOR DOUGHERTY:

24. In answer to that, I might inform the Senator that all of
25. the property of the Chicago Regional Port District and every bit
26. of it is south of 87th Street, completely south of 87th Street,
27. and there have never been any opportunity to build any such
28. facility anywhere else but in the Calumet River. There...there...
29. just is not there, and if we're going to acquire this...this business,
30. this is the only place that can be acquired on the Calumet River.
31. There is not enough room to bring it down to Lake Calumet Harbor.
32. Nobody's ever been there. Nobody knows what this place looks
33. like. I've lived there all my life, I do know it.

1. PRESIDENT:
2. Any...
3. SENATOR DOUGHERTY:
4. ...I think it's a proper bill, and I think it needs
5. passage if...if the City of Chicago is going to prosper, at
6. all, and the State of Illinois in...in a like manner. This is
7. what's needed.
8. PRESIDENT:
9. ...Any further discussion? Question is, shall House Bill
10. 3036 pass? Those in favor vote Aye. Opposed will vote Nay.
11. The voting is open. Have all voted who wish? Take the record.
12. On this question, the Ayes are 30, the Nays are 6, with 2 Voting
13. Present. House Bill 3036 having received a constitutional
14. majority is declared passed. A verification is requested by
15. Senator Netsch. A verification has been requested. The
16. Secretary will read the affirmative votes.
17. SECRETARY:
18. The following voted in the affirmative: Bell, Brady, Buzbee,
19. Carroll, D'Arco, Daley, Davidson, Donnewald, Dougherty, Egan,
20. Kenneth Hall, Hynes, Joyce, Knuppel, Kosinski, Lane, Lemke, McCarthy,
21. Merritt, Howard Mohr, Don Moore, Nimrod, Nudelman, Palmer, Rock,
22. Savickas, Smith, Soper, Vadalabene, and Mr. President.
23. PRESIDENT:
24. Yes. Senator Egan is right here. Senator Carroll is over
25. here. Senator Lane. Senator Lane on the Floor? Take him off
26. the record...off the roll. Senator Bell on the Floor? Take him off
27. off the roll. Senator Don Moore is on the Floor. Howard Mohr
28. is in his chair. The roll call has been verified. On that
29. question, the Ayes are 28...we've already said that, dear. On
30. this question, the Ayes are 28, the Nays are 6. Postponed
31. Consideration is requested. House Bill 3061, Senator Clarke.
32. House Bill 3138, Senator D'Arco.
33. SECRETARY:

1. House Bill 3138

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator D'Arco.

6. SENATOR D'ARCO:

7. Thank you, Mr. President. House Bill 3138 provides that
8. private hospitals and State institutions shall provide to the
9. Department of Law Enforcement with information relative to in-
10. patients within those institutions concerning applications for
11. firearm owners identification cards that the Department of Law
12. Enforcement...has submitted to itself from applicants concerning
13. registration cards. The purpose of this legislation really is
14. to enforce the law, because as the law presently exists in Chapter
15. 38, Section 83-13, Subsection E, a person who has been a patient
16. of mental institution within the...the past five years should
17. be denied access to a firearm owners identification card, and
18. that is the purpose of this bill and its intent, and I would ask
19. for a favorable vote and would answer any questions.

20. PRESIDENT:

21. Any discussion? Senator Netsch.

22. SENATOR NETSCH:

23. Two questions, Senator D'Arco. One, I'm sort of surprised
24. to see this bill here, because it was defeated in committee.
25. Can you just tell me what the sequence was that brought it out onto
26. the Floor?

27. PRESIDENT:

28. Senator D'Arco.

29. SENATOR D'ARCO:

30. Well, I made a motion to take the bill from the Table and
31. that motion prevailed, and at that point, it was on 2nd reading,
32. and I had the bill read and I added two...an amendment to the
33. bill so that I defined hospital to mean only State institutions

1. and private hospitals where a patient is an inpatient within
2. those institutions and not an outpatient, and also I defined
3. hospitals to exclude community mental health clinics that
4. provide treatment for people on an outpatient basis. That was...
5. there was some objections to the bill on that basis, and...and we hope
6. we've alleviated those objections.

7. PRESIDENT:

8. Senator Netsch.

9. SENATOR NETSCH:

10. Then do I understand that it does still include private
11. hospitals although you have attempted to eliminate the outpatient
12. service, is that right? Well, I...I think there's still is
13. very great difficulty about how the...how it is going to be
14. enforced against private hospitals and quite apart from the
15. basic privacy question, and that is whether the...the whole bill
16. does not really dip too deeply into the privacy of these kinds of
17. records, but I...I still don't see that the problem has been
18. solved about the application to private hospitals. I under-
19. stand that you've eliminated one area of difficulty which I
20. think would of been just clearly unforceable, that is the
21. attempt to apply it to outpatients, but I...I don't think it's
22. really solved the problem.

23. PRESIDENT:

24. Any further discussion? Senator D'Arco may close the debate.

25. SENATOR D'ARCO:

26. I think this is a very good bill. The...the confidentiality
27. aspects of it are insured because the Bureau of Identification
28. within the Department of Law Enforcement already does not make avail-
29. able according to Statute the criminal files that it is presently
30. handling concerning arrest record and prosecution records, and
31. they would not make available to the public any file of the
32. Department of Mental Health or private hospital. They would not
33. make that available to the public, so I think the bill has been

1. cleared up and I would seek a favorable vote.

2. PRESIDENT:

3. On the...the question is, shall House Bill...3138 pass?
4. Those in favor will vote Aye. Opposed will vote Nay. The voting
5. is open. Have all voted who wish? Take the record. On that
6. question, the Ayes are 33, the Nays are 9, with none Voting
7. Present. House Bill 3138 having received a constitutional
8. majority is declared passed. House Bill 3197, Senator Shapiro.
9. House Bill 3202, Senator Hynes. House Bill 3222, Senator Rock.
10. House Bill 3609, Senator Vadalabene. House Bill 3610, Senator
11. Vadalabene. House Bill 3629, Senator Sommer. Senator Sommer
12. seeks leave to move 3629 to the order of 2nd reading for the
13. purpose of an amendment. Is leave granted? Leave is granted.
14. The bill is in on the order of 2nd reading. Senator Sommer is
15. recognized.

16. SENATOR SOMMER:

17. Mr. President, would the...read the amendment.

18. SECRETARY:

19. ...Amendment No. 1 offered by Senator Sommer.

20. PRESIDENT:

21. Senator Sommer.

22. SENATOR SOMMER:

23. Mr. President and members, this...this amendment does two
24. things. It...requires that this property be used for park and
25. recreational and related purposes and it strikes out the Hold-
26. Harmless clause on the part of the State.

27. PRESIDENT:

28. Any further discussion on this amendment? Senator Sommer
29. moves the adoption of Amendment No. 1 to House Bill 3629. Those
30. in favor will say Aye. Opposed Nay. The Ayes have it. Amend-
31. ment No. 1 is adopted. Any further amendments?

32. SECRETARY:

33. Amendment No. 2 offered by Senator Demuzio.

1. PRESIDENT:
2. Senator Demuzio.
3. SENATOR DEMUZIO:
4. Mr. President, I wish to withdraw that amendment.
5. PRESIDENT:
6. Any further amendments?
7. SECRETARY:
8. No further amendments.
9. PRESIDENT:
10. 3rd reading. House Bill 3560, Senator Daley. House Bill
11. 3652, Senator Rock. House Bill...the same with...with the
12. companion bill? House Bill 3721, Senator Lane. House Bill 3810,
13. Senator Carroll. House Bill 3814, Senator Graham. House Bill
14. 3830, Senator Nimrod. House Bill 3841, Senator Davidson. Read
15. the bill.
16. SECRETARY:
17. House Bill 3841
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. PRESIDENT:
21. Senator Davidson.
22. SENATOR DAVIDSON:
23. Mr. President and members of the Senate, this is a technical
24. change in this bill that last year when it passed to get the
25. election to the General Election they left out the part dealing
26. on staggered terms and the entire board would be elected at one
27. time and the other part of the...the bill had them on a staggered
28. term. This corrects it and get it to the staggered terms. I'd
29. appreciate a favorable vote.
30. PRESIDENT:
31. Any further discussion? The question is, shall House Bill
32. 3841 pass? Those in favor will vote Aye. Opposed will vote
33. Nay. The voting is open. Have all voted who wish? Take the

1. record. On that question, the Ayes are 48, the Nays are none,
2. with none Voting Present. House Bill 3841 having received a
3. constitutional majority is declared passed. House Bill 3652,
4. Senator Rock. Just hold it one minute, Senator Rock. We have
5. a malfunction in the machinery. Doc Helm...Doc Helm. Okay...
6. has been announced...roll call has been announced. House Bill
7. 3652, Senator Rock.

