

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 28, 1976

1. PRESIDENT:

2. The hour of nine having arrived, the Senate will come to
3. order. The prayer will be by the Reverend Rudolph S. Shultz
4. of the Union Baptist Church, Springfield, Illinois. We have
5. guests in gallery. Please rise for the prayer.

6. REVEREND SHOULTZ:

7. Eternal and most loving God, our Father, for this another
8. day and another opportunity that we have to be of service to
9. our communities and to this State in which we are a part, we are
10. thankful. We pray Thy blessing and Thy guidance this day upon
11. these Thy servants as they go about a task of doing what they
12. can to promote the betterment of all of us. Give them Thy
13. blessing this day, sanction their decision with Thy love, give
14. to them understanding, wisdom that they may be able to divide
15. what is right and wrong. We present ourselves to You this
16. day, use us to Thy glory. Amen.

17. PRESIDENT:

18. Reading of the Journal, Senator Davidson.

19. SENATOR DAVIDSON:

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

28. PRESIDENT:

29. You heard the motion. All in favor will say Aye. Opposed
30. Nay. The motion carries. Good morning, Colonel Sanders.
31. Senator Shapiro, for what purpose do you arise, Sir?

32. SENATOR SHAPIRO:

33. Mr. President, on the Calendaron Senate Bills 3rd reading is

1. 1584. I would like leave of the Senate to re-refer this bill
2. to the Senate Education Committee.

3. PRESIDENT:

4. Is leave granted? Leave is granted. Senate Bill 1584
5. is re-referred to the Committee on Education. Senator Mitchler.
6. Senator Mitchler, could I see you a moment? Senator Bruce,
7. what was the number of the bill, please?

8. SENATOR BRUCE:

9. 3...3374. House Bills.

10. PRESIDENT:

11. House Bill 3374...

12. SENATOR BRUCE:

13. Page 5.

14. PRESIDENT:

15. ...on the order of...on the order of nonconcurrences, page
16. 4...5, House Bill 3374. Senator Bruce is recognized.

17. SENATOR BRUCE:

18. Thank you, Mr. President and members of the Senate. The
19. House has refused to concur in Senate Amendments Numbers 3 and
20. 4, and my motion is that the Senate refuse to recede from
21. those amendments and that a Conference Committee be appointed.

22. PRESIDENT:

23. Senator Bruce moves that the Senate refuse to recede from the
24. adoption of Amendments 3 and 4 to House Bill 3374, and that a
25. Conference Committee be appointed. All those in favor say Aye.
26. Opposed Nay. The Ayes have it, and the Secretary shall so inform
27. the House. Senator Daley, for what purpose do you arise?

28. SENATOR DALEY:

29. Mr. President and fellow Senators, I'd like to make a
30. motion in regards to House Bill 3512 which is presently in
31. Judiciary Committee. There is an emergency problem in Will
32. County in regards to the Probation department maintaining
33. financial records in relation to juvenile detention. It

1. looks like there's a...a constitutional conflict between a
2. juvenile section of the county and the legislative branch of
3. Will County. It looks like it's an emergency problem, and I
4. will like to make a motion, which I cleared with Senator Moore
5. and also Senator Harris and Senator Partee in regards to
6. discharging Senate Judiciary Committee on House Bill 3512 and
7. place it on the order of 2nd reading.

8. PRESIDENT:

9. You...you've heard the motion. All...all in favor say
10. Aye. Opposed Nay. The Ayes have it. The bill will be read
11. a second time today. For what purpose does Senator Mitchler arise?

12. SENATOR MITCHLER:

13. Mr....excuse me, Mr. President, in the Rules Committee is
14. House Bill 3840. This is a bill that we talked about the other
15. day, and after clearing it was agreed to release this out of
16. the Rules Committee and put on the...order of 1st reading and
17. advanced to 2nd reading. This authorized the Governor and
18. Secretary of State to provide on request courtesy transportation,
19. certain guests at conventions and meetings that are Federally
20. chartered, patriotic organizations in Illinois.

21. PRESIDENT:

22. Senator...

23. SENATOR MITCHLER:

24. This has been cleared and I would move...

25. PRESIDENT:

26. ...Senator Mitchler moves that House Bill 3840 be discharged
27. from further consideration of the Committee on Rules, be read
28. a first time, that the motion include its bypassing Assignment
29. of Bills and the...the bill placed on the order of 2nd reading.
30. All in favor say Aye. Opposed Nay. The Ayes have it. The
31. motion carries. Read the bill.

32. SECRETARY:

33. House Bill 3512

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 Bills

5. 1st reading.

6. SECRETARY:

7. House Bill 3840

8. (Secretary reads title of bill)

9. 1st reading of the bill.

10. PRESIDENT:

11. 2nd reading. Messages from the House.

12. SECRETARY:

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

14. Mr. President - I am directed to inform the House...

15. inform the Senate that the House of Representatives has concurred

16. with the Senate in the passage of a bill with the following

17. title: Senate Bill 1594, with House Amendment No. 1.

18. PRESIDENT:

19. Secretary's Desk.

20. SECRETARY:

21. A like message on Senate Bill 1712 with House Amendment

22. No. 2.

23. PRESIDENT:

24. Secretary's Desk.

25. SECRETARY:

26. A like message on Senate Bill 887 with House Amendment No. 1.

27. PRESIDENT:

28. Secretary's Desk.

29. SECRETARY:

30. A like message on Senate Bill 1997 with House Amendment No. 1.

31. PRESIDENT:

32. Secretary's Desk.

33. SECRETARY:

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

2. Mr. President - I am directed to inform the Senate

3. that the House of Representatives has refused to concur with

4. the Senate in the adoption of their amendments to a bill with

5. the following title: House Bill 3377 with Senate Amendments

6. No. 1, 2, 3, 4, 5, 7, 8, 9, 10, and 11.

7. PRESIDENT:

8. Secretary's Desk.

9. SECRETARY:

10. A like message on House Bill 3417 with Senate Amendments

11. 1, 2, 3, 4, 5, 6, 7 and 8.

12. PRESIDENT:

13. Secretary's Desk.

14. SECRETARY:

15. A like message on House Bill 3818...

16. PRESIDENT:

17. One moment. For what purpose does Senator Rock arise?

18. SENATOR ROCK:

19. Well, these are all requests on some major appropriations...

20. requests of the House for Conference Committee. My understanding

21. is that we...the sponsors have indicated that they would move

22. to accede to the House's requests so that we can get these

23. things in the process, rather than have them show up tomorrow

24. on the Calendar on the Secretary's Desk.

25. PRESIDENT:

26. Oh, no. We're not going...we'll just put them on the

27. Secretary's Desk momentarily. A list will be made of them. The

28. sponsors of the individual bills will be advised, and then the

29. motions can be made.

30. SENATOR ROCK:

31. Fine. Thank you.

32. SECRETARY:

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

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1. Mr. President - I am directed to inform the Senate
2. that the House of Representatives has refused to concur with
3. the Senate in the adoption of their amendments to a bill with
4. the following title: House Bill 3818 with Senate Amendments
5. Numbers 1 and 2.

6. PRESIDENT:

7. Secretary's Desk.

8. SECRETARY:

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

10. I'm...Mr. President - I am directed to inform the
11. Senate that the House of Representatives has concurred with the
12. Senate in the passage of a bill with the following title:
13. Senate Bill 1877 with House Amendment No. 1.

14. PRESIDENT:

15. Secretary's Desk.

16. SECRETARY:

17. A like message on Senate Bill 1877 with House Amendment
18. No. 1.

19. PRESIDENT:

20. Secretary's Desk.

21. SECRETARY:

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

23. Mr. President - I am directed to inform the Senate
24. that the House of Representatives has concurred with the Senate
25. in the passage of a bill with the following title: Senate Bill
26. 1789 with House Amendments 1 and 2.

27. PRESIDENT:

28. Secretary's Desk.

29. SECRETARY:

1. A like message on Senate Bill 1651 with House Amendment
2. No. 1.
3. PRESIDENT:
4. Secretary's Desk.
5. SECRETARY:
6. A like message on Senate Bill 1999 with House Amendment
7. No. 1.
8. PRESIDENT:
9. Secretary's Desk.
10. SECRETARY:
11. A like message on Senate Bill 1804 with House Amendment
12. No. 1.
13. PRESIDENT:
14. Secretary's Desk. Messages from the House.
15. SECRETARY:
16. A Message from the House by Mr. O'Brien, Clerk.
17. Mr. President - I am directed to inform the Senate
18. that the House of Representatives has concurred with the Senate
19. in the passage of a bill with the following title: Senate Bill
20. 1881 together with House Amendments 1 and 3.
21. PRESIDENT:
22. Secretary's Desk.
23. SECRETARY:
24. A like message on Senate Bill 1608 with House Amendments
25. Numbers 1, 2, 4 and 8.
26. PRESIDENT:
27. Secretary's Desk. The Chair would like to make an announcement.
28. All of the messages from the House would...which include bills
29. which you're handling, are now going to be placed on a Supplemental
30. Calendar and be submitted it to you, and I would just ask in the
31. meantime those bills that you are aware of, could commence to
32. decide whether you're going to accede to the wishes of the House
33. or whether you're going to ask that Conference Committees be

1. reported so that we can move with some dispatch when the Calendar
2. comes back out. I'm sure most of you know if you've been
3. following your bills over there what posture they're now in.
4. Senator Vadalabene. For what purpose does Senator Lemke arise?

5. SENATOR LEMKE:

6. The Arts Council. 1621. Can we go to...can we hear...adoption
7. of a Conference Committee on...on Senate Bill 1621?

8. PRESIDENT:

9. 1621 has just come here. Your timing is great. I've just...
10. we just don't have...the bill just came back from the Conference
11. Committee. I am now initialing it, and we are going to make the
12. fifty-nine copies and as soon as those copies are made and
13. distributed, we'll call it, Senator. Messages from the House.

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 refused to recede from
18. their Amendments Numbered 1, 3, 4, 5, 10, 11, 12 and 16 to a bill
19. with the following title: Senate Bill 1935. I am further
20. directed to inform the Senate that the House of Representatives
21. requests a First Committee of Conference to consist of five
22. members from the House...from each House to consider the
23. differences between the two Houses in regards to the amendments
24. to the bill. The Speaker of the House has appointed a such
25. Committee on the part of the House, Representative Hanahan,
26. Barnes, Bradley, Ryan, and Totten.

27. PRESIDENT:

28. The question is, shall the Senate accede to the request of
29. House that a Conference Committee be appointed on Senate Bill 1935?
30. All in favor signify by saying Aye. Opposed Nay. The Ayes have
31. it, and the Senate accedes to the request to appoint a Conference
32. Committee.

33. SECRETARY:

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

2. Mr. President - I am directed to inform the Senate
3. that the House of Representatives has refused to recede from
4. their Amendment No. 5 to a bill with the following title:
5. Senate Bill 1637. I am further directed to inform the Senate
6. that the House of Representatives requests a First Committee
7. of Conference to consist of five members from each House to
8. consider the differences of the two Houses in regards to the
9. amendment to the bill. The Speaker of the House has appointed a...
10. a such Committee on the part of House, Representatives Kane,
11. Mautino, Bradley, Ryan and Totten.

12. PRESIDENT:

13. The question is, shall the Senate accede to the request
14. of...of the House that a Conference Committee be...appointed
15. on Senate Bill 1637? All those in favor say Aye. Opposed Nay.
16. The motion carries, and the Secretary...the motion...the Senate
17. accedes to the request to appoint a Conference Committee.
18. Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. I would like to move to reject
21. the Conference Committee Report, the First Conference Committee
22. Report, on House Bill 3068 and a request a Second Conference
23. Committee.

24. PRESIDENT:

25. All right, the question is, shall the...does...the question
26. is, shall the Senate refuse to accept the Conference Committee
27. Report on House Bill 3068? All in favor say Aye. Opposed Nay.
28. The Ayes have it. The Senate refuses to accept the Conference
29. Committee Report and the Secretary shall so inform the House
30. and ask that a Second Conference Committee be appointed.
31. Message from the House.

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 concurred with the Senate
3. in the passage of a bill with the following title: Senate Bill
4. 1932 together with House Amendments No. 1, 3, 4, 6, 7, 8, 9,
5. 10, 14, 15, 18, 19, 20, 21, and 24.

6. PRESIDENT:

7. Secretary's Desk.

8. SECRETARY:

9. A like message on Senate Bill 1945 with House Amendments
10. 1 and 2.

11. PRESIDENT:

12. Secretary's Desk. May the Chair have the attention of the
13. members? The Chair is informed that we are pleased this morning
14. and honored to have a choral group from the mainland, from
15. Hawaii, and they're here visiting the Island of Illinois and
16. we're just delighted to have you. It is the Kamehameha
17. Choral Group. Is that correct? We're delighted to have you.
18. I'm just wondering if maybe you could give us just a little
19. acappella. Just a quick one, maybe one? Could you? Aloha, Aloha.
20. Thank you very much, and tell all our friends on Oahu and Kauai,
21. and Hawaii, Maui, and Molokai that we love you. Aloha.
22. Senator Vadalabene.

23. SENATOR VADALABENE:

24. Yes, on a point of personal privilege, Mr. President.

25. PRESIDENT:

26. State your point, Senator.

27. SENATOR VADALABENE:

28. A beautiful sea of...a beautiful setting for this introduction
29. I'm going to make couldn't of have been more appropriate than
30. the Hawaiian...Choral Group with their song. I'm honored to
31. present to the Senate the field representative of the Baptist
32. Foreign Mission Bureau. She spends much of her time as a world
33. traveler, handles and does an outstanding job of the great Foreign
34. Mission Bureau Fund, the wife of our esteemed colleague,

1. Senator Fred Smith, Mrs. Margaret Smith, who's over on my left
2. here on the Senate Floor. Mrs. Margaret Smith, would you please
3. stand and be recognized.

4. PRESIDENT:

5. Will you please stand and be recognized by the Senate.

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. Yes, and now back to business, Mr. President and members
9. of the Senate, I move that the Committee on Rules be discharged
10. from further consideration on House Bill 3946 and the bill
11. be read by title a first time, ordered printed, and placed on
12. the order of the 2nd reading. Do you...would you want a little
13. explanation of the bill, Mr. President?

14. PRESIDENT:

15. Everybody is shaking their heads. All in favor say Aye.

16. SENATOR VADALABENE:

17. Aye.

18. PRESIDENT:

19. Opposed Nay. Senator Harris.

20. SENATOR HARRIS:

21. Mr. President, I just want to concur in this motion. This
22. is a bill requested by a constitutional officer, and in some
23. of the confusion here, it did not get called at the last reading...
24. meeting of the Senate Committee on Rules. We've had a policy
25. that any administration bill of any constitutional officer
26. would be approved by the Rules Committee, so, this is a Secretary
27. of State's request and the bill is...while I do not agree with
28. all of the provisions of the bill, I do concur in Senator
29. Vadalabene's motion.

30. PRESIDENT:

31. You heard the motion. All in favor will say Aye. Opposed
32. Nay. The Ayes have it. The motion carries. Read the bill.

33. SECRETARY:

1. House...House Bill 3946
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDENT:
5. 2nd reading. A Message from the House.
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
10. Senate in the passage of a bill with the following title:
11. Senate Bill 1936 together with House Amendments Numbered 1, 2,
12. 3, 5, 7, 8, 9, 10, 14, 15, 17, 21, 25, 29, 30, 31, 32, 35, 36,
13. 37 and 38.
14. PRESIDENT:
15. Secretary's Desk. Senator Hynes. The Senate will come to order.
16. Senate Bills on 3rd reading. Senate Bill 2014, Senator Savickas.
17. House Bills on 3rd reading. House Bill 3061, Senator Clarke.
18. Read the bill. A motion filed on this bill which we will take
19. at this time. Are you ready to proceed, Senator? Motion.
20. SECRETARY:
21. A Motion in Writing filed by Senator Rock.
22. Pursuant to Senate Rule 43, I move to recommit House
23. Bill 3061 to the Committee on Revenue.
24. PRESIDENT:
25. Senator Rook.
26. SENATOR ROCK:
27. Thank you, Mr. President, Ladies and Gentlemen of the
28. Senate. House Bill 3061 in all its forty-seven pages makes
29. a very significant and substantial change in the operation of
30. State government. This is identical to a Senate Bill which was
31. introduced last year which did not, in fact, get out of the
32. Revenue Committee. Now, I'm aware that the Senate sponsor of
33. this bill has, in fact, been working on this question for more

1. than a year, but in my judgment, this bill is just simply
2. not ready to be voted upon. What we are saying here is that
3. we are taking the administration of the property tax away
4. from the Department of Local Government Affairs and setting
5. up a three member commission. The members of which are required
6. to have under the terms of this bill no special qualifications,
7. either in terms of background, experience, or geographic
8. location within the State of Illinois, and we are giving these
9. three individuals virtually unlimited power over the question
10. for instance of the...of the equalizer. There are just so
11. many unanswered questions with respect to this legislation.
12. Ones that I think that the General Assembly can and should
13. address itself to but certainly not within the terms of House
14. Bill 3061 as it sits presently before us. This is a subject
15. that can and should, and I'm assured will be taken up by the
16. Revenue Committee over the summer months, and perhaps we can
17. at some future time effect this major substantial change in
18. the operation of our government. We have, as a matter-of-fact,
19. treaded rather lightly in the area of substantial change or
20. executive reorganization, acknowledging the fact that in
21. January of next year, there will, in fact, be a new administra-
22. tion. Whether the next governor is going to be Michael Howlett
23. or whether it's going to be Jim Thompson, there will, in fact,
24. be a new administration, and to say to an incoming administration
25. in the eleventh hour of this Session that we are hereby effecting
26. a substantial change as regards your prospective administration,
27. I think is just is too premature. We just simply should study this
28. matter further. I can appreciate again, as I say, the work, the
29. hours of work that have gone into this by the Property Tax
30. Commission that we set up three years ago. I can appreciate
31. the amount of work, personal work and sacrifice that the Senate
32. sponsor has put into this bill. I simply say that it is not in
33. the shape it should be in, and for that reason and that reason

1. only, I have moved to recomit, and solicit your favorable
2. support, on the motion to recomit to this to the Senate Committee
3. on Revenue.

4. PRESIDENT:

5. Senator...

6. SENATOR ROCK:

7. Senator Carroll, the acting chairman, has, I know, some
8. remarks he wishes to make with respect to the substance of the
9. bill. He has been working on that commission. He has been
10. working in the Revenue Committee. But for my purpose, and I
11. would ask everyone to think seriously about asking to effect
12. a major change in the operation of State government, given
13. the fact that this is the eleventh hour of the Session and
14. given the fact that in January 1977 there will be a new
15. administration. I solicit your support for the motion to
16. recomit.

17. PRESIDENT:

18. Senator Clarke.

19. SENATOR CLARKE:

20. Mr. President and members of the Senate, I'm little
21. surprised at this motion in the light of the activity that we
22. have seen in the last few weeks and the Rules Committee passing
23. out bills that weren't even printed and so forth, but I'd like
24. to go back and give you a little history as to how and why we
25. had a study of the property tax and the point we're at, because
26. this only started because the State government broke down and didn't do
27. their job, not for one year but a number of years, sufficient
28. years so that a case got to the Supreme Court where the
29. Supreme Court said the Legislature is either going to take action to
30. enforce what the law says...at that time, fifty percent of
31. fair market value, or we are going to do it and they gave
32. jurisdiction to the chief judge in Lake County. And then we had
33. ...and that was the point we're at a year ago. But that was the

1. trigger really for this Body and its sister Body, the House,
2. to start a study of the property tax which we had never really
3. indepth seriously addressed ourselves to, and that joint
4. committee has been working for three and a half years, and they
5. have worked with assessing officials and with the State Depart-
6. ment of Local Government over that period of time to try and
7. arrive at some reasonable conclusions as to how best these
8. matters should be handled. So, I don't think it's fair to say
9. that not enough thought has gone into this or not enough input
10. and certainly there are questions that always can be debated
11. about any piece of legislation. As to this piece of legislation,
12. I think you'll see if you look in your book, that it came over
13. here over a year ago, and I tried to get a hearing in the
14. Revenue Committee last Spring and was unable to do so, and I
15. finally made a motion to discharge which came within one vote
16. of passing, because it had sat in the Revenue Committee. In the
17. past year, there has been no hearing. They've had plenty of
18. time to look at this proposition. In the last several weeks,
19. I have asked and finally got it set for hearing last Tuesday
20. when it was...came out of the Revenue Committee with a Do Pass
21. motion. So, to say that we will hold it over until Fall...we
22. all know that is a motion to kill the bill, because next Fall
23. we're going to come down here and say we got to limit ourselves
24. to vetoes as we did last year and we like to do every year,
25. and the Session will be over and nothing will come of it. I think
26. now is the time to move and to debate this issue and I would urge
27. that this motion be defeated.

28. PRESIDENT:

29. Senator Glass.

30. SENATOR GLASS:

31. Thank you, Mr. President, I would like to support Senator
32. Clarke, but before making a statement, I wonder if he would yield
33. for a question. I...I don't know if the Body...

1. PRESIDENT:
2. He indicates he'll yield.
3. SENATOR GLASS:
4. ...Senator Clarke, how long has your commission been
5. working on the problem encompassed in this bill?
6. PRESIDENT:
7. Senator Clarke.
8. SENATOR CLARKE:
9. Three and a half years, I believe I stated.
10. PRESIDENT:
11. Senator Glass.
12. SENATOR GLASS:
13. All right, thank you. I...I...I thought that was correct,
14. but in view of that, it seems to me that...that Senator Rock's
15. motion, although I'm sure well intentioned, is indeed out of
16. order in that this...this commission has to my knowledge held
17. a significant number of hearings working on this critical
18. problem for three and a half years. Now, I don't think there's
19. anything more important to State government than the distribution
20. of the large amount of money that we make to school districts
21. and other local governments, and because of the failure of
22. the Department of Local Government Affairs to properly equalize
23. taxation on...at the local level throughout Illinois and because
24. of the failure of...of that department to provide uniformity in
25. assessments, we have been failing to distribute State funds on
26. a...on a fair and equitable basis. This is a critical problem
27. and the Department of Local Government Affairs indeed has failed.
28. I just don't see how you can turn your back at this point on a
29. bill as significant as this one that has as broad support as it
30. does. I...I think it would be a complete cop out, Mr. President
31. and Ladies and Gentlemen, for us to send this bill back to
32. committee at this late date. And goodness knows, we've been
33. ducking enough critical and important issues and...and certainly

1. should not duck this one, and I...I urge you to defeat this
2. motion. Thank you.

3. PRESIDENT:

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President, Ladies and Gentlemen of the
7. Senate. I rise to support Senator Rock's motion and will give
8. you very specific reasons. Starting first with Senator Clarke's
9. statement that he brought the bill here last year, that's true.
10. It arrived in the Senate June 18th of last year. It arrived
11. here basically after the Senate committees had stopped dealing
12. with...bills and we were on the Floor full time handling
13. legislation. So even when it came over then, it came over
14. relatively too late for action at that time. That's not so
15. important. It's true that there has been a year. It is true
16. that Senator Clarke has spent a great deal of time in this
17. legislation. Many, many hours may have been put into this...

18. PRESIDENT:

19. Just a moment...just a moment. Will the conferences please
20. move from the Floor, please. Just take your conferences off in the wings
21. so that the man can be heard. This is a very important subject.
22. Continue Senator.

23. SENATOR CARROLL:

24. Thank you, Mr. President. While it is true that many, many
25. hours may have been put into this, it is also true that very
26. little thought and very little intelligence is in the final
27. product. All due respects to the sponsor. I beg to inform
28. him and the members of this Body that this bill has changed so
29. many times in his drafting that he...he himself I am sure is
30. not sure what its contents are. For example, when the last
31. commission meeting was held that approved this bill prior to its
32. introduction in the House, we had five members on the commission
33. with very exact standards. At another time, we had three

1. members on the commission with very exact standards. You are
2. talking about the real estate czars of this State. You are
3. talking about those who will look over the shoulder of every
4. assessor in this State and every taxing body as to its equalized
5. assessed value. That's an important function and a function that may
6. be...needs to have a standard that the person who assesses those
7. figures has at least once looked at a building before, at least
8. once appraised a building, worked in a department that affected
9. real estate. Let me tell you a few other things that were
10. missing in this bill.- the lack of the requirement of a quorum,
11. the lack of meetings of the members of this commission, the
12. lack of a vote of the commission members on assessing a
13. multiplier. The bill allowed three people to cut up the State
14. and be total and absolute dictators over those sections of
15. the State. I don't think that's what we want.

16. PRESIDENT:

17. Your time, Senator...

18. SENATOR CARROLL:

19. Finally, let me just make a point of one other defect and
20. these are things that can worked out if we get a version that
21. is somewhat stable and we can attempt to amend rather than the
22. fluidness that we have had. It takes out, for example, this
23. bill, the transitional schedule of 990 of last year which means
24. if this bill passes tomorrow and the Governor signs it, every
25. taxing district of this State the day after shall be at thirty-three
26. percent. There will be no three year transitional whether your
27. Rockford above or some of the other counties below. You'll
28. go from twenty percent to thirty-three or from forty-two to
29. thirty-three(finger snap) like that. That's why I think it needs
30. more work.

31. PRESIDENT:

32. Senator Nimrod.

33. SENATOR NIMROD:

1. Yes, Mr. President and fellow Senators, I think that what
2. I would like to say to you is that, we're all aware that this is
3. as part of the package, and we passed 990 here just a short
4. time ago, and we have gone ahead and made that compromise,
5. and if I recall correctly, the assessor of Cook County supported
6. this measure, and in fact, he thought the idea had a great deal
7. of merit and in no way gave us any reason to oppose it. Public
8. hearings have been held on this issue throughout the whole State. The
9. Legislators and the Legislature and the public have had a
10. direct input into this whole product. This is one bill of a
11. package and this is the package that sets up the Tax Commission.
12. I'm sure that we...we know that presently the Department of
13. Local Government Affairs does not, in fact, do its proper legal
14. function. We know that. We know that the assessors have not
15. been doing their legal function. We know that the whole problem
16. of assessing has fallen apart right through the whole area and
17. the only way we can approach it is by a total package and
18. bring in a new reform. Sure, this is a long bill. It's had
19. a great deal of thought and intelligence has gone into it, and I
20. want you to know that based on that if this bill goes back to
21. committee...Senator Clark is retiring after this year and
22. after four years of hard work and effort, we're going to send
23. this back and he's going to have no input back into this bill.
24. There isn't a bill that we passed that we don't make some
25. changes in, that don't come back at a later time. The question
26. is, is this a good idea or is it a bad idea? There are adequate
27. restraints, there are adequate...certainly limitations, there
28. are certainly qualifications. It's a real major step forward
29. and every person involved in the whole assessing and revenue field
30. in the State of Illinois and every association supports this
31. bill. Now, why at this last minute...and supports this whole
32. concept, this package of bills that came out of the Tax Commission
33. ...why at this last minute, when we have had months and over years

1. to have some direct input into this whole program, why now at
2. this day, at this hour and at this time without any former warning
3. after several months and years of time, why now are we coming
4. up and saying it doesn't meet the qualifications? You had
5. ample time to do this. This has had ample study. This has had
6. ample preparation. It certainly is supported by every
7. agent in the area. To do...do anything less would be irresponsible.
8. The time is now for us to face this important issue and put
9. this State on its proper financial basis, so that we know that
10. we're getting...