8. SECRETARY:

9. House Bill 3652

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President, Ladies and Gentlemen of the
16. Senate. House Bill 3652 is an amendment to the State Finance
17. Act. These bills were the result of recommendations by the
18. Auditor General, the Audit Commission, and now have been assuming
19. under the aegis of the Comptroller of the State of Illinois.
20. They make individual...they will assure that individuals who
21. sign State vouchers are accountable for their actions and assures
22. that funds are expended only for the purposes for which they
23. were originally appropriated. Section 9.03 which is the substance
24. of this bill is a direct result of the findings of an investigation
25. by the Office of the Auditor General concerning unfunded agencies
26. under the Governor specifically the ghost payrollers. Currently
27. an individual may be paid from the personal services' money of
28. an agency even though that person renders no service whatever
29. to that agency. This bill will protect against that abuse by
30. providing that any individual authorizing a payroll voucher must
31. certify that the person being paid is actually rendering services
32. for the entity who's appropriation is being charged. The bill
33. provides in my judgment accountability by assuring that...personnel

1. costs are related to the purposes for which the monies were
2. originally appropriated. It will also help assure reliable data
3. to enable decisions on the costs of activities so that we in
4. our appropriations' process can measure cost and effectiveness
5. of State programs. I know of no objection. I would solicit
6. your favorable support.

7. PRESIDENT:

8. Any further discussion? Senator Clarke.

9. SENATOR CLARKE:

10. Mr. President, I just want to add my support to this,
11. because these bills were discussed in the Audit Commission a
12. year ago. In fact, I think they were passed last year and
13. were vetoed. This is an excellent bill, and I'm only sorry
14. that the third bill in this series didn't pass the House.

15. PRESIDENT:

16. Senator Daley.

17. SENATOR DALEY:

18. Would the sponsor yield for a question?

19. PRESIDENT:

20. He indicates he'll yield.

21. SENATOR DALEY:

22. Senator Rock, does this allow a department head to...to
23. allow an employee to be used for another agency with his authorization
24. and the other agency's authorization in writing.

25. PRESIDENT:

26. Senator Rock.

27. SENATOR ROCK:

28. You're skipping ahead. That's the next bill. Would...would...
29. that would allow the temporary employment or switching of employees
30. from one agency to the other. All this one says, is that if...if
31. I'm going to be on the Industrial Commission payroll, the Industrial...
32. the head of the Industrial Commission has to sign a certification
33. to that effect. We found in the appropriations' process this year

1. that at least six individuals were listed on that payroll although
2. they did no work whatever for that department. If...if...if, in
3. fact, there is a knowing false certification, there are criminal
4. sanctions.

5. PRESIDENT:

6. Senator Daley.

7. SENATOR DALEY:

8. Does it include all State employees?..

9. PRESIDENT:

10. Senator Rock.

11. SENATOR DALEY:

12. ...full-time and part-time?

13. PRESIDENT:

14. Senator Rock.

15. SENATOR ROCK:

16. Yes.

17. PRESIDENT:

18. Senator Daley.

19. SENATOR DALEY:

20. Also the staff of the General Assembly?

21. PRESIDENT:

22. Senator Rock.

23. SENATOR ROCK:

24. Yes.

25. PRESIDENT:

26. Any further discussion? The question is, shall House Bill
27. 3652 pass? Those in favor vote Aye. Opposed Nay. The voting
28. is open. Have all voted who wish? Take the record. On that
29. question, the Ayes are 48, the Nays are none, with 1 Voting
30. Present. House Bill 3652 having received a constitutional
31. majority is declared passed. House Bill...Senator Latherow,
32. for what purpose do you arise?

33. SENATOR LATHEROW:

1. Mr. President, I...I'd just like to explain my Present
2. vote on that particular one. I'd...do not have the bill, but
3. in reading the synopsis as I see it, if anyone of us in the
4. services that we have and telephone calls that we have in our
5. district, if there's a call on that one that proves not to
6. be proper without our realization of if, you stand for dismissal
7. from office. I just wanted to recognize that. I think that
8. would do that, and that's the reason I vote Present.

9. PRESIDENT:

10. House Bill...knowingly...House Bill 3653, Senator Rock.

11. SECRETARY:

12. House Bill 3653

13. (Secretary reads title of bill)

14. 3rd reading of bill.

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President, Ladies and Gentlemen of the
19. Senate. House Bill 3653 is an amendment to the Civil Administrative
20. Code of Illinois and the Personnel Code, and basically it is a
21. companion to House 3652 which we just passed. This provides a
22. method to enable executive management to assign personnel as
23. needed to meet the demands of government, but at the same time
24. provide accountability on where individuals are and from what
25. appropriations they are being paid. This bill would enable the
26. accountability provided by House Bill 3652 without impairing the
27. management ability to apply State resources to meet State needs.
28. Personnel transfers could still take place, but payment for the
29. services must come from the agency appropriation for which the
30. services are being rendered. Current practice...practices actually
31. amount to an agency appropriating some of its money to another
32. agency thus impairing the integrity of the appropriation process.
33. This bill would prohibit that type of subterfuge and would help
34. assure that expenditures per activity were kept within bounds

1. originally established by our appropriation. This bill would
2. not impair at all the executives' ability to allocate resources
3. to meet emergencies or emerging needs, but it would require the
4. executive to be audible and to be accountable for what he's
5. done. Again, this is a request of the Legislative Audit Commission,
6. the Auditor General, and the Comptroller, and I would...solicit
7. a favorable vote.

8. PRESIDENT:

9. Any further discussion? Senator Daley.

10. SENATOR DALEY:

11. Sponsor yield for a question?

12. PRESIDENT:

13. He indicates he'll yield.

14. SENATOR DALEY:

15. In regards to the last bill, you put the onus on the...the
16. State employee. Now, in regards to this bill, will the penalty
17. be placed on the personnel who is in charge of the employee?

18. PRESIDENT:

19. Senator Rock.

20. SENATOR ROCK:

21. Well, the...the last bill, when you say employee, that...
22. you're talking about those persons who sign the payroll vouchers,
23. and that ordinarily is not an employee, that is the agency director.
24. This bill does not carry any type of civil or criminal sanction.
25. It merely says, that the director of a department may at the request
26. of another department assign any employee. In other words, if
27. I'm the head of the...if I'm the Director of Insurance and we
28. need some people in my shop, I can request of the Department of
29. Agriculture or some...some other department that they temporarily
30. assign those persons...some persons to me, and written notice
31. of that has to be given to the Comptroller.

32. PRESIDENT:

33. Senator...Senator Daley.

1. SENATOR DALEY:
2. Is there any time requirement?
3. PRESIDENT:
4. Senator Rock.
5. SENATOR ROCK:
6. Yes. No more than ninety days.
7. PRESIDENT:
8. Any further discussion? Senator Buzbee.
9. SENATOR BUZBEE:
10. Question of the sponsor, Mr. President.
11. PRESIDENT:
12. He indicates he'll yield.
13. SENATOR BUZBEE:
14. What about those people who are, in fact...one specific
15. example I can think of this year, perform duties for three
16. different departments, Public Health, Public Aid and...and
17. Mental Health, as I recall as liaison to the governor, and one
18. year he's on Public Health's payroll, the next year he's on
19. Mental Health's payroll, and so forth? Would that preclude
20. such an activity as this?
21. PRESIDENT:
22. Senator Rock.
23. SENATOR ROCK:
24. No, it really wouldn't. What it...what it does...the...the
25. sum and substance of these two bills is, that we don't care
26. which department you're working for, but you get paid by that
27. department, and the department head has to certify that you're
28. actually working for them. We found, as you well know, in the
29. Appropriations Committee that there were at least six people from the
30. Governor's Office on the payroll of the Industrial Commission
31. even though they did no work whatever for the Industrial Commission.
32. Now, this...this does not impair at all, if I am the Governor's
33. man and he wants to put me in Public Aid this year and Mental
34. Health next year and Public Health the year after, he can certainly

1. still do that. All this says, is that if, in fact, it is a
2. temporary assignment, notice must be given to the Comptroller,
3. and if I'm assigned from Agriculture to Insurance, I have to
4. be paid by Insurance. I can't be on Agriculture's payroll.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Question is, shall House Bill
7. 3653 pass? Those in favor vote Aye. Those opposed Nay. The
8. voting is open. Have all those voted who wish? Take the record.
9. On that question, the Ayes are 47, the Nays are none. House Bill
10. 3653 having received a constitutional majority is declared
11. passed. (machine cutoff) did you have other bills or did you
12. complete that...Senator Netsch as to House Bill 3891. On the
13. order of nonconcurrency on page 6 on the Secretary's Desk, House
14. Bill 3553. Senator Howard Mohr.

15. SENATOR HOWARD MOHR:

16. Yes, Mr. President. House Bill 3553, the House does not
17. concur in the Senate amendment. I would ask for a Conference
18. Committee. We...we refuse to recede then.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Mohr moves that the Senate refuse to recede from
21. the adoption of...what...Amendment No. 1...House Amendment No.
22. 1...Senate Amendment No. 1, I beg your pardon, to House Bill
23. 3553, and that a Conference Committee be appointed. Those
24. in favor indicate by saying Aye. Those opposed Nay. The Ayes
25. have it. The Secretary will...shall so inform the House.
26. Senator Bloom as to the House Bill 3844 on page 6, amendatory veto.
27. Senator Bloom.