11. PRESIDENT:

12. Time, Senator...

13. SENATOR NIMROD:

14. ...the proper assessment. And I would ask you to...implore you
15. to, please, at this time, to support this concept and support
16. this measure, and I would again remind you that if this bill goes
17. back to committee, the man who's been chairman of this committee...

18. PRESIDENT:

19. Time, Senator.

20. SENATOR NIMROD:

21. ...will have no further input.

22. PRESIDENT:

23. Any further discussion? Senator Harber Hall.

24. SENATOR HARBER HALL:

25. Mr. President and fellow Senators, I don't want to repeat
26. any of the arguments that have been made against recommitting this
27. bill, except I do want you to know this. The Joint House - Senate
28. Committee to Study the Property Tax, having worked on this
29. problem for four years, every member knows that the Department
30. of Local Government Affairs did not properly assign multipliers
31. throughout the State, and they, for political reasons. Political
32. pressures have, over the years, been placed upon the Local...
33. Department of Local Government Affairs, to reduce the multiplier or

1. award no multiplier when it properly should have been. To
2. correct this situation in order that the taxing bodies of all
3. the counties would have a fair and equitable share of the load
4. of government, to relieve this situation we recommended a series
5. of bills. The first one, 990, provided for the reduction in
6. the valuating property tax so that no counties or very few
7. counties would be too heavily increased when the whole system was placed
8. into effect. Without this Tax Commission... in other words, what
9. we're going to say is, Department of Local Government Affairs you
10. keep... you keep up your work of not assigning multipliers while
11. we have reduced by virtue of the one-third valuation instead of
12. fifty percent, you keep up that and so as a total financial
13. revenue situation, we will provide less money for government
14. throughout the State. I would remind every member of this
15. Senate that the property tax has an impact of revenue that is
16. over the total of the State Income Tax and the State Sales Tax,
17. mind you, more than total of those two major taxes. We must...
18. we... we must provide equitability and we need the whole series
19. of bills in order to do that. Simply lowering the assessed
20. valuation of property from fifty to one-third, that's all right...

21. PRESIDENT:

22. Senator will conclude his remarks. Time has expired.

23. SENATOR HARBER HALL:

24. ...But the Department of Local Government Affairs has to
25. implement that and they will not do so. We need this Tax
26. Commission.

27. PRESIDENT:

28. Senator Latherow.

29. SENATOR LATHEROW:

30. Well, thank you, Mr. President. I hesitated to say any-
31. thing on this, but I've talked with Senator Clarke several times
32. concerning it and I'm not in support of the legislation. I
33. don't believe in the creation of this body that we should be

1. creating three people who will be drawing forty thousand
2. dollars apiece sitting on this Tax Commission that we're
3. talking about. To me, that is exorbitant, along with many
4. other things that...that I find in it. The highly qualified
5. people that I think that we will find for that particular position
6. will be probably for county supervisors of assessment. I
7. would want to relate the fact to Senator Carroll that also
8. still existing in this bill is the fifty percent assessment.
9. It's in there. I don't recall the page, but it's still in there.
10. And this...there's a lot of problems with this bill as far as I'm
11. concerned and I would rise in support of Senator Rock's position.

12. PRESIDENT:

13. Senator Mitchler. Senator Mitchler, you still seek recognition?

14. SENATOR MITCHLER:

15. No.

16. PRESIDENT:

17. Okay. Senator Schaffer.

18. SENATOR SCHAFFER:

19. Mr. President and members of the Senate, I think a couple
20. of things have been not said that should be said. I think it
21. should be pointed out that the School Aid Formula is tied to
22. the laughable assumption that assessment is equal throughout
23. the State. I think those of us who represent areas that have
24. made honest attempts at assessment feel like a bunch of suckers.
25. And I would be willing to predict that without change, our
26. attitude will become more and more cynical and our assessment
27. will be...probably reflect the rest of the State. I did a poll
28. recently in my district and to the surprise of no one, my
29. constituents had indicated in very large number the tax that they
30. have the least faith in is the property tax. In the Bicentennial
31. Year, I think we have an obligation to do everything we can to
32. see that our citizens are taxed fairly, evenly and honestly.
33. The State Department of Local Government has abdicated its
34. responsibility almost in total. It has lacked knowledge, insight

1. and probably most of all courage. It's time for a change.
2. I don't honestly believe the bill is carved in granite, but
3. I honestly think we should address it this Session. I would
4. respectfully remind the Senate that this Session was called
5. for appropriation and revenue matters. This is clearly a
6. revenue matter. It's had four years of research, hearings
7. throughout the State, testimony from every conceivable interest
8. in this State; citizen, taxpayer, business, et cetera. If
9. all of our legislation had as much input and as much thought
10. as this particular piece of legislation, this State would be
11. a better place to live in. For us to summarily ship it off
12. to committee, to a lingering and almost certain death, is to
13. abdicate the responsibility that our citizens gave us when
14. they sent us to Springfield.

15. PRESIDENT:

16. Senator Rock may close the debate. Any further discussion?
17. Senator Harris.

18. SENATOR HARRIS:

19. Well, thank you, Mr. President. I just want to say this
20. very brief point and that is that this bill has been on the
21. Calendar a good, long while. It's had a great deal of evaluation
22. prior to it's having been taken up by the committee. The
23. committee has given it an affirmative vote, and it seems to me
24. that what we ought to do is deal with this bill on its merits.
25. If the votes aren't here to pass it, okay. If the majority of
26. this Body thinks this is sound, okay. We'll move the bill
27. along, but let's get to the merits of the bill, rather than
28. this procedural question. The sponsor is a man who has served
29. with distinction for a good many years in this General Assembly,
30. and this bill is important to him. It seems to me that a
31. majority of this Body ought to take up the question of the merits
32. of the bill, rather than to shunt it back to committee.
33. Thank you, Mr. President.

34. PRESIDENT:

35. Any further discussion? Senator Bloom.

1. SENATOR BLOOM:

2. Question. How many votes does it take to recommit?

3. PRESIDENT:

4. A majority of those voting. Any further discussion?
5. Senator Rock may close the debate.

6. SENATOR ROCK:

7. Thank you, Mr. President and Ladies and Gentlemen of the
8. Senate. I rise soliciting favorable action on the motion to
9. recommit, and I would just like to respond to a couple of things
10. that have been said. Senator Nimrod arguing the other way,
11. said, why now, and that's my question, why now? It seems to
12. me that some of the members at least on the other side are
13. just a little inconsistent. Yesterday when Senate Bill 1766, the
14. raffles and chances bill was up, the question was asked, why
15. now? This is a major change. We've got to have time to study
16. it. And I think Senator Lemke adequately pointed out that
17. this matter has been in the Assembly for some eight years being
18. started by Representative Fary why back when. To call for 3061,
19. in its present form, where we are setting up three czars of
20. real estate in this State, having no standards, no qualifications
21. both as to experience and as to geography, there's a substantial
22. difference, as I read it, between this and Senate Bill 754 which is
23. Senator Clarke's bill still in the Revenue Committee having
24. been introduced in April of 1975, and I think Senator Carroll
25. adequately pointed out, the hue and cry that we heard last year with
26. respect to 990, and one of the things that was said loud and
27. clear last year was that given the fact that there was such a
28. wide disparity from the forty-four percent in Winnebago County
29. to thirty-three in Cook and to twenty in some others, that there
30. had to be time. We had to have time to get everybody to thirty-three
31. and so there was provided within the Statute of 990, a three
32. year transition schedule to allow the counties adequate time.
33. This bill doesn't provide for that. And I think that's a major

1. defect in the bill. And finally as I indicated and I think
2. Senator Glass recognized and characterized my action as well-in-
3. tentioned, and believe me it is well-intentioned. I am well
4. aware of the fact that Senator Clarke is, in fact, retiring.
5. I'm well aware of the fact that he has worked long and hard on
6. this and...and the insular subjects. There is no reason
7. to believe that he will not any longer have any input. There
8. is provision, of course, on most of these commissions for the
9. appointment of public members and I would assume that the
10. leadership of the General Assembly would have sense enough to
11. call upon him as we have called upon people like Senator Jack
12. Knuepfer for appointments to these kinds of bodies, but I
13. would point out in a very real sense that the two candidates
14. for governor of the two major political parties have, in fact,
15. put together a joint committee for the purpose of an executive
16. reorganization for the purpose of examining, so that when they
17. take office next January, they will be able to have some
18. dramatic effect on State government and its organization. To
19. do this without any input to them or from them, it seems to
20. me is premature, and I would solicit a favorable vote on the
21. motion to recommit.

22. PRESIDENT:

23. The question is on Senator Rock's motion to re-refer Senate
24. Bill 3061 to the Committee on Local Government. Those in favor
25. will vote Aye. Revenue, I'm sorry. Committee on Revenue. Those
26. in favor will vote Aye. The negative will vote Nay. For what
27. purpose does Senator Clarke arise?

28. SENATOR CLARKE:

29. Point of order? You indicated to Senator Bloom that this
30. just takes a majority of those voting?

31. PRESIDENT:

32. Yes.

33. SENATOR CLARKE:

1. It appears to me under Section 11 that it takes a majority of
2. those elected or thirty votes to recommit.

3. PRESIDENT:

4. We'll check it. One moment. We'll check it, Senator.

5. (machine cut off) allude to, Senator?

6. SENATOR CLARKE:

7. Section 11...Rule 11. The last...last sentence.

8. PRESIDENT:

9. Oh, I see the part you're talking about, Senator. The
10. last paragraph of Rule 11. But that does not refer to this
11. kind of a...a postured bill. That refers to those bills which
12. come back to the Calendar with a Do Not Pass motion.
13. You have to read the entire paragraph. You see, a bill or a
14. resolution referred to a committee and not set for hearing with-
15. in sixty days of assignment, shall be reported from the committee
16. with a...recommendation Do Not Pass, then the requisite number
17. of votes to recommit it will keep...to keep it alive is a majority
18. of those elected, but this is a different situation. This bill
19. came out of committee.

20. SENATOR CLARKE:

21. Well now, can you tell me then where it says that a majority
22. voting can send a bill back to committee, 'cause I thought a
23. sponsor controlled his bill, and of course, the action of the
24. committee, it would seem to me it takes thirty votes really for
25. the Body to do something other than what the sponsor desires?

26. PRESIDENT:

27. We don't have an exact rule on that, and we make reference
28. to Roberts Rules of Order on page 143 and that is the ruling
29. based on Roberts Rules of Order.

30. SENATOR CLARKE:

31. You got the...

32. PRESIDENT:

33. Question is, on Senator Rock's motion to re-refer House

1. Bill 3061 to the Committee on Revenue? All 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 24, the Nays 29, with none Voting Present. The motion fails.
5. Read the bill. Senator Clarke.

6. SENATOR CLARKE:

7. I would suggest that Senator Carroll and Senator Rock made
8. a very valid point when they referred to the transition schedule.
9. This bill was drafted at the same time or prior to 990 finally
10. being hammered out. I would not want such a thing to happen,
11. so I would like to ask leave to take this out to correct that
12. item and come back to it.

13. PRESIDENT:

14. Take it of the record. Just a moment. Senator Rock.

15. SENATOR ROCK:

16. I thought I had heard that we were going to go up...up or
17. down. That's...that's the whole point. It should have been
18. recommitted to hammer out these kinds of amendments. Now, all
19. I've been hearing is that it's been worked on for four years and
20. we're ready to go and let's go up or down. Let's go up or
21. down.

22. PRESIDENT:

23. Senator Clarke.

24. SENATOR CLARKE:

25. Well, Mr. President, this will only take a few minutes.
26. This is a very serious matter, and certainly there is no intent
27. on anybody's part to invalidate that very important bill, 990,
28. that was passed last year. I certainly think that we should
29. have the leave to do this.

30. PRESIDENT:

31. Senator Carroll.

32. SENATOR CARROLL:

33. All due respects, even though I found that and several other

1. defects, that was the argument that was just made. Senator
2. Clarke, Senator Nimrod, Senator Hall, and others indicated to
3. us that this bill was in its final form and ready for passage
4. after many hours of thought, many intelligent hours of work.
5. Either it is or it isn't. If Senator Clarke would like to
6. send it back to committee, I have no objection to that. If
7. not, according to them, it's ready to go, let's go.

8. PRESIDENT:

9. Senator Clarke.

10. SENATOR CLARKE:

11. I'm...I'm just asking to take it out of the record.

12. PRESIDENT:

13. Take it out of the record. House Bill 3191, Senator Rock.
14. Senator Rock.

15. SENATOR ROCK:

16. Thank you, Mr. President. I was just delivered an
17. amendment by Senator Sommer. I'm having the amendment checked
18. both with the Reference Bureau and with the House sponsor. I'd
19. like leave to come back to that.

20. PRESIDENT:

21. We'll get back to you, Senator. House Bill 3197, Senator
22. Shapiro. House Bill 3202, Senator Hynes. House Bill 3222,
23. Senator Rock. Senator Rock, same thing?

24. SENATOR ROCK:

25. Same thing, I'd like leave...

26. PRESIDENT:

27. We'll hold it...

28. SENATOR ROCK:

29. ...to get back to it. There's a possible amendment.

30. PRESIDENT:

31. ...Fine, fine. Senate Bill 3420, Senator Don Moore. Read
32. the bill.

33. SECRETARY:

1. House Bill 3420

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Don Moore.

6. SENATOR DON MOORE:

7. Thank you, Mr. President and members of the Senate. House
8. Bill 3420 provides statutory remedies for the failure to provide
9. a preliminary hearing as required by Article 1, Section 7 of the
10. 1970 Constitution. In 1975 in the people...in the case known
11. as the People versus Howell, the Illinois Supreme Court stated
12. that a remedy was required for such a failure but that
13. the court would not then fashion one. Instead it would give the
14. General Assembly the first shot to come up with a solution.
15. House Bill 3420 provides to meet both problems created by the
16. failure to give a prompt preliminary hearing. First, where a
17. person is held in custody without bail for thirty days after he
18. requests a preliminary hearing, he is simply released on his recognizance.
19. Without...without the bail, he couldn't have originally made
20. pending the charge. No charges are dropped with or without
21. prejudice, but the State is still encouraged to proceed as
22. fast as possible. Secondly, to meet the other objectives of
23. the preliminary hearing, one, to not have the charges hanging
24. over the defendant's head if he can show no probable cause and
25. two, to let the defendant know the nature of the...of the case
26. against him. The bill provides for the dismissal of the charge,
27. though again without prejudice, not a bar to further prosecution,
28. if the defendant, even though not in custody, is not given the
29. required hearing within sixty days at the request for one.
30. I think this is a good bill. I think it's fair from the defendant's
31. point of view as well as the State, and I'd appreciate a favorable
32. roll call.

33. PRESIDENT:

1. Any further discussion? Question is, shall House Bill
2. 3420 pass? Those in favor...Senator Buzbee.

3. SENATOR BUZBEE:

4. I have a question of the sponsor, Mr. President.

5. PRESIDENT:

6. He indicates he'll yield.

7. SENATOR BUZBEE:

8. What effect is this going to have on the court systems...
9. as...I know in some of the small counties in the southern part
10. of the State...anyhow the State's Attorney a lot of times
11. has more...in some...in some cases, he has more work than he
12. can handle, and what effect is this going to have as far as
13. releasing defendants: and...and perhaps, I can't think of the
14. word I'm trying to use, but where they are...are become immune
15. then from prosecution because the State's Attorney did not
16. follow the...the Calendar as set forth?

17. PRESIDENT:

18. Senator Nudelman.

19. SENATOR NUDELMAN:

20. Thank you, Mr. President. With the sponsor's permission,
21. I'd like to answer that question. There is no immunity by
22. virtue of the...of the letting the...fellow go under this bill.
23. It merely means that he is free to walk about. He can be a...
24. a new...a new arrest can be made subsequently at any time
25. within, of course, the statute of limitations which is yearly
26. ...years and not months, and it merely means that in addition
27. to the indictment. I think it should be pointed out that this
28. is...that this does not cover the situation where there is an
29. indictment. That's an entirely different process. Where a
30. defendant is indicted, he doesn't have this right. This is
31. merely a situation where a fellow is being held pending an
32. information or complaint, and it merely says that he should get
33. a preliminary hearing. If he doesn't get it within the thirty

1. or sixty day period provided, he is released on recognizance
2. and the State's Attorney can rearrest him again for an additional
3. thirty or sixty days.

4. PRESIDENT:

5. Any further discussion? Senator Moore desires not to
6. close the debate and the question is on, shall House Bill 3428...20
7. ...oh pardon me, Senator Mitchler.

8. SENATOR MITCHLER:

9. I was just trying to get a copy of this bill, Mr. President.
10. I'm not going to push the question, but the bill is not printed.

11. PRESIDENT:

12. Senator Nudelman.

13. SENATOR NUDELMAN:

14. I have a copy, Senator, and I'll bring it right over.

15. PRESIDENT:

16. Question is, shall House Bill 3420 pass? Those in favor
17. will vote Aye. Opposed will vote Nay. The voting is open.
18. Have all voted who wish? Take the record. We're now passing
19. out a Supplemental Calendar which we'll be going to in a few
20. minutes on the Secretary's Desk on the order of concurrence.
21. Please familiarize yourself with those bills which are yours,
22. so you'll be ready to go when we get to you. And the amendment
23. will be in the possession of each sponsor of the bill. On
24. that question, the Ayes are 48, the Nays are none, with 1
25. Voting Present. House Bill 3420 having received a constitutional
26. majority is declared passed. House Bill 3629, Senator Sommer.
27. Read the bill.

28. SECRETARY:

29. House Bill 3629
30. (Secretary reads title of bill)
31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Sommer.

1. SENATOR SOMMER:
2. Mr. President and members, this merely transfers some
3. land from the State to the Pekin Park District.
4. PRESIDENT:
5. Any discussion? Any further discussion? Senator Bell.
6. Senator Bell, there's a white button on your desk that says
7. talk. If you'd push that instead of popping your fingers,
8. it'd make me a lot happier. Senator Bell.
9. SENATOR BELL:
10. Thank you, Mr. President. That seemed to be the common
11. practice here for obtaining the attention of the Chair when
12. the Chair constantly seems to be looking straight ahead.
13. PRESIDENT:
14. I got as good a peripheral vision as Joe Namath, I see
15. everybody.
16. SENATOR BELL:
17. Okay. Good. I wanted to ask a couple of questions of
18. Senator Sommer in reference to the 3629 I think that are
19. pertinent to the question being considered here. If he'd yield?
20. PRESIDENT:
21. He indicates he'll yield.
22. SENATOR BELL:
23. Senator Sommer, what was the...what was the price of the
24. property that the State of Illinois...paid for the purchase and the
25. acquisition of this land, and...and when was that accomplished?
26. PRESIDENT:
27. Senator Sommer.
28. SENATOR SOMMER:
29. Senator Bell, this was about a half a million dollars and
30. it was accomplished in the last few years. I'm not an expert
31. on it. I don't know exactly when.
32. PRESIDENT:
33. Any further discussion? Senator Bell.

1. SENATOR BELL:

2. Yes. In other words, within the last few years might
3. be within the last two or three years, the State paid...I...
4. my figures indicate five hundred and thirty thousand dollars,
5. a half a million dollars, for the acquisition of this land,
6. and now, we're proposing to give it back to the Pekin Park
7. District. It seems to me that that's a significant change of
8. position and...and a very costly one to the State of Illinois
9. to bring about within a matter of a year or two or three years.
10. I'd like to answer another question, Senator.

11. PRESIDENT:

12. He's yielding...

13. SENATOR BELL:

14. It...

15. PRESIDENT:

16. ...your time...go ahead.

17. SENATOR BELL:

18. Thank you, Mr. President. I think that this is pertinent
19. to the question at hand here. As I understand it, there is a
20. failure of the Pekin Park District to pass a resolution that
21. they even wanted the land. Is that true?

22. PRESIDENT:

23. Senator Sommer.

24. SENATOR SOMMER:

25. Well, I'd like to speak to...to both questions. Number one,
26. this is not a new thing. If you remember the Edgewater Beach
27. property in 1973, that cost the State seven million dollars and
28. we gave it away. And secondarily, they have indeed passed a
29. resolution which I have here and have submitted to Senator Knuppel
30. and other members who were concerned about this.

31. PRESIDENT:

32. Senator Bell.

33. SENATOR BELL:

1. Well, is it not true that there is a financial problem of...of
2. the...involved here concerning the park...district and their
3. ability to even handle this land? Is it...is the City of
4. Pekin prepared to receive the land and maintain it?

5. PRESIDENT:

6. Senator Sommer.

7. SENATOR SOMMER:

8. Senator Bell, the City of Pekin will not be receiving
9. this land. It's the Pekin Park District and if they get
10. the land, I assume that they'll have to figure out a way to
11. finance it.

12. PRESIDENT:

13. Senator Merritt.

14. SENATOR MERRITT:

15. Yes, Mr. President and members of the Senate, I rise in
16. support of Senator Sommer's bill. I happen to be a member
17. of the committee that heard the arguments, pro and con on it.
18. It's true beyond any question in my mind and many other members
19. of the committee that the department has failed miserably with
20. this project thus far, and much of it is land that is flooded
21. land, swampy, marshy and I believe that if...if it can be
22. brought back into the public use that can be done by the
23. Pekin Park District that will be in the best interest of our
24. citizens and I believe there's a protection of a reverter clause
25. that if they fail to maintain it, it returns to the State of
26. Illinois. I'd ask my colleagues to support Senator Sommer in
27. this bill.

28. PRESIDENT:

29. Senator Glass. Oh pardon me, Senator Kuppel was next.

30. Senator Knuppel, then you, Senator Glass.

31. SENATOR KNUPPEL:

32. Mr. President, I support the bill, but I couldn't let
33. this occasion pass, I don't think, without saying something about

1. the abysmal failure of the purchase and sale of land as ex-
2. hibited by the State of Illinois, and particularly by...with
3. respect to the Department of Conservation. A few...a few days
4. ago here, I stood to propose a sale of the Peoria State
5. Hospital grounds and was opposed by Senator Sommer on the
6. basis that we ought to keep it. Here now, for him, we're
7. giving land away, and at the same time, the Department of
8. Conservation is looking for just this very kind of vermin
9. ridden land. Swampy, marshy land to start fresh water swamps
10. or marsh lands and in a few years, they'll be giving those
11. away. It seems like that I meet with opposition when I want
12. to sell land and on the other hand if you're giving it away,
13. it...you can get away with that without any objection. But
14. really and actually, this is exhibit one for Senator Donnewald
15. and my concept of a commission in the Department of Conser-
16. vation. This has gone on too long where within two years or
17. three years after the State of Illinois spends thousands upon
18. thousands of dollars for the purchase of a piece of land they
19. find out they don't need it, they don't want it, and they
20. give it to some local group or park district or city to take
21. care of. It's like a drunken sailor in town on leave on
22. Saturday night the way they've handled money and what kind of
23. judgment they've used in purchasing it. And I submit to you
24. that when we come back here whether I'm here or somebody else is
25. here, some of you are going to be here, that we go directly
26. next year to the situation about establishing a commission to
27. direct the...the ideas and the program for the Department of
28. Conservation. This idea missed by only a vote or two in the
29. Constitutional Convention and each year we go forward and become
30. more and more evident that this is not the way with a Director
31. of Conservation to handle the purchase and the sale of land,
32. because their ideas all differ. Their judgment many times is
33. not based upon experience and that's what happening and what

1. has happened in the four years under Tony Dean. I regret...I
2. like the young man, but I regret that he has made a miserable
3. mess out of the purchase and sale of real estate and where-
4. ever he goes after this administration leaves, I hope they
5. realize that he shouldn't be entrusted with the purchase and
6. sale of real estate. Thank you.

7. PRESIDENT:

8. Senator Glass.

9. SENATOR GLASS:

10. Well, Mr. President and Ladies and Gentlemen, I, too, was
11. on the committee that heard this bill, and I agree with what
12. Senator Merritt had to said about...and Senator Knuppel, about
13. the Department's failure to maintain the land and I certainly
14. don't think that the State ought to be having land lying
15. without it being maintained and...and not used. So, I don't
16. ...I don't object to the...the bill if, in fact, the Pekin
17. Park District is going to maintain the land, but my concern
18. and I mentioned this in the committee, was that we did not have
19. evidence that the Pekin Park District, in fact, intended to
20. maintain the land, and in fact, that Park District as I under-
21. stand it has...has passed a resolution with three of the five
22. park commissioners voting in favor of it, and I believe the
23. other two were opposed. So, I...I question whether this is a
24. real commitment to maintain that land and I so stated in the
25. committee, and I think what worries me more than anything else
26. is this, that if the Park District does not maintain the land, I don't
27. think, Senator Merritt, that there is adequate language in the
28. bill to insure that it will revert to the State, because all the
29. bill says is that if the Pekin Park District failed to maintain
30. the land and that the...that they receive from the State of
31. Illinois, for public purposes, it will give the right of re-entry,
32. and so there is nothing...nothing they can do if...if they own
33. it other than operate it for public purposes and so I don't see

1. the possibility of a...of reverter in the bill. I think there
2. ought to be a provision that if the Park District fails to main-
3. tain the land in a satisfactory form for public use or something
4. like that, it will revert to the State, but without that language
5. in there, I frankly don't think there's adequate grounds for
6. the State to give this property away, and I'm going to oppose
7. the bill.