28. SENATOR BLOOM:

29. Thank you. I would move to accept the Governor's specific
30. recommendations for a change with respect to House Bill 3844 in
31. the matter and form as accepted by the House. Basically they
32. ...the Governor had said that the third amendment we put on in
33. the Senate did not expressly set out the section amended, and he

1. wanted that changed. Second, some language was deleted in the
2. application concerning voting machines and new language put in,
3. and so they suggest that further language be put in, and the third
4. change said the words were accidentally deleted by the Reference
5. Bureau "or precinct", and to be consistent, they felt that the
6. word "or precinct" should be deleted throughout Section 25-11. I'd...

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? The question is, shall the
9. Senate accept...just a moment. Senator Demuzio.

10. SENATOR DEMUZIO:

11. Senator Bloom, this is the bill that deals with the elimina-
12. tion of the special primaries for this year, is that correct?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Bloom.

15. SENATOR BLOOM:

16. That's right. I think more accurately, it provides for
17. an alternative.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Demuzio.

20. SENATOR DEMUZIO:

21. Is it possible to have a copy of the Governor's Amendatory
22. Veto Message distributed to the members before we take action on
23. this legislation?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. The Secretary indicates that they're being made up at
26. this time. Is it your wish to take this from the record, Senator?
27. Take it from the record.

28. PRESIDENT:

29. On the order of the Secretary's Desk, nonconcurrences, page
30. 6, House Bill 3374, Senator Bruce. On the order of the Secretary's
31. Desk, concurrences, page 6 of your Calendar, Senate Bill 1613,
32. Senator Palmer. Senator Palmer.

33. SENATOR PALMER:

1. We'll move to concur with the House amendment.

2. PRESIDENT:

3. Any further discussion? The question is, shall the Senate

4. concur in Amendment No. 1 to Senate Bill 1613? Those in favor

5. will vote Aye. Opposed will vote Nay. The voting is open.

6. (machine cutoff) this question, the Ayes are 46...have all voted

7. who wish? Take the record. On this question, the Ayes are 47,

8. the Nays are 1, with none Voting Present. Senate Bill 1613

9. having received a constitutional majority...no, and the Senate

10. does concur in Amendment No. 1 to Senate Bill 1613, and the

11. bill having received the required constitutional majority is

12. declared passed. Senator Harris, are we ready on those now?

13. House Bills on 3rd reading. House Bill 3609, Senator Vadalabene.

14. Read the bill. Will the members be in their seats.

15. SECRETARY:

16. House Bill 3609

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Vadalabene.

21. SENATOR VADALABENE:

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

23. Could I have leave, Mr. President, to have 3609, 3610, and 11

24. and 12 explained individually and...and at this time, and then

25. have separate roll calls?

26. PRESIDENT:

27. Is leave granted? Leave is granted. 3609 is your first one.

28. SENATOR VADALABENE:

29. Thank you, Mr. President and members of the Senate. House

30. Bill 3609 increases the per capita grant formula from seventy

31. cents to a dollar per capita and a square mile grant formula from

32. twenty-five dollars to thirty-five dollars per square mile or

33. a fraction thereof to the State Library Systems. The money for the

1. State Library Systems is a line item in the Secretary of State's
2. budget and therefore, the Legislature has complete control of
3. the cost. This Act will take effect July 1, 1977, and the Illinois
4. Library Association strongly supports the bill. House Bill 3610,
5. this is a request for funding for the 1977 fiscal year which
6. is in House Bill 3610 which requests four hundred and forty-seven thousand
7. eight hundred and eighty-five dollars. This amount of money
8. represents the funding for the library systems that was reduced
9. last year by the Governor. House Bill 3610 restores to the systems
10. the monies cut amendatorily by the Governor from the Secretary of
11. State of the State budget and continue the important precedent
12. of full funding for the eighteen public library systems in Illinois.
13. House Bill 3611 creates the Advisory Committee composed of fifteen
14. members appointed by the Superintendent of Education and four
15. appointed by legislative leaders. The Advisory Committee is to
16. recommend rules and regulations for library media service program
17. and to assist school districts in developing plans for implementing
18. this program. House Bill 3612 adds to the categories of grants
19. which may be funded under the Library Systems Act. Those grants'
20. programs are per capita grants to public libraries and construction
21. grant to public libraries. The bill provides a period of three
22. years in which libraries could gradually raise the tax rate to
23. bring them into position for this grant program. The bill authorizes
24. a new per capita grant program of...of a dollar per capita for
25. libraries which apply for Federal Revenue Sharing Funds and meet
26. the Illinois Library Association standards. The program is manda-
27. tory but if not fully funded, grants should be reduced proportionately
28. and Legislature could choose not to fund this program. And I
29. would appreciate a favorable vote.

30. PRESIDENT:

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. Question to the sponsor.

1. He indicates he'll yield.

2. SENATOR DAVIDSON:

3. Senator...Senator, when you described 3609, you said it had

4. an effective date of July 1st, 1977. You mean July 1st, 1976, don't

5. you?

6. PRESIDENT:

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. No, Sir, July 1st, '77.

10. PRESIDENT:

11. Any further discussion? Senator Regner.

12. SENATOR REGNER:

13. A question of the sponsor.

14. PRESIDENT:

15. Indicates he'll yield.

16. SENATOR REGNER:

17. Senator Vadalabene, what is the total cost of these bills

18. ...unbudgeted General Revenue Funds?

19. PRESIDENT:

20. Senator Vadalabene.

21. SENATOR VADALABENE:

22. When they're fully funded, somewhere in the neighborhood

23. of four million dollars.

24. PRESIDENT:

25. Senator Regner.

26. SENATOR REGNER:

27. What is the cost this year alone? It's about half a million

28. I think or something like that.

29. PRESIDENT:

30. Senator Vadalabene.

31. SENATOR VADALABENE:

32. Approximately half a million. I think I said four hundred

33. and some thousand...four hundred and forty-seven thousand.

1. PRESIDENT:
2. Senator Regner.
3. SENATOR REGNER:
4. And this is unbudgeted money from General Revenue this year,
5. that four hundred and fifty million dollars?
6. PRESIDENT:
7. Four hundred and fifty thousand, not million.
8. SENATOR REGNER:
9. ...Or...for four hundred and fifty thousand.
10. PRESIDENT:
11. Senator Vadalabene.
12. SENATOR VADALABENE:
13. We're...it came from the Secretary of State's Office, and
14. we...we're...it was cut out last year under that six percent
15. cut and this is restoring the...the six percent cut.
16. PRESIDENT:
17. Senator Regner.
18. SENATOR REGNER:
19. Okay, under 3612, how many library districts or libraries
20. in the State would benefit...or would...would qualify for the
21. additional State aid without raising their existing taxes?
22. PRESIDENT:
23. Senator Vadalabene.
24. SENATOR VADALABENE:
25. There...there's eighteen library systems. Approximately
26. seventy libraries.
27. PRESIDENT:
28. Senator Regner.
29. SENATOR REGNER:
30. Well, my understanding when I read it and looking at our
31. analysis and that, only Chicago and Springfield would qualify
32. for these additional funds without raising...would qualify without
33. raising their existing taxes.

1. PRESIDENT:
2. Senator Vadalabene.
3. SENATOR VADALABENE:
4. The reason Chicago would qualify, they're already two cents
5. over the tax rate. They're up to fifteen cents, I understand.
6. PRESIDENT:
7. Senator Regner.
8. SENATOR REGNER:
9. Okay, well, the only thing I'm trying to say is that there's
10. only two library systems in the State that would benefit by this
11. and I'm certainly...certainly do oppose these bills. It's providing
12. unbudgeted General Revenue monies, it's helping only two districts
13. in the State, and I...I just think this is bad legislation.
14. PRESIDENT:
15. Any further discussion? Senator Berning.
16. SENATOR BERNING:
17. Yes, thank you, Mr. President. I have one additional question
18. that I'd like to direct to the sponsor for clarification.
19. PRESIDENT:
20. Indicates he'll yield.
21. SENATOR BERNING:
22. Does House Bill 3612 authorize construction grants and if
23. so, what restrictions or guidelines, if any, are imposed for the
24. application and utilization then of such funds?
25. PRESIDENT:
26. Senator Vadalabene.
27. SENATOR VADALABENE:
28. The Federal funding program through Revenue were for con-
29. struction funds. These funds are not to be used for construction.
30. PRESIDENT:
31. Senator Berning.
32. SENATOR BERNING:
33. Did you say that these construction funds are not to be used

1. for construction, is that what I heard you to say?

2. PRESIDENT:

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. There are no construction funds in this appropriation.

6. PRESIDENT:

7. Senator Berning.

8. SENATOR BERNING:

9. 3612 is not an appropriation bill. It's an authorization bill

10. for the...provide for annual equalization grants for public

11. libraries and authorizes annual grants to public libraries that

12. have applied for Federal Revenue Sharing, and according to informa-

13. tion I have in front of me, it says also authorizes new con-

14. struction grants without defining what such a grant is and who

15. would be eligible for such a grant on what basis.

16. PRESIDENT:

17. Senator Vadalabene.

18. SENATOR BERNING:

19. It seems to me this is rather wide open.

20. SENATOR VADALABENE:

21. It authorizes construction from Federal Revenue Sharing

22. Funds, and there are no more Federal Revenue Sharing Funds for

23. this category.