8. PRESIDENT:

9. Just to...to break in for a moment with an announcement,
10. we are informed that...all the Conference Committee meetings are
11. as you know scheduled and meeting in the east wing of the House
12. corridor. The press are covering those Conference Committee
13. reports and the word that we are getting is that several Senators
14. are not appearing or...or tardy in their appearances there. I
15. thought you might like to know that, so that if you're on a
16. Conference Committee which the...which is being covered that
17. you would cover your flanks. Senator Soper. Now, just a moment.
18. I'm going to show you where that white button to speak is on
19. there...on your desk, too. Fine, Senator Soper is recognized.
20. A point of personal privilege. State your point, Senator.

21. SENATOR BUZBEE:

22. Well, I...a point of personal privilege, Mr. President.
23. I happen to be one of those Senators on several of those Con-
24. ference Committees and I wonder if we might take an hour's
25. recess so we can attend to our business in Conference Committees.

26. PRESIDENT:

27. You are anticipating me. I had planned to do that around noon,
28. Senator Soper. No, all right. Good, you'll waive it. Senator
29. Latherow.

30. SENATOR LATHEROW:

31. Well, thank you, Mr. President, I probably caused Senator
32. Sommer quite a bit of trouble in committee over this bill, but
33. I think the reason why we're doing this is simply what Senator

1. Knuppel said and others, we're getting tired of the purchase
2. of property by the State of Illinois and that particular
3. department and then just a few years later finding out they
4. have no use for it. I think we see a philosophy in the depart-
5. ment recently that says - we want to save this particular
6. project for such and such so we'll get the privilege to go out
7. and purchase it. And later on, they come to us and say we do
8. not intend to take care of it, we do not intend to spend any
9. money on it, so we'd maybe we'd better give it away to some park district.
10. I only hope Senator Sommer's park district down there can do the
11. utmost to take care of it, and I'm going to find myself
12. opposite of what I was in committee. I am in support of
13. Senator Sommer's position.

14. PRESIDENT:

15. Any further discussion? Senator Sommer may close the debate.

16. SENATOR SOMMER:

17. Mr. President and members, it's my understanding that a
18. resolution that's passed by a majority...a majority of the
19. members is valid and, therefore, the Pekin Park District has
20. voted to accept this property. Two of the members were absent
21. from that meeting, and therefore, did not vote. The other
22. three did and they passed it. And I would under that point
23. ask for a favorable roll call.

24. PRESIDENT:

25. Question is, shall House Bill 3629 pass? Those in favor
26. vote Aye. Opposed Nay. The voting is open. Have all voted
27. who wish? Take the record. On that question, the Ayes are 30,
28. the Nays are 2, with 2 Voting Present. House Bill 3629 having
29. received a constitutional majority is declared passed. House
30. Bill 3637, Senator Daley. House Bill 3656, Senator Rock.
31. House Bill 3560, Senator Daley. House Bill 3721, Senator Lane.

32. SECRETARY:

33. House Bill 3721

1. (Secretary begins to read title of bill)

2. PRESIDENT:

3. For what purpose...you want to take it back?

4. SENATOR LANE:

5. Yeah, I'd like to take it back to 2nd.

6. PRESIDENT:

7. Senator Lane seeks leave to take House Bill 3721 to the

8. order of 2nd reading for the purpose of an amendment. Is

9. leave granted? Leave is granted, and House Bill 3721 is now

10. on the order of 2nd reading and Senator Lane is recognized.

11. SECRETARY:

12. Amendment No. 1 offered by Senator Lane.

13. PRESIDENT:

14. Senator Lane.

15. SENATOR LANE:

16. This is more or less a cleaning-up amendment. I think

17. it's in paragraph 4 on page 3. It's for purposes of...shall I

18. read it?

19. PRESIDENT:

20. Well, either read it or explain it. I don't know. I'll

21. leave it to your judgement.

22. SENATOR LANE:

23. It just cleans up the...the phrases that are on paragraph

24. 4 on page 3 of the bill.

25. PRESIDENT:

26. Any further discussion? Senator Lane moves the adoption of

27. Amendment No. 1 to House Bill 3721. All in favor will say Aye.

28. Opposed Nay. The Ayes have it. The amendment is adopted. Any

29. further amendments?

30. SECRETARY:

31. No further amendments?

32. PRESIDENT:

33. Third reading.

HB 3810
P. 1
1-28-76

1. PRESIDENT:

2. House Bill 3810, Senator Carroll. House Bill 3830, Senator
3. Nimrod. Carroll, are you ready? Fine. House Bill 3810,
4. Senator Carroll. Read the bill.

5. SECRETARY:

6. House Bill 3810

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President and members of the Senate. House
13. Bill 3810 now accomplishes a couple of things. First of all,
14. it is to allow the additional tally judges, if there is a judicial
15. election, on a separate paper ballot. This would allow the county to
16. authorize additional tally judges to help count those special
17. judicial ballots. Additionally, it allows the...the use of
18. these new tally machines...these electronic machines as voting
19. machines. I understand those machines will make it easier to
20. place the judicial ballot onto a machine. Thirdly, it deletes
21. the obsolete reference to 1972 which was the specific Act when
22. we allowed the tally judges to help count on the judicial paper
23. ballots. If there are no questions, I would ask for a favorable
24. roll call.

25. PRESIDENT:

26. Senator Hickey.

27. SENATOR HICKEY:

28. I'd like to ask the sponsor a question if he will yield.

29. PRESIDENT:

30. He indicates he'll yield.

31. SENATOR HICKEY:

32. Senator Carroll, is this the bill that approves that voting
33. machine that was back in Senator Savickas' office that has no

HB 3810
P. P.
8-28-76

1. curtain around the back so that anybody can watch you punch
2. the machine who's standing behind you.

3. PRESIDENT:

4. Senator Carroll.

5. SENATOR CARROLL:

6. I don't know about the second part of your statement, but
7. the first part is correct. It is the machine that was in
8. Senator Savickas' office that members were asked to come and
9. view, and that is why the second amendment. The amendment takes
10. out the reference to the size of the voting booth and the curtain,
11. et cetera, on that type of machine only. It's my understanding
12. ...I raised the same questions that you just did, Senator Hickey,
13. and it is my understanding while the amendment and law would
14. now say no one could stand within six feet of the machine, that
15. the way the book and card are, it would be physically impossible
16. for anyone to view that particular voting of any one person. I
17. asked that question because it just so happens in my precinct
18. we have the tallest man in the State of Illinois, who is some
19. seven foot seven, and I wondered whether he would be the perfect
20. poll watcher, but it was shown to me that that would be an
21. impossible task.

22. PRESIDENT:

23. Senator Hickey.

24. SENATOR HICKEY:

25. Well, Senator Carroll, as I observed it, the...the man who
26. was demonstrating it was...was about three times my width and
27. he showed me that if when he stood up in front up of the little book,
28. and he punched it, that nobody could see. And while maybe you
29. couldn't...couldn't see past him, you could see past me and
30. there are a lot of people a lot thinner than I am. It hasn't
31. anything to do with height. You could look in at the side, too.
32. I'm sorry I wasn't on the Floor when that amendment was put on,
33. because I would have resisted it, but I think that if this bill

43 3510
P. P
6-28-76

1. passes this way, that there are going to be lawsuits to...to
2. keep that...that voting machine as it was demonstrated to us from
3. being used. Now, I do think it's possible that there could be
4. a device...it's a good idea to have that little suitcase thing
5. that's easy to move around and not have to bother with a...
6. with a big booth with curtains all around. But...and I...but
7. I do think I've put up enough puppet stages in my life, that it
8. would be a fairly simple thing to add to this machine some
9. kind of a curtain rod which could also be collapsible, but I
10. think that it really will be a terrible mistake if we vote that
11. machine into existence without a device which includes a
12. curtain behind the person voting, and it doesn't need to be
13. on top, it needs to be behind as it is now...

14. PRESIDENT:

15. Senator, will conclude her remarks. Time.

16. SENATOR HICKEY:

17. ...really works like a...looks...works like a Carroll.
18. You can see in from the sides.

19. PRESIDENT:

20. Senator Glass.

21. SENATOR GLASS:

22. Thank you, Mr. President. I wonder if...if the sponsor
23. would yield for a question.

24. PRESIDENT:

25. Yes, he indicates he'll yield. No, he doesn't know it
26. yet. He's talking.

27. SENATOR GLASS:

28. Oh.

29. PRESIDENT:

30. Yes, he'll yield.

31. SENATOR GLASS:

32. He was probably talking about being referred to in the last debate
33. as a Carroll. Senator Carroll, does the bill still call for

1. the addition of new election judges to count the judicial
2. retention ballots?

3. PRESIDENT:

4. Just a moment, just a moment. Let's have some order,
5. please. Senator Carroll.

6. SENATOR CARROLL:

7. Yes. And this is the third time that has been done.

8. PRESIDENT:

9. Senator Glass.

10. SENATOR GLASS:

11. Can you advise the Body how many judges that would involve
12. and at what cost to the taxpayers?

13. PRESIDENT:

14. Senator Glass...Senator Carroll.

15. SENATOR CARROLL:

16. I'm sorry, I don't have the exact figures. We did it
17. in '72. We did it in one other occasion when there was a
18. substantial number of judges on paper ballots and we did hire
19. tally judges. Those judges have been generally three in nature
20. as opposed to five and have been at lesser figure per judge
21. than the regular judges are. There is already provisions in
22. State law that provides that the clerk may pay extra compensation
23. to existing five judges if they have to work beyond x number
24. of hours. My recollection was that this method of hiring the
25. three extra was the same or less money than paying the five
26. the additional sums already allowed by State law.

27. PRESIDENT:

28. Senator Glass.

29. SENATOR GLASS:

30. Well, I...I suppose this isn't going to make me very
31. popular with election judges, but it seems to me it is a
32. large cost to add that many additional judges for the retention
33. ballot and...and I'm sorry you don't have the figures, because

1. I think this...I would rather see us pay a little...a little more
2. for the existing judges that have to work longer rather than
3. hire that many new judges. Thank you.

4. PRESIDENT:

5. Senator Graham.

6. SENATOR GRAHAM:

7. Senator Carroll, would you yield for a question?

8. PRESIDENT:

9. He indicates he'll yield.

10. SENATOR GRAHAM:

11. Senator Carroll, I had not been...I'll wait for you until
12. you're through with your conference. I had not been available
13. during all this discussion. When did this machine that
14. Senator Hickey brought up get into this bill? I thought we're
15. talking about paper ballots. Or we talking about punch cards
16. that are being considered as paper ballots...or both?

17. PRESIDENT:

18. ...Senator Carroll.

19. SENATOR CARROLL:

20. The latter. An amendment was offered, I think it was
21. Friday, Senator Graham. They had had the sample machine here
22. in Senator Savickas' office and had invited the Senators to
23. come and see it. It was added by way of an amendment as the
24. punch card machine as you indicated, and many of us feel that
25. that of course would obviate the necessity of even having
26. paper ballots for judicial elections, because those machines
27. can take...as I understand it, can take a great number of candidates
28. beyond what the regular machines can. To answer Senator Glass, by
29. the way while the mike is still on, the law provides twenty
30. dollars per the additional judge. The existing law provides,
31. if I recall, fifteen dollars for the five...each of five judges
32. if they work late if they petition to the clerk, so it would
33. be cheaper than the existing law.

H B 3810
P. P
6-28-76

1. PRESIDENT:
2. Senator Graham, have you finished?
3. SENATOR GRAHAM:
4. No, I am not.
5. PRESIDENT:
6. Fine, go right ahead.
7. SENATOR GRAHAM:
8. Thank you, Senator. During some of my experience with
9. the Election Laws Commission, we have looked at various...
10. election...
11. PRESIDENT:
12. Just a minute, Senator...
13. SENATOR GRAHAM:
14. ...thank you...
15. PRESIDENT:
16. ...just a minute...just a minute.
17. SENATOR GRAHAM:
18. ...I think it would be helpful.
19. PRESIDENT:
20. ...please. The conference over here, please. Now,
21. let's move it, please.
22. SENATOR GRAHAM:
23. Which one?
24. PRESIDENT:
25. Well, when you...when you say the conference, then...you don't...
26. they don't know which one you're talking about, so it ought
27. to apply to both. Thank you. Senator Graham.
28. SENATOR GRAHAM:
29. We...we looked at several...all the available electronic
30. voting devices, I guess that were made up until that time. I
31. remember the votomatic machine being shown to us, and it did
32. provide for a curtain. That troubles me a little bit. I just
33. don't believe that that Senator Hickey...I don't know how many

1. machines Senator Dawn Netsch could hide if she's standing
2. directly in front of them but not too many. Senator Lemke
3. could do a pretty good job. They couldn't see what he's doing,
4. and I wouldn't do bad, but I...the secrecy of the ballot is
5. important. The theory of...the theory of relief for the
6. election judges in Cook County is also important. I certainly
7. want to get this bill to be understood thoroughly and have it
8. in a correct form, Senator Carroll. I support the philosophy
9. of this. I think the cost is important, too, but I'll tell
10. you, Ladies and Gentlemen of this Senate, the election judges
11. that communicated with me last year after they had worked
12. twenty-four hours and more do not only attend to their duties
13. during the regular elections but stayed over for hours and hours
14. and hours to work on that retention ballot, many of which
15. ballots contained markings and indication of voters that didn't
16. have the least idea of what they were doing and cared less.
17. These people are entitled to some relief and if they don't
18. get it, Ladies and Gentlemen of this Senate, we are going to
19. be without election judges in...in those heavily populated
20. areas that have to perform these duties, and then we'll be
21. weighing the ballots to see who won and that may not be
22. uncommon in some areas, but I think we ought to give this
23. careful consideration, but to do without an absolute preservation
24. of the secrecy and sanctity of the ballot, Senator Carroll,
25. disturbs me a little bit.