24. PRESIDENT:

25. Any further discussion? Senator Harber Hall.

26. SENATOR HARBER HALL:

27. Would the sponsor yield.

28. PRESIDENT:

29. Indicates he'll yield.

30. SENATOR HARBER HALL:

31. Senator Vadalabene, drawing your attention to House Bill

32. 3611, it provides for an Advisory Committee. As I understand it,

33. fifteen person Advisory Committee, is that right?

1. PRESIDENT:
2. Senator Vadalabene.
3. SENATOR VADALABENE:
4. Yes, that's correct.
5. SENATOR HARBER HALL:
6. Well, is that all the bill does?
7. PRESIDENT:
8. Senator Vadalabene.
9. SENATOR VADALABENE:
10. That's all it will do this year.
11. PRESIDENT:
12. Senator Harber Hall.
13. SENATOR HARBER HALL:
14. Well, there's also something in there about grants. Are
15. there going to be grants involved in this bill that are...are
16. going to require appropriations?
17. PRESIDENT:
18. Senator Vadalabene.
19. SENATOR VADALABENE:
20. In 19...in fiscal 1977, yes.
21. PRESIDENT:
22. Senator Harber Hall.
23. SENATOR HARBER HALL:
24. Fiscal 1977 is this year in three days.
25. PRESIDENT:
26. Senator Vadalabene.
27. SENATOR VADALABENE:
28. July 1st, 1977.
29. PRESIDENT:
30. Senator Harber Hall.
31. SENATOR HARBER HALL:
32. How...how much will these grants total in fiscal '78, do you
33. know?

1. PRESIDENT:
2. Senator Vadalabene.
3. SENATOR VADALABENE:
4. If the program was fully funded, it would require a...a million
5. dollars.
6. PRESIDENT:
7. Any further discussion? Question is, shall House Bill 3609
8. pass? Those in favor vote Aye. Opposed Nay. The voting is
9. open. Have all voted who wish? Take the record. On this question,
10. the Ayes are 35, the Nays are 7, with 5 Voting Present. House
11. Bill 3609 having received a constitutional majority is declared
12. passed. Read 3610.
13. SECRETARY:
14. House Bill 3610
15. (Secretary reads title of bill)
16. PRESIDENT:
17. The question is, shall House Bill 3610 pass? Those in favor
18. vote Aye. Opposed Nay. The voting is open. Have all voted who
19. wish? Take the record. On this question, the Ayes are 36, the
20. Nays are 6, with 4 Voting Present. House Bill 3610 having received
21. a constitutional majority is declared passed. Read House Bill 3611.
22. SECRETARY:
23. House Bill 3611
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDENT:
27. The question is, shall House Bill 3611 pass? Those in favor
28. will vote Aye. Opposed Nay. The voting is open. Have all voted
29. who wish? Take the record. Have all voted who wish? Take the record.
30. On this question, the Ayes are 35, the Nays are none, with 4
31. Voting Present. House Bill 3611 having received a constitutional
32. majority is declared passed. Read House Bill 3612.
33. SECRETARY:

1. House Bill 3612

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. The question is, shall House Bill 3612 pass? Those in
6. favor will vote Aye. Opposed will vote Nay. The voting is
7. open. Have all voted who wish? Take the record. On that
8. question, the Ayes are 40, the Nays are 9, with 2 Voting Present.
9. House Bill 3612 having received a constitutional majority is
10. declared passed. Senator Rock.

11. SENATOR ROCK:

12. I'm sorry, Mr. President, I didn't mean to interrupt you.
13. I wanted to before the Office of the Secretary had finalized
14. action on those two bills of mine...it's been called to my
15. attention by a number of the members that printed copies were
16. not available. I have checked, and in fact, the bill is not
17. back from the printer. So, I would make a motion to reconsider
18. the vote by which 3652 and 3653 have, in fact, passed, and ask
19. that motion to carry and they be put back on the Calendar.

20. PRESIDENT:

21. Senator Rock moves that House Bills 3652...no, and moves to
22. reconsider the vote by which House Bills 3652 and 53 passed.
23. Those in favor will say Aye. Opposed Nay. The Ayes have it.
24. The vote is reconsidered, and the bills remain on the Calendar on
25. the order of 3rd reading, of course. Senator Mitchler.

26. SENATOR MITCHLER:

27. Well, just a matter of...of information. The series of four
28. bills that we just passed on the Library are not back from the
29. printers yet either. I'm following these bills here as best I
30. can. Just to point out, they're not back from the printers either
31. so if you're going to apply it to one, let's make sure that the
32. bills we pass are back from the printer and we have a copy of the
33. bill in the Senate. The ones that I was able to get from the

1. Bill Room was the bill in the House with the House amendments
2. separate. The bill is not back from the printer. I just point
3. that out. No argument.

4. PRESIDENT:

5. Thank you very much. House Bill 3721, Senator Lane.
6. House Bill 3810, Senator Carroll. House Bill 3814, Senator
7. Graham. House Bill 3830, Senator Nimrod. House Bill 3891,
8. Senator Netsch. Now, are there any of these bills on House Bills
9. on 3rd reading which you do not plan to call and if so, would
10. you either make a motion to Table them or to re-refer them to
11. committee, if you desire to? Senator Graham.

12. SENATOR GRAHAM:

13. On 3814 we have a little problem in some of the areas with
14. regard to this bill. We've attempted to work this out with the
15. people involved, and hopefully, we will be able to do it by this
16. Fall. With that thought in mind, I'd like to have House Bill
17. 3814 re-referred to the Committee on Local Government.

18. PRESIDENT:

19. Is leave granted? Leave is granted. House Bill 3814 is
20. re-referred to the Committee on Local Government. Senator Fawell.

21. SENATOR FAWELL:

22. Yes, the...one of the no-fault bills, House Bill 3062 which
23. is on 2nd reading, I would move to have that re-referred to the
24. Judiciary Committee from whence it came.

25. PRESIDENT:

26. Is leave granted to re-refer House Bill 3062 on the order
27. of 2nd reading to the Committee on Insurance, is it Senator?
28. Judiciary. All right. Is leave granted? Leave is granted.
29. Senator Carroll, where are you? You have this motion... a motion of any
30. nature. Stay right where you are. The...on 3810, you want
31. to leave it on the Calendar or do you want to re-refer, or do
32. you want to Table it, or what do you want to do with it?
33. You want to leave it there, or...I'm trying to...you know what I'm

1. doing, I hope. You want to re-refer it? All right. Senator
2. Carroll...hold it. All right, we'll hold it. Senator Nimrod,
3. what is your pleasure on 3830? You...all right. Senator
4. Schaffer.

5. SENATOR SCHAFFER:

6. If we have a moment here, Mr. President, earlier today we
7. put an amendment on House Bill 3918. Senator Carroll has
8. correctly pointed out to me that the amendment is defective, and
9. in fact, may not even be necessary, and if it would be appropriate,
10. I'd like to reconsider the amendment...move to reconsider the
11. amendment having voted on the prevailing side.

12. PRESIDENT:

13. Senator Schaffer having voted on the prevailing side on
14. House Bill...no, having...no, no...having...

15. SENATOR SCHAFFER:

16. It...it...the bill is on 3rd...

17. PRESIDENT:

18. ...voted on the prevailing side on the adoption of the
19. amendment. All right. First of all, is leave granted to remove
20. the bill back to the order of 2nd reading? Leave is granted.
21. Now, Senator Schaffer having voted on the prevailing side on the
22. adoption of Amendment No. 1...is it 1? On Amendment No. 1, moves
23. to reconsider the vote by which Amendment No. 1 was adopted. All
24. in favor will say Aye. Opposed Nay. The Ayes have it. The
25. amendment is reconsidered. Senator Schaffer now moves to Table
26. Amendment No. 1. All in favor will say Aye. Opposed Nay. The
27. Amendment is Tabled. Are there any further amendments? Back
28. to 3rd reading. On the order of the Secretary's Desk on the order
29. of concurrence, page 6 on your Calendar, Senate Bill 1967,
30. Senator Savickas. Senator Savickas is recognized.

31. SENATOR SAVICKAS:

32. Yes, Mr. President, members of the Senate, I would move
33. that the Senate concur with House Amendments Numbers 1 and 2.

1. No. 1 is...deals with the partial loss and No. 2 was introduced
2. by Walsh...Representative Walsh and Deavers and removes the
3. words "activities" and it also corrects some respelled words
4. like "business" that were misspelled in the bill and...and the
5. members of the Commerce Commission which were included in the
6. bill twice, so I would move concurrence at this point.

7. PRESIDENT:
8. Senator Graham.

9. SENATOR GRAHAM:
10. I'd like to ask the sponsor...this motion in the bill...a
11. question.

12. PRESIDENT:
13. He indicates he'll yield.

14. SENAOTR GRAHAM:
15. Senator Savickas, would you be willing to consider these con-
16. currences...these amendments separately, one at a time, rather than
17. both at the same time?

18. PRESIDENT:
19. Senator Savickas.

20. SENATOR SAVICKAS:
21. No, I'd like to consider them together.

22. PRESIDENT:
23. Senator Graham.

24. SENATOR GRAHAM:
25. There's no way you would consider them separately?

26. PRESIDENT:
27. Senator Savickas.

28. SENATOR SAVICKAS:
29. No.

30. PRESIDENT:
31. Senator Regner.

32. SENATOR REGNER:
33. Question of the sponsor.

34. PRESIDENT:
35. Indicates he'll yield.

1. SENATOR REGNER:
2. Senator Savickas, is Amendment No. 1...House Amendment No.
3. 1, does that put the...or take the language out that we put in
4. by the amendments here in the Senate?
5. PRESIDENT:
6. Senator Savickas.
7. SENATOR SAVICKAS:
8. Yes.
9. PRESIDENT:
10. Senator Buzbee.
11. SENATOR BUZBEE:
12. Well, Mr. President, I have a real dilemma here, I guess.
13. That's probably the reason this motion is being put that way, and
14. I don't blame the sponsor, except to say that I happen to concur
15. in what the amendment that we put here in...on the Floor of the
16. Senate. on the hearing-aid...on the hearing...loss of hearing
17. procedure, so I'm put in the position of either, voting Yes to
18. concur or vote No not to concur, and therefore, to be accused
19. of if I vote No not to concur to be accused of not having any
20. feelings about what we have done to the businessmen of this
21. State, or I can vote Present and also be accused of the same
22. thing. So, I'm again caught between the rock and the hard spot,
23. because I think what we did there was perfectly fair with that
24. amendment that was offered by the Republican side. I want to
25. see that amendment stay on, and I really don't know what I'm
26. going to do. I guess I'm just going to have to vote No, and
27. indicate that I don't concur in this action. But that doesn't
28. mean that I don't concur with what I want the bill to do.
29. PRESIDENT:
30. Senator Savickas.
31. SENATOR SAVICKAS:
32. Yes, Mr. President, I would like to remind some of our members
33. here that the House is pretty adamant in what they're doing here.
34. We have a record roll call of a hundred and thirty-three votes
35. supporting this bill in this manner, and this is why I feel that

1. at this point in time, we should address ourselves to this bill
2. like this. We can always come back and change it if you may...
3. may will, but the...the House done it themselves, ...a hundred and
4. thirty-three votes to do this, and I think we would save a...
5. a considerable amount of time and effort and at least come up
6. with a...a workable bill at the end of this Session. So, I
7. would suggest that we'd concur with the House amendments.

8. PRESIDENT:

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. Well, Mr. President, concurrence should never be on or against
12. what the vote in the House is, but when this amendment went on
13. here in the first place, I spoke at that time, and I think there
14. are a lot of people that don't understand and that's understandable.
15. Even a lot of lawyers don't handle workmen's compensation cases.
16. There are no standards adopted for it to guide the arbitrator
17. in how to assess the extent and nature of injury to a leg when
18. you have a back injury. There's nothing to guide him on how
19. much there is for loss of use of an arm. There's no rules or
20. regulations forced on him when he decides what he will allow for
21. disfigurement. This would start something into the Workmen's
22. Compensation Act that has never been there. When you have a
23. back injury and you take it before the arbitrator, he listens to
24. the medical evidence, and the medical evidence is never allowed
25. to say what percentage. The doctor can't say this a forty
26. percent loss of use of the left leg or a...or a twenty percent
27. loss of use of the arm. He says the man has lost so much flexion.
28. He can't move his leg in certain directions. His drop is
29. different when they...his reactions and so forth. And to take
30. away from the arbitrator, I believe it would even be unconstitu-
31. tional. It invades here, either through...without guiding the
32. Industrial Commission the division and separation of powers.
33. He is an administrative agent dealing with...dealing with the...
34. the arbitration of these claims, and there has never been rules
35. or regulations had...that have had to be adopted for any other

1. kind of an injury. They've left those things to the arbitrator,
2. and to start this purely with respect to hearing...it's not done
3. with respect to division, it's not done with respect to loss of
4. use of any other function of the body, and in my personal opinion,
5. you're putting something in there that will possibly, at least
6. as far as this is concerned, require a court decision which will
7. go down anyway. Now, there's a lot of...of lawyers in the House
8. who handle workmen's compensation cases and understand how this
9. works. That's why you...that's why you've got the vote of a
10. hundred and thirty-three, not...I...I wouldn't be influenced if
11. it was a hundred and seventy-seven to nothing if they were wrong, but
12. Ladies and Gentlemen, with respect to how you try workmen's
13. compensation cases and how the arbitrator decides them, if you've
14. never been there and...and if you don't understand it, I know
15. that this sounds reasonable, but it's extremely unreasonable,
16. because no place does the arbitrator...is the arbitrator even
17. allowed to take the medical evidence that says...and I get
18. those reports...you can't offer them into evidence if they say
19. the man lost forty percent loss of use of his hand...

20. PRESIDENT:

21. Time...

22. SENATOR KNUPPEL:

23. That invades the provenance...

24. PRESIDENT:

25. ...time, Senator.

26. SENATOR KNUPPEL:

27. ...of the arbitrator and you can't set up rules and regula-
28. tions and go into these things and have it correspond to any
29. part...any other part of the Workmen's Compensation Act.

30. PRESIDENT:

31. The Senator will conclude his remarks. Senator Nimrod.

32. SENATOR NIMROD:

33. Yes, Mr. President and fellow Senators. I think it was
34. well pointed out here when we had debate that we needed to have
35. some standards especially in the loss of hearing so that insurance

1. companies could write insurance, that we needed some definitions
2. and caps. Now, the bill starts to address itself to one area
3. there to put on a cap as far as the death benefits are concerned,
4. but then we went one step further and it was the consensus with-
5. in this House that we would set some hearing some standards,
6. that we'd ask the Industrial Commission to do that. That was all
7. that was asked. In fact, in Senator Partee's questioning, I...we...
8. we recall and he said, is...you mean there are no ways to determine,
9. that it can be different for different people, and certainly
10. Senator Knuppel just pointed that out. There can be. And all
11. we're saying that there need to be some limits and there need to
12. be some definitions, and it certainly tells us that the agency
13. which we have created to be responsible for setting and hearing these
14. particular cases of workmen's comp would also have the provision,
15. which it already has the authority, to set standards. It has
16. promulgation of rules and standards and that's its duties and
17. responsibilities and that's where we belong to have it
18. done. Now, I think that we're making a mistake by keeping these
19. two together, if...if there's some problems with it, but
20. certainly we should at least to get into the bill that which
21. we had at least agreed...deserves some attention and be in
22. there. And I would certainly urge us to at least...to address
23. ourselves to this subject of making sure that this hearing
24. standard prevails.

25. PRESIDENT:

26. Senator McCarthy.

27. SENATOR MCCARTHY:

28. Yes, Mr. President and members of the Body, I had talked
29. to Senator Buzbee privately after he spoke, and I think it was
30. somewhat of interest to him, my comments. The Nimrod Amendment,
31. and that's what we're talking about, provided that no compensation
32. for partial loss of hearing shall be allowed or awarded until
33. the Commissioner after public hearing promulgates and adopts
34. adequate and reasonable standards and rules for the determination
35. of such loss. Now, what that...the House did was they deleted

1. that amendment. Further what has not been said, is that this
2. amendment the way in which it's read into the Statute would
3. provide for...would provide for standards, not only for hearing
4. or eyesight, but also into the loss of specific members of the
5. body. And that, I don't think is clearly the intention of the
6. people that voted to put this amendment on in the Senate,
7. because if you read in the bill on page 16, they talk about
8. payments under Section 16 for the number of weeks provided
9. for the loss of such member, that means any portion of the
10. body, two hundred weeks for a leg, two hundred and fifty-five...
11. five for an arm, a...hundred and fifty-five for a foot, et
12. cetera, and then following that, it says that the Industrial
13. Commission after public hearing promulgates and adopts adequate
14. and reasonable standards and rules for the determination of
15. such loss, so it goes far beyond hearing loss. And I think
16. Senator Morris kind of understood that after this bill left
17. this Chamber. So, what we are now in...in...in Sunday, two
18. days before our last day, is on this very...hung up on this
19. one point. I don't think the point's worth of being hung up
20. on. The whole idea of partial loss of hearing is brand new.
21. It's exotic. It didn't go into the law until July 1st of last
22. year. The Commission does have the power, they have set up
23. standards for partial loss of eyesight. They will irrespective
24. of whether we mandate them to, they will set up standards for
25. the partial loss of hearing. It strikes me that the issue right
26. now before the Body is whether or not we take all of the improve-
27. ments that have been made under this legislation that's been
28. participated in by both sides of the aisle in this Chamber and
29. both sides of the aisle in the other Chamber over many, many days
30. and nights where we do have products...a product right before us
31. for final passage that is an improvement, that caps are made on
32. the death benefits that notice is restored, that you do have a
33. redefinition of the occupational disease and the aggravation
34. thereof, and relief for the farmer, and this is the moment now
35. when you can decide, yes, we've finished our product in this