26. PRESIDENT:

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Yes, Mr. President, I don't find a copy of the amendment
30. in my papers on the desk here for this part. Does Senator Carroll
31. have a copy that he can either read to us or send around?

32. PRESIDENT:

33. Senator Carroll.

1. SENATOR CARROLL:

2. Yes, Senator Nimrod, the amendment...I can read it a
3. little quicker. I only have one copy... It adds about five
4. lines. The very end of Section 17-8 of the bill - provided
5. however that where a booth is no more than twenty-three inches
6. wide and the sides of such booth extend from a point below
7. the vice...the device, to a height of five feet one inch at the
8. front of the booth and such booth insures that voters may
9. prepare their ballot in secrecy such booth may be used. That
10. is the reference. Now, there's has to be an absolute assurance
11. that the voters prepare their ballot in secrecy. I might add, by
12. way of cost factor, a recent article in one of the Chicago...
13. in the Chicago Tribune, indicated that these machines that
14. they are looking at cost approximately two hundred dollars per
15. machine as compared with the two thousand dollars per machine
16. of the present lever machines.

17. PRESIDENT:

18. Senator Nimrod.

19. SENATOR NIMROD:

20. Yeah, another question. As we presently, in Cook County, do
21. have retention judges that do come in and count ballots. Now,
22. there have been extra judges that have been hired, and...and...
23. and been paid by the county clerk. Now, why...why is this thing
24. any different?

25. PRESIDENT:

26. Senator Carroll.

27. SENATOR CARROLL:

28. Senator Nimrod, apparently the statute when created allowed
29. that only, and I refer to Section 17-8...-18.1, may be used
30. ...the specific language was - may be used in the election of...of
31. November of 1972. This bill would amend that to strike out the
32. November '72 and put in any general election where more than
33. fifteen judges are on a separate paper ballot. That's why this

HB 3810
P.P
6-28-76

1. is needed. The statutory enactment that allowed the tally judges,
2. as they are called, was a specific exemption in 1972 for the
3. hiring of those judges. That's why for example they were not
4. allowed during the primary this year when we did have all of
5. those primary ballots for judges and that long extra paper
6. ballot.

7. PRESIDENT:

8. Senator Nimrod.

9. SENATOR NIMROD:

10. All right. Then this would only apply to a time when
11. there is a paper ballot and there are over fifteen judges?
12. Otherwise, if they're on the machine or something, there would
13. be no extra judges or less than fifteen on the retention, and
14. as I understand it, it then gives them authority to count these
15. ballots during the day where we've...specifically the law states
16. you cannot count any ballots until after the closing of the
17. polls.

18. PRESIDENT:

19. I think the point he made, Senator, was that that only
20. applied to one election. As you know, it did not apply in the
21. last election.

22. SENATOR NIMROD:

23. No, but I'm talking about the present bill. Does that mean
24. then...can they count any other ballots as a result of this
25. other than retention ballots? I would be afraid that if we were to
26. open this up for other paper ballots...it was only the retention
27. ballots, that's all it's limited to, it might solve the problem.

28. PRESIDENT:

29. Senator Carroll.

30. SENATOR CARROLL:

31. Thank you, Mr. President. In answer, this again is the
32. section dealing specifically with judicial retention ballots and
33. allows these separate tally judges for judicial retention ballots

HB 3810
P.P.
6-28-76

1. and in a general election where there are more than fifteen
2. judges on that separate paper ballot, the judicial retention ballot.
3. So it's specifically limited to that.

4. PRESIDENT:
5. Senator Soper.

6. SENATOR SOPER:
7. Thank you, Mr. President. Senator Carroll, a few questions
8. I'd like to ask. We've got...is this machine going to replace
9. the vertical and the horizontal machines that we have, is that
10. your intention?

11. PRESIDENT:
12. Senator Carroll, the voting machines?

13. SENATOR CARROLL:
14. I have no intentions on the matter, Senator Soper, but
15. it is my understanding that, yes, the county would replace those
16. machines with these computer machines, the punch card as
17. Senator Graham referred to them as.

18. PRESIDENT:
19. Senator Soper.

20. SENATOR SOPER:
21. And the election commissioners, the City of Chicago, and
22. the deals with Lyons and...and Berwyn and so forth, would they
23. follow? Would they be...would they replace their machines, too,
24. with...with this punch board thing?

25. PRESIDENT:
26. Senator Carroll.

27. SENATOR CARROLL:
28. I really don't know, Senator Soper. I would have to get
29. an answer. My understanding is from words that I hear in the
30. back of my ears, no.

31. PRESIDENT:
32. Senator Soper.

33. SENATOR SOPER:

H B 3810
P. P
6-28-76

1. Now, we have machines...the...we've got the...we've got
2. the vertical machines in the county that under the county clerk.
3. Now, how many...how many machines have we...have we got right
4. now?

5. PRESIDENT:

6. Senator Carroll.

7. SENATOR CARROLL:

8. I'm sorry. How many machines does who have right now?
9. Let me answer your last question first by the way. It does
10. not apply to the board of election commissioners. It applies
11. to the county clerk.

12. PRESIDENT:

13. Senator Soper.

14. SENATOR SOPER:

15. Now, why don't you have this come under the board of
16. election commissioners, too? My philosophy is, what's good
17. for the goose is good for the gander. Now, if this is...if
18. you're going to save...say two thousand from two thousand dollars,
19. you're go down to two hundred dollars. Of course, I...I
20. don't...I don't believe that's true, because the fact that
21. you've got all these machines now, and you're going have to
22. junk them. That's my first objection to this whole thing,
23. and we've trained our people to be able to accept the machine
24. That's taken a lot of work. People are frightened of the
25. machines. Now, you're going to give them a Sears and Roebuck
26. ...a Sears, Roebuck or Montgomery Ward catalogue and give
27. them a punch...a punch board deal and they're going to come in there
28. and I think you're going to screw up the whole country towns
29. while you let your educated people in the City of Chicago
30. use the machines that they've been using. I think this...with
31. that that's a bad bill unless you make it universal for the
32. whole county and...and the election commissioners. And you...you
33. don't tell me that you're going to save us some money, because

1183810
1. P
1-28-76

1. we're not going to save any money, we've got all the machines
2. we need. All you're going to is junk all the machines that
3. we have and maybe sell them for about twenty...twenty dollars
4. to somebody and...and then charge us two hundred again. We
5. don't have the money in the county to pay for these machines.
6. So, I think this is...with that proposition, I think this is
7. a very bad bill. I don't mind having extra judges on the...

8. PRESIDENT:
9. Time, Senator.

10. SENATOR SOPER:
11. ...retention.

12. PRESIDENT:
13. ...the clock is winding on you.

14. SENATOR SOPER:
15. Yes, could I have a few more minutes? You know, we pass
16. everything around here, Mr. President...

17. PRESIDENT:
18. You going...go right ahead.

19. SENATOR SOPER:
20. Will you push the Democratic button and let me start
21. all over again. And I call to your attention, Ladies and
22. Gentlemen, that you're doing a disservice with this bill when
23. you...when you change...when you change Cook County and you make
24. it half...half fish and half fowl. I think the whole thing
25. is foul.

26. PRESIDENT:
27. Senator Ozinga.

28. SENATOR OZINGA:
29. Mr. President, I wonder if the Senator would yield for a
30. question.

31. PRESIDENT:
32. He indicates he'll yield.

33. SENATOR OZINGA:

1115 3810
J. P.
6-28-76

1. Senator, I am in full accord with your proposition of
2. additional judges for county retention ballot and I could care
3. less about the booths. I come from a precinct that has about
4. seven hundred and fifty voters in it and I'm sure that they
5. could mind least. However, I am concerned with this change
6. of machines. Senator Soper just touched on a small portion
7. of it, but my question is is there a necessity or is there
8. a requirement that we as a legislature pass on something to
9. allow them to change the machine as now in existence?

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. The existing statutory requirement describes the booth
14. in which an electronic voting system may be used. That booth shall
15. be equipped on three sides, enclosed and a curtain closing
16. the front. And the curtain...

17. PRESIDENT:

18. Just a moment. Just a moment. Now, Senator Soper
19. you had all that time, now he can't hear for your conference.
20. Now, go right ahead, Senator. Well, would you turn Senator
21. Ozinga on?

22. SENATOR CARROLL:

23. Yes, I...I heard the question because the President had
24. gotten a little bit of order in the Chamber. The question is
25. on the machine...excuse me...the specific statutory requirements
26. existing without this bill is that electronics voting systems
27. can be used. This bill deals with the booth aspects of it.

28. PRESIDENT:

29. Senator Ozinga.

30. SENATOR OZINGA:

31. In other words, you failed to answer the question. The
32. question specifically was yes or no, and don't use up the
33. rest of the time with a lot of BS. The answer to it is, do

HB 3810
P. P.
6-28-76

1. we have to pass a bill here in order to allow the county
2. clerk to change the type of machine?

3. PRESIDENT:

4. Senator Carroll.

5. SENATOR CARROLL:

6. I can't really answer yes or no. My understanding is
7. that the type of machine is not covered by this. The prohibition
8. against this particular type of machine is because of the booth
9. requirements. So that we don't have to pass a bill to make
10. for electronic machines, but we do with this particular type
11. of machine that's going to be used.

12. PRESIDENT:

13. Senator Ozinga.

14. SENATOR OZINGA:

15. Now, my next question is, and I'm going to have to make
16. a statement before I ask the question. In the event that the
17. board of commissioners of the county decide to go for this
18. new type of machine...I just say...I would say - amen, to what
19. Soper has just said...Senator Soper has just said with regard
20. to the cost, but there's another thing that's involved in here
21. beside the type of machine, which will call for an immediate
22. education of the whole of Cook County, suburb, and territory,
23. because this is an entirely drastic deviation from what we've
24. had. It is one that you're going to have to educate and there
25. will be no senior citizen who will want to go into this booth
26. with this new electronic machine. All I'm doing here is making a
27. record so that county commissioners think twice before they
28. talk about changing this machine. The answer to that whole...

29. PRESIDENT:

30. Time is running, Senator...

31. SENATOR OZINGA:

32. ...picture is that on top of that they, the county commissioners,
33. the county clerk have contracted for a long period of time for

HB 3810
W.P.
6-28-76

1. these machines that are in warehouses right now. That is...

2. PRESIDENT:

3. Time has expired, Senator. Go right ahead if you'll close
4. your remarks.

5. SENATOR OZINGA:

6. ...that is a substantial amount of money, and I would
7. say that if we don't have to, that they should be served
8. notice upon, that we here of the suburban area object
9. substantially to the changing of that electronic device that
10. is within this curtain. Other than that, I would be in...in
11. favor of the bill to have extra judges count the retention
12. ballot, and I think the curtain could mean less, but I...with
13. that one thought in mind I would say that we better think
14. twice before we start changing these electronic machines.

(continued on next page)

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Proposed
Constitutional
6/28/76

1. PRESIDENT:

2. Senator Welsh.

3. SENATOR WELSH:

4. Mr. President, I rise in support of this measure and
5. in responding to Senator Soper, I would add that most of the...
6. most of the voting machines that are used in the...in the...in...in
7. the county and under the jurisdiction of the county clerk at least
8. in Cook County, are now obsolete. To replace them would cost
9. three thousand dollars apiece. The...the machine that
10. Senator Carroll is talking about costs two hundred dollars
11. apiece. This is a good measure. It is a progressive
12. measure and I would urge the vote of all the members of this
13. Senate.

14. PRESIDENT:

15. Senator Bloom.

16. SENATOR BLOOM:

17. Thank you. Senator Carroll, now in all this debate,
18. as I understand it, you got separate tally boxes, right,
19. In this bill?

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. The bill, Senator Bloom, has three parts, one of which
24. deletes seventy-two, one of which allows the tally judges
25. for retention ballots if they're paper and fifteen or more
26. names and one of which allows this new type of machine.

27. PRESIDENT:

28. Senator Bloom.

29. SENATOR BLOOM:

30. I didn't quite catch the last part.

31. PRESIDENT:

32. Would you repeat it, please?

33. SENATOR CARROLL:

115300
6/28/76

1. The last part specifically refers to the curtain around
2. the machine. But what it really does is allow this tally
3. machine.

4. PRESIDENT:

5. Senator Bloom.

6. SENATOR BLOOM:

7. What I wonder is, if as this bill passes, would these
8. people have two voting areas, one to vote for the regular
9. candidates and another one for retention?

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. If necessary for a separate retention ballot, yes, which
14. is the law today. They vote in the machines for those
15. candidates that are on the machines, but there are separate
16. booths for the retention ballot and other paper ballots so that
17. you don't tie up the machine with someone there. However,
18. more than likely with this type of new voting device that
19. we're talking about, this punch board, we may be able to
20. eliminate that separate booth and separate paper ballot in
21. most elections because you can get many more people on there.