1. extraordinary Session insofar as these problems are concerned.
2. I'm prepared to do that. For those of you that want...
3. PRESIDENT:
4. The Senator will conclude his remarks.
5. SENATOR MCCARTHY:
6. ...Yes Sir, but for those of you that want to work to
7. string out, send it back for concurrence and maybe
8. never get a bill through, then, of course, you could vote
9. negatively at this time.
10. PRESIDENT:
11. And Senator, please excise from your remarks; two days before
12. the last day. This may be the day before the last day.
13. SENATOR MCCARTHY:
14. All right, Sir.
15. PRESIDENT:
16. Senator Hickey.
17. SENATOR HICKEY:
18. Mr. President, I rise in...in support of concurrence, but
19. that takes some explanation, because I was the...one of the ones
20. who was very anxious to have some hearing standards put into the
21. bill for partial loss of hearing. The amendments that Senator
22. Nimrod offered was...he...he offered one in the first place
23. which we changed just before it was added to the bill. It was
24. done in haste, and at that time, I thought it was a good thing.
25. After we passed the amendment, we discovered, as Senator McCarthy
26. said, that inadvertently it left the word "hearing" out of the
27. sentence of the amendment which then made the amendment apply
28. to all other partial losses. I understood that in the House
29. that correction was to be made, that the word "hearing" would
30. be inserted in that...that sentence and it would pertain only
31. to hearing. That was not done, and inasmuch as it was not done,
32. to concur with this would not be doing...would not be concurring
33. with what we thought we did when we put that amendment on...on
34. the bill. And if this were earlier in the Session, as Senator
35. McCarthy said, we could go back and correct that if we wanted to,
36. that is those of us who did vote for that amendment in the first

1. place, which it was not a very overwhelming vote. That I really
2. would have preferred to have done, but since it is in an incorrect
3. form and does apply to partial loss of other members in the way that
4. it was written because it was hastily drawn, I think we must leave
5. it out at this point, and I urge concurrence.

6. PRESIDENT:

7. Senator Wooten. Senator Bell.

8. SENATOR BELL:

9. Yeah, thank you, Mr. President. I rise in opposition to
10. concurrence of these House amendments. I think in the whole
11. concept of Senate Bill 1967, it's been a situation where the
12. General Assembly in the Senate specifically and now over in
13. the House and their action on House Amendment No. 1 has been a
14. little bit like Alice in Wonderland and the Mad Hatter and
15. his tea party where he's pouring tea, but there's nothing really
16. there. We really have a situation with Senate Bill 1967 and
17. the removal of this particular amendment, that's really like
18. unto a red herring. The only problem is, that now it's becoming
19. like a three week old cod and it stinks. I take issue with
20. the fact that Senator McCarthy said the majority of the Republican
21. Party or that the Republican Party has supported Senate Bill
22. 1967. Senator, that, in fact, is wrong. The majority of the
23. Republican Party voted either against or Present in reference
24. to Senate Bill 1967 and the burden, Sir, is on your side of the
25. aisle. So, we have a situation now a little bit like the
26. Cheshire cat as far as this General Assembly is concerned, first
27. you see him, then you don't see him, and that's a little bit like
28. 1967 is, but the reality of the whole matter is that is really
29. not there in solving the problems of the economic base of the
30. State of Illinois.

31. PRESIDENT:

32. Senator Harber Hall.

33. SENATOR HARBER HALL:

1. Well, I rise to speak out against the two amendments and
2. point out to Senator Hickey that I came back here from my home
3. in Bloomington today, not to sit here and idly vote on everything
4. that came through here so I could wind it up tonight or tomorrow
5. or some other time, but to continue to look at legislation and
6. vote the best legislation that I can have any affect upon. She,
7. by her own statement, would prefer to see this in another form.
8. A form that she thought it was when she voted for it previously
9. when Senator Nimrod proposed the amendment. It can very easily
10. be gotten back in that form, Senator Hickey, and I will join
11. you in an effort to do that. That bill on a Conference Committee
12. Report can be drafted up in the next half hour so that it will
13. meet with your approval. Now, you have that much time, Senator
14. Hickey. I have a great deal more time. I would sooner be home,
15. but let's get a good bill out of here and vote No on this.

16. PRESIDENT:

17. Any further discussion? Senator Graham.

18. SENATOR GRAHAM:

19. Mr. President and members, I wasn't going to speak on this
20. bill. I've had my problems with...with this entire package for
21. many, many weeks. I agree with what Senator Hall said. Now,
22. what we have, Ladies and Gentlemen, is a cosmetic package shoved
23. down our throat by the AF of L and CIO and the members of the
24. House of Representatives and fellows who are interested in trying
25. these cases in addition to others. I agree, this is not much.
26. This is, now you have it, now you don't, cosmetics entirely. We
27. hope we get more. I worked for weeks trying to get. This is a
28. poor excuse for what we should of had, and I join with those who
29. are willing to sit down and negotiate and attempt to if we can
30. negotiate with Irving Greenfield and Tom Hanahan and others. I
31. doubt it, but we might be able to do. I haven't had too much
32. trouble negotiating with our Gentlemen on this side of the aisle.
33. Senator McCarthy is a little stubborn, but I understand that,

1. but I just can't support this package without having any
2. opportunity to vote separately on these two concurrences.

3. PRESIDENT:

4. Senator Harris.

5. SENATOR HARRIS:

6. Mr. President, I believe we are at a point where we can, as
7. a Body really get at the problem that has been referred to by
8. Senator Hickey and Senator Harber Hall, and I'm pondering the
9. ...appropriate means of accomplishing that, whether to offer
10. a substitute motion to Senator Savickas' motion to concur in
11. the two House amendments, whether to offer as a substitute motion
12. that we concur in House Amendment No. 2 and nonconcur in House
13. Amendment No. 1 or to offer as a substitute motion that we non-
14. concur in both amendments, and truly get this bill into a posture
15. that we can cure the problem that we had a majority attitude on
16. here and that is, to prescribe some standards for loss of hearing
17. in an effective way and there was no intention to provide for those
18. standards to apply clear across the board on all kinds of injuries.
19. And I think it might be a...a...a better course of action for us,
20. Mr. President, to demonstrate clearly what I have in mind here, to
21. encourage those among us who wanted to affectively establish
22. standards for loss of hearing and loss of hearing only to offer
23. my substitute motion in a form that demonstrates that we're not
24. trying to be obstructive. That I would then, Mr. President, offer
25. as a substitute motion to Senator Savickas' motion to concur in
26. the two House amendments that the Senate does concur in House
27. Amendment No. 2, but that we nonconcur in House Amendment No. 1,
28. and on that substitute motion, Mr. President, I would request
29. a roll call.

30. PRESIDENT:

31. Senator Savickas, for what purpose...Senator McCarthy, for
32. what purpose do you arise?

33. SENATOR MCCARTHY:

34. Well, to raise a point of order.

1. PRESIDENT:

2. State your point of order.

3. SENATOR MCCARTHY:

4. Point of order is that the...that the motion before the
5. Body is to concur in Amendments 1 and 4...1 and 2, excuse me.
6. And that there is nothing in the rules that would provide for
7. Senator Harris, he not being the sponsor of the bill, to offer
8. a substitute motion such as he has...such as he has offered.
9. There are other substitute motions I suppose that are appropriate.

10. PRESIDENT:

11. The motion has been made by Senator Savickas to nonconcur
12. in House Amendments Numbered 1 and 2...pardon me, to concur, I'm
13. sorry...to concur in House Amendments No. 1 and 2. Senator
14. Harris has offered a substitute motion to concur in House Amend-
15. ment No. 1 and nonconcur in House Amendment No. 2. Is that
16. correct? ...Just a moment. I just wanted to state the motion
17. first. Senator Savickas has moved to concur in House Amendments
18. Numbered 1 and 2. Senator Harris moved by way of a substitute
19. motion to concur in House Amendment No. 1 and to nonconcur in
20. House...is that...which...it's the other way around...to nonconcur
21. in House Amendment No. 1 and to concur in House Amendment No. 2.
22. Senator Knuppel has moved to Table Senator Harris' motion and which is
23. not debatable. For what purpose does Senator Harris arise?

24. SENATOR HARRIS:

25. Well, all right, Mr. President, I want to point out to you
26. that I was preceding under the provision of Rule 48. Let me
27. read to you Rule 48. If the question in debate contains several
28. points, any Senator may have the same divided. Now, the point is,
29. that we are talking about two items here, about which it's perfectly
30. obvious there is different position with respect to House Amend-
31. ment 1 and House Amendment 2. This is clearly the kind of provision
32. that was anticipated with respect to Senate Rule 48, and Mr.
33. President...

1. PRESIDENT:
2. Well, Senator...Senator...

3. SENATOR HARRIS:
4. ...I am...

5. PRESIDENT:
6. ...I...I think we're past that point. When you made your
7. substitute motion, I have not said that the substitute motion
8. was not in order, but there was then a motion to Table the
9. substitute motion.

10. SENATOR HARRIS:
11. ...All right. Well, Mr. President...

12. PRESIDENT:
13. So, I...I think what you're addressing yourself is to some question
14. about your motion. There is no question about your motion.

15. SENATOR HARRIS:
16. ...Well...

17. PRESIDENT:
18. But there is a motion to Table it.

19. SENATOR HARRIS:
20. ...All right. Well, Mr. President...

21. PRESIDENT:
22. Which is not debatable. Yes?

23. SENATOR HARRIS:
24. ...Well, I want to ask you this question. Is the motion
25. to Table debatable?

26. PRESIDENT:
27. No, it is not.

28. SENATOR HARRIS:
29. Well, then don't you think I have some requirement to get
30. as much debate before us and develop as much support for my
31. position as I can when a nondebatable question is before us?

32. PRESIDENT:
33. Ordinarily, ordinarily, that kind of latitude would certainly

1. be given, but under these circumstances, we must divide our rules,
2. and motion to Table is nondebatable.

3. SENATOR HARRIS:
4. I understand. Thank you, Mr. President.

5. PRESIDENT:
6. On...for what purpose does Senator Nimrod...

7. SENATOR NIMROD:
8. Mr. President, there was some reference to...comments that
9. were made about this...

10. PRESIDENT:
11. Senator...

12. SENATOR NIMROD:
13. ...particular amendment...

14. PRESIDENT:
15. ...Senator...

16. SENATOR NIMROD:
17. ...and...

18. PRESIDENT:
19. ...Senator...Senator...

20. SENATOR NIMROD:
21. ...but I should...

22. PRESIDENT:
23. ...the...there's been a motion to Table Senator Harris' motion
24. and it is not debatable. The question has to be put now on the
25. motion. The question is, shall Senator Harris' motion be Tabled.
26. Those...state your parliamentary inquiry, Senator Soper.

27. SENATOR SOPER:
28. Yes, how many votes does this take? 30 votes?

29. PRESIDENT:
30. A majority of those voting.

31. SENATOR SOPER:
32. Thank you, very much, Sir.

33. PRESIDENT:

1. The question is, shall Senator Harris' motion to nonconcur
2. in House Amendments No. 1 and to concur in Amendment No. 2 to
3. Senate Bill 1967 be Tabled? ...Senator Harris.

4. SENATOR HARRIS:

5. How would a person who wanted to divide this question vote
6. on the motion before us?

7. PRESIDENT:

8. By his conscious. If he supports Senator Knuppel, he will
9. vote Aye. If he supports you on the question, he would vote No.
10. I...I have already stated the question. Those in favor will vote
11. Aye. Opposed will vote Nay. The voting is open. Have all voted
12. who wish? Take the record. For what purpose does Senator
13. Savickas arise?

14. SENATOR SAVICKAS:

15. Well, Mr. President, it's obvious from the vote totals there
16. that...

17. PRESIDENT:

18. Just a moment. Let me finish what we're about, first. On
19. this motion, the motion to Table, the Ayes are 27, the Nays
20. are 26, with none Voting Present. Senator Knuppel's motion to Table carries
21. Senator Savickas. A verification is requested, but you ask for
22. recognition. What is your point, Senator? The verification is
23. pending.

24. SENATOR SAVICKAS:

25. Well, at this point, since there are no thirty votes, I
26. would at this time withdraw my motion and just pull the bill out
27. of the record.

28. PRESIDENT:

29. Take it out of the record. On the order of...amendatory
30. vetoes, House Bill 3844, Senator Bloom. House Bill...give the
31. Secretary a chance here now to take care of the immediate business.
32. House Bill 3844, on the order of amendatory vetoes, Senator Bloom.

33. SENATOR BLOOM:

1. Yeah, well, thank you, Mr. President. I've given copies of the
2. amendatory...or amendments that were suggested by the Governor
3. to the Sergeant-at-Arms and...to hand out. He indicates across
4. the Chamber that they have been handed out. I've talked with Senator
5. Demuzio and I'd move that we accept the Governor's specific
6. recommendations for change with respect to this bill in the
7. manner and form as they were set out.

8. PRESIDENT:

9. Any further discussion? Senator Demuzio.

10. SENATOR DEMUZIO:

11. Well, Senator Bloom, several of the members were absent
12. when you went through your discussion of the changes that the
13. Governor had recommended. I was wondering if you might do that
14. again for benefit of those members that hadn't arrived yet.

15. PRESIDENT:

16. Senator Bloom.

17. SENATOR BLOOM:

18. Well, I've lost my sheet, but I'll try and reconstruct it
19. from memory. Basically, he wanted the amendment that had been
20. offered by Senator Joyce to not specifically set out the section
21. of the Act to be amendment and that was added. And Section 11.2
22. was added to add new language requiring the applicability that no
23. overlap provisions and it wasn't added to another section and
24. the Governor's recommendation suggested rectifying this which it
25. does and the other thing was to conform the use of the word "precinct"
26. in all of 25-11. Well, you know...

27. PRESIDENT:

28. I'm sorry, Senator Graham.

29. SENATOR GRAHAM:

30. We're pretty well represented, but...but without having a lobbyist
31. on the Floor...there's men on the Floor not entitled to the Floor,
32. and I want them removed.

33. PRESIDENT:

1. If there's someone on the Floor who's not entitled to the
2. Floor...he's gone. Senator Demuzio.

3. SENATOR DEMUZIO:

4. Well, I'm still here, and I'm still opposed to House Bill
5. 3844. This is the bill that...that pertains itself or to the
6. elimination of a...of a special primary in most counties that
7. have already scheduled for a primary to be held, and it's my
8. understanding that if the...the Senate refuses to accept the
9. amendatory veto today, that the bill, in fact, is...is dead.
10. Is that correct, Mr. President?

11. PRESIDENT:

12. Well, not finally. He could always Postpone Consideration.

13. SENATOR DEMUZIO:

14. Well, fine. Well, let me speak to the issue then. Again
15. I want to point out that this is...gives an opportunity for the
16. people of the counties that are involved, the opportunity to
17. select the candidates that they so desire, and I want to point
18. out and make sure that the membership is well aware of what this
19. bill does. Thank you.

20. PRESIDENT:

21. Senator Soper.

22. SENATOR SOPER:

23. I just thought that the Senator wasn't speaking to the
24. issue. That's on concurrence or nonconcurrence on the amendatory
25. veto, not on the bill.

26. PRESIDENT:

27. Senator Wooten.

28. SENATOR WOOTEN:

29. Yes, Mr. President. I rise in vigorous support of accepting
30. the Governor's specific recommendations. It seems to me that Senator
31. Demuzio, that I realize you have a particular problem in your
32. area, but all over the State this kind of change is essential,
33. and we...we debated this at some length when the bill came before us.

1 There is much that is good in this bill. As a matter-of-fact,
2 it all is good. Not only does it achieve a saving for the tax-
3 payers, but I think it also helps our requirements...helps make
4 clear the requirements and sizes of precincts. It also forbids
5 the splitting of precincts and that is something that has caused
6 a great deal of confusion in county board elections, and I certainly
7 would support accepting the Governor's specific recommendations
8 to House Bill 3844.

9 PRESIDENT:

10 Any further discussion? Senator Bloom. All right, the
11 question is, shall the Senate accept the specific recommendations
12 of the Governor as to House Bill 3844 in the manner and form
13 just stated by Senator Bloom? Those in favor vote Aye. Opposed
14 Nay. The voting is open. Have all voted who wish? Take the
15 record. On that question, the Ayes are 46, the Nays are 1, with
16 3 Voting Present. The specific recommendations of the Governor
17 as to House Bill 3844 having required the...having received the
18 required majority of Senators elected are declared accepted. Is there
19 any further business to come before the Senate? Senator Harris.
20 Senator Rock. Representative Young...Hall.

21 PRESIDENT:

22 The Chair recognizes Senator Kenneth Hall.

23 SENATOR KENNETH HALL:

24 Thank you, Mr. President, Ladies and Gentlemen of the Senate.
25 Mr. President, I'd like to move that the Rules Committee be
26 discharged from further consideration of House Bills 3533 and
27 3534.

28 PRESIDENT:

29 Is there leave? Are you asking, Senator, that the rules
30 be suspended for that purpose?

31 SENATOR KENNETH HALL:

32 I wish that the rules be suspended for that purpose.

33 PRESIDENT:

34 Senator Hall has moved to suspend the rules for the immediate

1. consideration of removing House Bills 35 and 34...discharging...
2. discharging House Bill 3533 and 34 from the Rules Committee.
3. All in favor will say Aye. Opposed No. A roll call is requested.
4. The question is on the removal of the House Bills 3533 and 3534
5. from the Committee on Rules. All in favor will say Aye...I
6. mean vote Aye. Opposed Nay. The voting is open. Senator Harris.
7. SENATOR HARRIS:
8. Yes. What is the motion, to discharge the Committee on
9. Rules?
10. PRESIDNET:
11. That's correct.
12. SENATOR HARRIS:
13. Yes. Okay. I certainly join in the motion to discharge
14. the Committee on Rules and I would urge people who share my
15. philosophy to join in this motion.
16. PRESIDENT:
17. Have all voted who wish? Take the record. Senator Bloom.
18. SENATOR BLOOM:
19. Having voted on the prevailing side, I move to reconsider
20. the vote by which we did whatever we did.
21. PRESIDENT:
22. You heard the motion. All in favor...say Aye. Opposed Nay.
23. The Ayes have it. The motion carries. We revert to the...to
24. the...to the original motion to discharge House Bills 3533 and
25. 3534 from Rules Committee. All in favor vote Aye. Opposed Nay.
26. The voting is open. Have all voted who wish? Take the record.
27. On this question, the Ayes are 35, the Nays are 6, with 1 Voting
28. Present. The motion prevails. Read the bill.
29. SECRETARY:
30. House Bill 3536
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDENT:

1. Senator Hall.

2. SENATOR KENNETH HALL:

3. He's got the wrong number.

4. PRESIDENT:

5. 3533?