22. PRESIDENT:

23. Senator Bloom.

24. SENATOR BLOOM:

25. So you're saying the present practice in some areas
26. is is to have separate voting areas the way it is now? Thank you.

27. PRESIDENT:

28. Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President and Ladies and Gentlemen of the
31. Senate. Question of the sponsor, if he'll yield.

32. PRESIDENT:

33. He indicates he'll yield.

ANS. B. 310
P.P. 1/2/76

1. SENATOR ROCK:

2. Frankly, Senator, I thought I understood this bill until
3. Senator Soper and Ozinga got up and now I'm thoroughly confused.
4. My understanding was that the county board, the County of Cook,
5. has already made the decision about which they're speaking,
6. namely that these machines, which as Senator Welsh points out
7. are now obsolete, do, in fact, have to be replaced, and provision
8. has been made and bids have been let to replace these machines.
9. Is that correct?

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. That is absolutely correct by a vote of the county
14. board. That has already been decided.

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. And further, that all this amendment does is say
19. that given the fact that this decision has already
20. been made by the local elected officials, that we are now
21. trying to give some flexibility with respect to the statutorally
22. defined dimensions of a voting booth, which can or cannot
23. be utilized, is that correct?

24. PRESIDENT:

25. Senator Carroll.

26. SENATOR CARROLL:

27. That is correct.

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. And further, that if this amendment is not adopted
32. the County of Cook will have to spend, given the prior decision
33. already having been made, they will have to spend about a quarter

HB 3810
P.P.C.
6/28/76

1. of a million dollars to conform the booth to the present law.
2. Is that correct?
3. PRESIDENT:
4. Senator Carroll.
5. SENATOR CARROLL:
6. That is, in fact, correct.
7. PRESIDENT:
8. Senator Rock.
9. SENATOR ROCK:
10. Thank you, Mr. President and Ladies and Gentlemen of the
11. Senate. I rise in support of House Bill 3810 and I am glad
12. that Senator Carroll was able to dispell the cloud that Senators
13. Soper and Ozinga put around this bill. The decision of the
14. county board of the County of Cook is a fait accompli and what
15. we are trying now to do is to save that beleaguered, as are
16. all other counties beleaguered financially, we are trying to save
17. them two hundred thousand dollars with respect to a voting
18. booth, not a machine, a booth. And I would urge support of
19. House Bill 3810.
20. PRESIDENT:
21. Senator Glass.
22. SENATOR GLASS:
23. Senator Carroll, what...what guarantee of secrecy is there
24. under this new booth? I...you may have covered that earlier
25. in the debate, but we've gone on so long that I noticed that
26. language is in the amendment and can you describe what kind of
27. a booth there...there will be with this voting machine?
28. PRESIDENT:
29. Senator Carroll, again.
30. SENATOR CARROLL:
31. Describing once again exactly what the amendment says,
32. you are talking about the sides of the booth being at least so high.
33. It has to start at five foot one inch. If you saw the machine here

11/23/80
P.P. (initials)
6/25/76

1. and I have a picture of it here from the Tribune, if you would
2. like to look at it, I would guess the sides that surround the
3. machine are roughly somewhere just under six feet. They extend
4. a couple feet up from the table at which you are voting up to
5. about yea high so that the immediate area is blocked out
6. either by the body or the sides of the machine itself that are
7. already contained within the machine.

8. PRESIDENT:

9. Would you indicate for the record what yea height is?

10. SENATOR CARROLL:

11. Yea...

12. PRESIDENT:

13. About how far...

14. SENATOR CARROLL:

15. Just...

16. PRESIDENT:

17. ...for the record.

18. SENATOR CARROLL:

19. Just below six feet.

20. PRESIDENT:

21. Thank you. Senator Ozinga.

22. SENATOR OZINGA:

23. Just so the record may be straight. I am in favor of this
24. bill one hundred percent. The only thing that I am trying
25. to say is that they should be...these new machines should be
26. phased in, not just plunked in and that adequate instruction
27. such as additional funds maybe to the county to instruct all
28. of these people how to use them. Other than that, I am in favor
29. of the bill.

30. PRESIDENT:

31. Any further discussion? Senator Carroll may ask for a
32. roll call. Or close the debate. Senator Carroll.

33. SENATOR CARROLL:

1123514
P.P. C. 71
6/25/76

1. Would ask for a favorable roll call.

2. PRESIDENT:

3. Question is...Senator Davidson.

4. SENATOR DAVIDSON:

5. I had this button pushed. It's supposed...Senator Rock...

6. PRESIDENT:

7. Senator Davidson you're recognized.

8. SENATOR DAVIDSON:

9. Senator Rock has asked most of the questions that came
10. up in committee dealing with this proposition before us.
11. The one point that was not told to us, and I agree in support of
12. this bill is to say the cost of building or ordering separate
13. booths, that's what the whole genesis of this bill is all about.
14. But, we were told that only this booth as it was presented
15. 'cause the votomatic machine is part of the same suitcase, it
16. just folds up. We were led to believe that there was no other
17. additional secrecy or curtain could be put on this machine.
18. I have been told that when the IBM Corporation, who make
19. votomatic, presented this to the State Board of Election,
20. there is a curtain which can hook right on, which will actually
21. make this booth more secret, put the curtain behind you and
22. I want to tell you that yea high is pretty short. I'm only
23. five six and the top of that folded up thing didn't get to the
24. top of my head. I had no problem with it, I'm in support of the
25. bill but I think that the County Board of Elections should
26. be instructed to contact and see if that additional curtain
27. is available as it was presented to the State Board of Elections
28. and at any other additional cost cause I was told in committee
29. hearing, they were talking about an entire separate booth and
30. that's why I supported this bill. I'll continue to support it.
31. But I do think they need to look into it. In answer to the ones
32. who talk about the votomatic machine, gentlemen, it's a lot
33. simpler. We have all the senior citizens in Sangamon County

AB 3810
P.P. Com
6/28/76

1. we've had this machine for twelve years and if your
2. election is the same as ours, there has to be a dummy machine
3. in each precinct and each polling place for any person to know
4. how to operate this machine before they go into the polling
5. booth.

6. PRESIDENT:

7. Senator Hickey.

8. SENATOR HICKEY:

9. Mr. President, I'm confused again. I just heard
10. Senator Carroll say that you had three sides covered by the
11. machine itself and the other side with the body and that's
12. what I was talking about and objecting to that it was only
13. the body that kept you...anybody from behind you from seeing
14. how you punched it. Now, if you've used the votomatic machine,
15. you know that as you use the stylus and punch the hole
16. it makes a noise, too. It's very easy...it would be very
17. easy for anybody, ten or twelve feet away, unless you have
18. somebody the width of Fatty Arbuckle standing in front of it, to know
19. exactly how anybody voted. Now, Senator Davidson says that
20. he understands that there is to be a curtain and I understand
21. Senator Carroll to say that the body covers the other side, not
22. a curtain. I want to know whether this does provide for a curtain
23. or whether it doesn't because if it does not, it does not
24. assure privacy. But,...and I understood what...what Senator
25. Davidson said, but Senator Carroll's remarks are completely to
26. the contrary and I would like to have that cleared up by the
27. sponsor.

28. PRESIDENT:

29. Senator Carroll.

30. SENATOR CARROLL:

31. Thank you, Mr. President. I said what I said and I think
32. that Senator Hickey misheard what Senator Davidson said. I believe
33. he said they used these machines now but that he was led to believe

11/23/50
P.D. Linn.
6/28/76

1. that when these machines were shown to the State Board that
2. IBM had shown a curtain. That's the first I had heard of that.
3. and maybe Senator Davidson who has his hand up would like
4. to respond...

5. PRESIDENT:

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. So to clear up any misconception, the machine that was
9. shown to us which this bill covers does not have a curtain.
10. The body serves as a secrecy. The point that I was trying
11. to make was that when this machine was shown to the State
12. Board of Elections, IBM did show and did state that a curtain
13. was available that they put on that...that proposition that
14. was shown us that they could put hangers on it which did extend
15. a curtain with a curtain in the back to make it totally
16. surrounded.

17. PRESIDENT:

18. Question is...oh, Senator Carroll.

19. SENATOR CARROLL:

20. Just to explain further. IBM divested itself of this
21. company in the very recent past and maybe that's why there
22. were no longer these curtains available.

23. PRESIDENT:

24. Senator Graham.

25. SENATOR GRAHAM:

26. I know I'm back for seconds and thank you very much,
27. Mr. President.

28. PRESIDENT:

29. Everybody is Senator. Don't apologize.

30. SENATOR GRAHAM:

31. Senator Carroll, I am interested in mainly the bottom line
32. that should be in this bill. What and if and how do we get some
33. relief for the election judges that last year worked about

HB 3810
P.D. C. in.
6/25/76
HB 3830
2nd reading
6-28-76

1. thirty-six hours as a result of this bill if it passes? That's
2. what I'm interested in. What relief do they get and how do they get it?

3. PRESIDENT:

4. Senator Carroll.

5. SENATOR CARROLL:

6. Very simply Senator Graham, they are allowed...the Board
7. is allowed to hire the extra tally judges to count the retention
8. ballots as had been done in 1972. And with that I would ask
9. for a favorable roll call.

10. PRESIDENT:

11. The question is, shall House Bill 3810 pass? Those in
12. favor vote Aye. Opposed Nay. The voting is open. Have
13. all voted who wish? Take the record. Postponed Consideration
14. is requested. Senator Latherow.

15. SENATOR LATHEROW:

16. Mr. President, you may have wondered why I have
17. been up many times this morning, but I just wanted
18. you to know on a point of personal privilege that I have a
19. lot of support here this morning. Along with my wife,
20. my brother and his wife are in the balcony.

21. PRESIDENT:

22. Will they please stand and be recognized by the Senate?
23. House Bill 3721, Senator Lane. We just amended it a few moments
24. ago. Do you want to come back to it? Okay. Thursday.
25. House Bill 3830, Senator Nimrod. Read the bill. ...asks...
26. seeking leave to recall this bill for the purpose of an
27. amendment. Is leave granted? Leave is granted. House Bill
28. 3830 is now on the order of 2nd reading.

29. SECRETARY:

30. Amendment No. 1 offered by Senator Carroll.

31. PRESIDENT:

32. Senator Philip.

33. SENATOR PHILIP:

1. Excuse me, Mr. President, I didn't mean to click...snap my
2. fingers. I'd like to have a point of personal privilege. We...we...
3. PRESIDENT:
4. State your point, Senator.
5. SENATOR PHILIP:
6. ...we have the rare distinction, the pleasure, of having
7. Senator Mohr's new wife with us today up in the Speaker's
8. gallery, and I wish that Senator Mohr's new wife would stand
9. up and be recognized by the Senate. It's a pleasure to have
10. her here. She's on her honeymoon.
11. PRESIDENT:
12. Will she please stand and be recognized by the Senate. Senator
13. Mohr is recognized. Senator Mohr, you're recognized if you desire
14. to.
15. SENATOR MOHR:
16. Well, thank you, Mr. President, this is a rare occasion,
17. but about the only way a fellow can celebrate his honeymoon or
18. enjoy his honeymoon when he's in the Legislature is bring his
19. wife to Springfield; and that's just exactly what I've done,
20. and I'm proud to have Joyce recognized. Many of the members
21. have had the pleasure of meeting here before, and it's just nice...
22. PRESIDENT:
23. She's a lovely lady, and we're delighted to have her
24. present. Now, on the question of Amendment No. 1, is it on 3830?
25. Senator Carroll.
26. SECRETARY:
27. It...the amendment, Senator Carroll, is amend House Bill
28. 3830, on page 10, by deleting lines 16 and 17.
29. PRESIDENT:
30. Senator Carroll.
31. SENATOR CARROLL:
32. Thank you, Mr. President, this was a technical amendment
33. that we had discussed in committee, that there had been a problem

1. in the drafting of the bill as to the vacancy and the actual
2. creation thereof. This is to change the words so as to allow
3. the official vacancy and the clerk to notify the town board of
4. auditors so that the replacement can be made. I know of no
5. opposition to this particular amendment and would ask for its
6. adoption.

7. PRESIDENT:

8. Senator Carroll moves the adoption of Amendment...

9. Senator Nimrod, do you want to speak to this amendment?

10. Senator Nimrod.

11. SENATOR NIMROD:

12. Yes, Mr. President and fellow Senators, I...I believe...if
13. I'm wrong, Senator Carroll, would you correct me? I believe
14. this is the same amendment that we put on 3486 and it's the
15. same wording on there and it...it ends in to this bill in the
16. same position that it was on that, 3486. And if that's the
17. amendment, then that's acceptable and I would ask for adoption.

18. PRESIDENT:

19. Senator Carroll moves the adoption of Amendment No. 1
20. to House Bill 3880. You want to speak to this one, Senator
21. Mohr?

22. SENATOR MOHR:

23. Yes, Mr. President, I would speak in opposition to this
24. and all amendments. This bill has been carefully gone over
25. by the Assessors Association throughout the State of Illinois
26. and I'm sure that they would want this bill intact, the way
27. it is right at the moment without any amendments, and I would
28. oppose this and all amendments.

29. PRESIDENT:

30. Senator...Senator Carroll moves the adoption of Amendment
31. No. 1 to House Bill 3830. All in favor say Aye. Opposed Nay.
32. The amendment fails. House Bill...any further amendments?