6. SECRETARY:

7. 3533, Senator Hall.

8. PRESIDENT:

9. Read the bill again, so there will be no question about it.

10. SECRETARY:

11. House Bill 3533

12. (Secretary reads title of bill)

13. 1st reading of the bill.

14. PRESIDENT:

15. Read the next one.

16. SECRETARY:

17. House Bill 3534

18. (Secretary reads title of bill)

19. 1st reading of the bill.

20. PRESIDENT:

21. Senator Hall moves these bills by-pass the Committee on

22. Assignment of Bills and go to the order of 2nd reading. All in

23. favor will say Aye. Opposed Nay. The Ayes have it. The bills

24. are on 2nd reading. Senator Ozinga.

25. SENATOR OZINGA:

26. I would like...maybe it's a matter of personal privilege,

27. and maybe it isn't. I don't know what you call it, but I'd like

28. to know just what in the blazes is going on. Now, there's been

29. conversation up there on the podium, there's been conversation

30. with leadership, there's been conversation with members of the

31. House. Would...can we all just be in on the secrets?

32. PRESIDENT:

33. There are no secrets, Senator.

1. SENATOR OZINGA:
2. Then why did we take...
3. PRESIDENT:
4. There are no secrets at all.
5. SENATOR OZINGA:
6. ...these bills out when it was lost the first time, lost
7. the second time, and then a third time it came out? What is the
8. significance on this? Let either leadership tell us, I don't
9. care which one, but let's have a little bit of truth and honesty in
10. the situation.
11. PRESIDENT:
12. Now, wait a minute. There's nothing less than truth. The
13. gentleman...the gentleman rose to make a motion. You were all
14. there. Nobody asked him what it was. So, now you say something
15. about truth and honesty, Senate and frankly, I resent it. Yeah, turn...
16. put him on the mike. Yes, any further discussion on this...yes,
17. Senator Latherow.
18. SENATOR LATHEROW:
19. Well, Mr. President, a point of inquiry. Awhile ago House
20. Bill 3533 was on the Board and failed to get 30 votes.
21. PRESIDENT:
22. It was reconsidered, Senator.
23. SENATOR LATHEROW:
24. It wasn't Tabled after reconsidered, then.
25. PRESIDENT:
26. No.
27. SENATOR LATHEROW:
28. I thought it was Tabled.
29. PRESIDENT:
30. No, it was not. No, it was not. Senator Howard Mohr. Senator
31. Latherow.
32. SENATOR LATHEROW:
33. How can we reconsider a vote that's never been announced?

1. That vote of 26 to whatever it was was never announced to my
2. recollection.

3. PRESIDENT:

4. Well, if that's...I...the Chair believes that he did...did
5. announce it, but if I didn't, it still is annulity. So, it doesn't
6. change the...change anything at all.

7. SENATOR LATHEROW:

8. Well, I'm just wondering how we can reconsider a vote that's
9. up there, and we clear the Board again and go back and vote on
10. the same thing again when the vote has never been announced.
11. That's what I wonder.

12. PRESIDENT:

13. Senator Howard Mohr. Senator Latherow.

14. SENATOR LATHEROW:

15. Was my question answered?

16. PRESIDENT:

17. Senator, logically if the first vote was not announced,
18. then it has no impact. If it was announced and there was a motion
19. made to reconsider it and that motion carried, the vote still
20. has no impact, and then a next...another roll call was taken.

21. SENATOR LATHEROW:

22. Well, how can anyone make that motion when the vote...the
23. roll call has never been announced. You don't have it...you don't
24. have a roll call until the roll call is announced, do you?

25. PRESIDENT:

26. Well, no one raised the point at the time, Senator, but
27. in...in either event, if there was not an announced roll call,
28. then there was not a roll call.

29. SENATOR LATHEROW:

30. Well, what happened...

31. PRESIDENT:

32. If there was an announced roll call followed by a motion
33. to reconsider which carried, there would not be in either event

1. a roll call.

2. SENATOR LATHEROW:

3. Then, I'm...I'm just wondering then how the Secretary is
4. going to record this tomorrow in...

5. PRESIDENT:

6. In the manner in which it happened.

7. SENATOR LATHEROW:

8. ...He is? Well, then he has two different roll calls down
9. there then on 3533, one of which was never announced. Isn't
10. that correct?

11. PRESIDENT:

12. He has what took place during the course of a discourse
13. on House Bills 3533 and 34. in sequential order. ...Howard
14. Mohr.

15. SENATOR HOWARD MOHR:

16. Yes, Mr. President, a lot of members came down here today
17. to work. They've been here for quite some time in the last
18. week trying to...all well-intentioned to get the Calendar cleaned
19. up, and frankly, I'm disturbed to see bills on 2nd reading that
20. aren't being moved. That means another legislative day and in
21. all probability an amendment which will mean a Conference
22. Committee. We have bills on 3rd reading, and I know, Mr. President,
23. that you've gone through the...the Calendar a couple of times
24. a day, and I wonder if we could do that one more time, so we're
25. on all record. If a member wants to call his bill, fine. If
26. he doesn't, why I'm going to make a motion probably early tomorrow
27. to kill all of the bills on the Calendar. If members can't be
28. considerate enough to get these bills moved, then I've...I've...
29. will no...no qualms about going ahead and...and making that motion.
30. I think out of fairness to all of the members, there's some bills
31. here that are of a controversial nature and are going to have to
32. be amended, we should take that action, get them amended, and
33. get them over to the House, and into a Conference Committee if

1. that's going to be the fate, but let's get the thing rolling.
2. And I think it...I'm just asking that some of the members that
3. are holding up the operation here be a little considerate of
4. everybody else.

5. PRESIDENT:

6. Well, the Chair appreciates that, Senator, and that is
7. why I made the statement today asking the members to deal with
8. bills which we've been going by, by, by everyday. Senator
9. Fawell made a motion on House Bill 3062 to re-refer it to a
10. committee. Senator Graham made a motion on 3814 to re-refer
11. it to a committee, and there is now on 2nd reading on my
12. Calendar only one bill which has not been moved or dealt with
13. and that is House Bill 3831, Senator Carroll, and I think he
14. indicated that he wanted to hold it because he had an amendment.
15. That's the only one on 2nd reading. There are a few...there's
16. a few on...and that's about it. They...they've been dealt with.
17. Senator Soper.

18. SENATOR SOPER:

19. Well, as long we're shooting everything by here, what
20. happened to...I think, he...he had two bills. Senator Hall
21. had two bills he wanted to move to 2nd reading. The first one
22. was 3533 which calls for ten million dollars worth of GO Bonds
23. and how about the one that calls for one million nine hundred
24. thousand dollars worth of GO Bonds or from the Capital Develop-
25. ment Fund on...on 3534. Did we shoot that one by too, on 2nd
26. reading?

27. PRESIDENT:

28. The motion was embracive of both bills and was so stated on
29. each occasion. Neither bill, Senator, has been yet to 2nd
30. reading, nor to 3rd reading, and I trust you'll be here when
31. they are called.

32. SENATOR SOPER:

33. Neither bill is on 2nd reading?

1. PRESIDENT:
2. Both are on 2nd. They'll be on...no. They...they have
3. not have been read a second time, but they will be...
4. SENATOR SOPER:
5. Well...
6. PRESIDENT:
7. ...on 2nd reading tomorrow.
8. SENATOR SOPER:
9. ...well, in order to save a lot of time, I'd...I'd suggest
10. that we come back at one minute after midnight and pass both
11. bills, and maybe I'll amend them to a hundred million, so you
12. have enough money for whatever you want on GO Bonds. I'd...I'd
13. make that suggestion, Mr. President, because these needed...
14. these ought to go a committee. We start out here for a dollar
15. ninety-five and we yell like hell, and then we come up to
16. ten million dollars worth of GO Bonds and we shoot two bills out
17. of here for...for twelve million dollars worth of GO Bonds, and
18. nobody knows what it's all about. Nobody even explained what
19. these bills were. All they said...they called a couple of numbers.
20. Maybe we ought to have the policy in here. That's a numbers
21. game, too.
22. PRESIDENT:
23. Senator Palmer.
24. SENATOR PALMER:
25. Mr. President, I move we adjourn until tomorrow morning.
26. PRESIDENT:
27. Senator Palmer moves that we adjourn. The Senate will be
28. in adjournment until 9:00 a.m. tomorrow morning. Senator Harris.
29. SENATOR HARRIS:
30. I see...
31. PRESIDENT:
32. Would you hold...Senator Harris.
33. SENATOR HARRIS:

1. ...Yeah, I noticed that Senator Weaver is not on the
2. Floor. I'd like to call a Republican Caucus immediately in
3. Room 400, please.

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