33. SECRETARY:

1. Amendment No. 2 offered by Senator Carroll.

2. PRESIDENT:

3. Senator Carroll.

4. SENATOR CARROLL:

5. Would you please identify which one that is?

6. SECRETARY:

7. On page 1, line 5 by deleting 3b and inserting in lieu
8. thereof 3b6.

9. SENATOR CARROLL:

10. Thank you, Mr. President. While the other one was a
11. clarifying amendment, and I think was necessary to have been
12. adopted, it's the will of this Body not so to clarify. This is
13. a substantive amendment other than the other one which was
14. technical. This one abolishes, in the interest of good govern-
15. ment and in the interest of saving money for the people of
16. the counties, the township assessors in those townships in Cook
17. County. The township assessor, I might add, in Cook County does
18. not have the authority or the ability to assess the realty
19. within that township. He is merely to assess the corporate
20. personal property in that area, and then this goes to the
21. assessor's office, et cetera. These are in my opinion, and in
22. the opinion of many others, useless activities which are very
23. expensive to the County of Cook and can be more adequately
24. handled by the elected county assessor, as well as the State
25. departments that review corporate records. I would, therefore,
26. Mr. President, ask for the adoption of Amendment No. 2 to this
27. bill to save the people money, wasted money and to allow
28. government to operate more effectively.

29. PRESIDENT:

30. Senator Soper.

31. SENATOR SOPER:

32. Thank you, Mr. President. I don't know whether Senator
33. Carroll knows what the assessor does as far as corporate personal

1. property is concerned in my district, but we have many, many
2. corporations and their corporate personal property tax really
3. outweighs the...the real estate tax by about twenty to one.
4. We have a little organization there called the Western Electric
5. Company, that's one out of a hundred and forty corporations
6. that are in...in my immediate vicinity of Cicero, and so forth,
7. and they pay about two hundred and thirty thousand dollars in
8. real estate taxes and they pay about two million dollars in
9. corporate taxes...in corporate personal property taxes and to
10. say that this is...this is a...this is a job that's...that
11. should done by the county assessor of Cook County and not by
12. the local assessor is...is very fallacious. It...it's necessary
13. that the...that the local assessor know what's going on in
14. his district. The county assessor can't do this job, and I
15. would oppose this amendment, because our schools need this money.

16. PRESIDENT:

17. Any further discussion? Senator Nimrod, do you desire
18. to speak to this matter?

19. SENATOR NIMROD:

20. Yes, Mr. President. This...I want to remind the Body
21. that this amendment was handily defeated in committee. It was
22. presented in committee and I think it was defeated seven to
23. two. And I would like to straighten out one other thing, too.
24. In the present statutes and under the present bill, the clerk...
25. the assessors in Cook County do have authority to assess as
26. deputy assessors under the county clerk...I mean under the
27. county assessor, and the county assessor, in fact, at this
28. present time has all of the county assessors to...working right
29. now on a six to twelve week program doing an entire project
30. for the county assessor. And I think it...what we find out
31. it's not like in other areas. When we talk about the townships
32. in Cook County, we're talking about townships that involve a
33. hundred to a hundred thirty thousand people, and in fact, in

1. my township alone, it has the highest assessed valuation of
2. any township in the...in the entire State. The work and the
3. responsibilities that are involved in this area and the services
4. that are provided to the customer, I want to assure you the town-
5. ship government and the people within those townships desire to
6. have rather than run all the way downtown. And I think that...I...I
7. really felt that Senator Carroll offered this amendment in jest,
8. but I see he has presented it again to...to the Body here, and I...
9. I think that this amendment just ought to be defeated handily and
10. we ought to proceed with the bill as it's intended to have and
11. it's...it's a bill of major importance and major impact, and I
12. would certainly ask us to defeat this amendment.

13. PRESIDENT:

14. Senator Carroll, may close the debate.

15. SENATOR CARROLL:

16. Thank you, Mr. President and members of the Senate. This
17. was not offered in jest. This was offered in an interest of
18. attempting to streamline and create adequate property tax
19. assessments in the State of Illinois. I am of the opinion
20. that the township assessor is an unnecessary capacity since
21. all of these forms have to be filed with a State agency, either
22. through the Secretary of State, through the annual corporate
23. form or the Department of Local Governmental Affairs, and these
24. are the types of functions that are more adequately handled
25. without that local political aspect of the township assessor.
26. Similar to what we're talking about in the rest of the package.
27. If you want to take it out of that local political pressure,
28. we should adopt this amendment. I would ask for the unanimous
29. action of the members of the Senate to adopt this amendment.

30. PRESIDENT:

31. Senator Carroll moves the adoption of Amendment No. 2
32. to House Bill 3830. Those in favor vote Aye. Opposed will
33. vote Nay. The voting is open. Have all voted who wish? Take

1. the record. On this question, the Ayes are 16, the Nays are
2. 28. Amendment No. 2 fails. Any further amendments?
3. SECRETARY:
4. Amendment No. 3 offered by Senator Nimrod.
5. PRESIDENT:
6. Senator Nimrod.
7. SENATOR NIMROD:
8. Yes, Mr. President, for purpose of identification, is
9. this the long amendment...is...is this the long amendment that's
10. there or the...the short one? The five page...
11. SECRETARY:
12. This is the long...long amendment.
13. SENATOR NIMROD:
14. ...fine. Yeah. Yes, Mr. President and fellow Senators, this...
15. this amendment is a major amendment and I offer to tell you that in
16. no way alters or changes the townships' ability to join the multi-
17. township district in assessing which the bill, House Bill 3830,
18. provides for, and of course, this being a bill that has come
19. out of the Tax Study Commission in assessing has had adequate
20. and long discussions and has come to this day with a series
21. of compromises in order to prepare to this area. However,
22. what this one amendment does, is to provide a permissive option
23. for those townships which are less than a thousand because
24. that's what the bill applies to, is the undersized townships
25. that exist. Instead of forcing them to...force them into a
26. multi-district...assessing district, it allows each township to
27. choose the method it cares to do, either join a multi-township
28. or have the town board retain the powers and duties of the
29. assessor but...ask them and forces them to make a contract with
30. another assessor within the...either multi-district or a
31. neighboring township. There are adequate safeguards and limitations
32. under this arrangement and it will be done in the same fashion
33. as required in the bill for maintaining the professional standards

1. and certainly providing an efficient manner of assessing. The
2. town board of trustees has to decide this resolution by a date
3. adequate in time to allow the districts to be set up and it
4. certainly follows with the rest of the format. I'd be happy
5. to answer any questions on this amendment. If not, I would
6. ask for a favorable roll call.

7. PRESIDENT:

8. Senator Bloom.

9. SENATOR BLOOM:

10. Yeah, a little question. ...Is this...one of the amend-
11. ments that was represented to us as agreed, an agreed amendment?

12. PRESIDENT:

13. Senator...Senator Nimrod.

14. SENATOR NIMROD:

15. This...this amendment has the approval of the assessors
16. and has the approval of the township officials of Illinois, and
17. it...

18. PRESIDENT:

19. Senator Clarke.

20. SENATOR CLARKE:

21. Mr. President, I rise to oppose this amendment for several
22. reasons. First, a very practical reason, that the assessors if
23. they're for this amendment at all are only for it out of
24. desperation that they want a bill. The essence of what's in this
25. bill and they feel that maybe this is the only way to get it, but I
26. feel that's fallacious because this bill only passed the House by
27. ninety-four votes and if it goes back with any amendments, as
28. Senator Mohr has previously indicated, I think it's dead for this
29. Session. Again, this bill came out of the joint committee, we
30. we worked on it at length for a good many months and a couple of
31. years. We finally got some of the members to modify their demands so
32. that we got agreement with the assessors and the supervisor of assess-
33. ment, with everybody in the assessing field. It came over

1. in the manner in which they wanted it. I think that this
2. amendment is inconsistent with the concept of this bill because
3. if various townships contract out and then you...the county
4. board is required to form a multi-district that is contiguous,
5. it would be very, very difficult if not impossible. I think
6. that...an...an afterthought of this nature that came up in
7. the last week to ten days really should be defeated.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Ozinga.

10. SENATOR OZINGA:

11. Well, Mr. President and members of the Senate, I rise
12. in opposition to this amendment for one main reason that we
13. in the country towns...there isn't a township in Cook County
14. that's under a thousand population. Why should we be telling
15. the smaller townships downstate what to do? I think it's
16. ridiculous, and the amendment should be defeated and would
17. make a motion to lay it on the Table.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. That's...of course, that's not debatable, and there are
20. several others that wish to address themselves to this issue, Senator.

21. SENATOR OZINGA:

22. Withdraw the motion.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Merritt. Senator Merritt, did you desire recognition?

25. SENATOR MERRITT:

26. Just to say this much, Mr. President and members of the
27. Senate. I hate to rise in opposition of my good friend, Senator
28. Nimrod, but I can't forget for one minute that I have an assessor in my
29. County of Vermilion who is an officer in the State-wide Assessors
30. Organization. He's worked long and hard. A man by the name of
31. Fred VanHorn, as Senator Clarke well knows, worked with that
32. group in trying to put together what they thought was the best,
33. and to toy with it at this time, I think it just makes the bill

1. totally unacceptable, and I rise in opposition to it.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Question is, shall Amendment...

4. Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate. Rather than stand and snap one's fingers, I'm told we're
8. supposed to use the speak button which I did. I...I...I am
9. totally at this point almost befuddled. We have heard on my
10. motion to recommit a very serious bill that this was part of
11. the package, and that everything that was done should have been
12. done. Now, we have the sponsor of this bill saying that
13. he has an amendment that in his judgment makes it a better bill,
14. all of a sudden everybody is standing up saying no, no
15. we...we don't want this now. Even though it's the sponsor's
16. bill and around here the sponsor has the right to have it in
17. the shape in which he wishes to present it. We don't really want
18. an amendment to this bill. I rise in support of the amendment,
19. and I would hope that it would be adopted.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Mr. President, at this hour, I don't think this amendment
24. should be adopted. If...if this legislation goes through, there
25. is always time to adopt it in a...in another year. This bill
26. was heard in committee, came out in its present form, and I
27. think it would be rather foolish of us to start adopting amend-
28. ments here that have not been heard and that we don't fully understand.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Any further discussion? There's no lights lit, so the
31. question is shall Amendment No. 3...oh, you wish to close the
32. debate? Senator Nimrod.

33. SENATOR NIMROD:

1. Yes, Mr. President and fellow Senators, I would ask you to
2. pay attention because I think there's something very important
3. at stake here. This...this amendment was discussed in committee
4. and it was stated that this amendment would be prepared to be
5. presented on the Floor because it was not prepared in time for
6. the committee and I think everyone had that understanding. I
7. want to call your attention to something that I think is very
8. fundamental and very important. What this bill does is to say
9. that those undersized townships, 3830, no longer have...will
10. have an assessor and that means some seven hundred townships
11. will not have an assessor and they will be forced to participate
12. into a multi-district assessing area. What I'm saying, is that
13. each township whether it be undersized or otherwise, ought to
14. have the right to choose whether or not it chooses to contract
15. for those services and have the town board do it. Under the
16. present laws, they have the opportunity to do it or be a
17. part of the multi-district, and it gives those undersized
18. townships which are less than a thousand for which I'm not a
19. part of, it does not make us speak for them as Senator Ozinga
20. as said. So, it...it helps those townships under a thousand.
21. Now, I can tell you that we certainly have chance here to set a
22. precedent because we also have statutes here that offer under-
23. sized townships an opportunity to change their methods and
24. absorb those responsibilities and combine with other townships.
25. They have not chosen to do so. If, in fact, we want to have
26. township government become effective in those undersized areas
27. where there is not adequate, either parcels or roads or other materials
28. in those areas, that our chance to operate then we have to have the
29. town board be able to contract for these services with
30. neighboring townships. This is a precedent that we're setting
31. and if, in fact, we allow the assessing function to go this
32. way, then I assure you the highway commissioner function will
33. go this way and all other areas will go. So those Senators that have

1. townships within their particular counties of under a thousand
2. population, you are setting a precedent of actually taking
3. away township government and jurisdiction from within your
4. local areas, and I would implore you that this is a very vital
5. and important position for us to take. The assessors do
6. support this particular concept and it is supported by the
7. Township Officials of Illinois. I know this comes at a...at a
8. late minute, but it's not because it wasn't discussed or wasn't
9. prepared. This is a long bill, it's an important bill and certainly
10. this amendment helps it become a better bill, and I would ask
11. for your support.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Question is, shall Amendment No. 3 to House Bill 3830 be
14. adopted? Those in favor indicate by saying Aye. Those opposed. A
15. roll call is requested. Those in favor of Amendment No. 3 shall
16. vote Aye. Those opposed shall vote No. The voting is open.
17. Senator Rock, for what purpose do you arise?

18. SENATOR ROCK:

19. Parliamentary inquiry? I was wondering if Senator Nimrod's
20. microphone was working. I thought he said that this amendment
21. had been discussed in committee and he had agreed to put it on
22. 2nd reading. That's why the bill got out.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Well...have all those voted who wish? Take the record. On
25. that question, the Ayes are 15, the Nays are 31. Amendment
26. No. 3 fails. Are there further amendments?

27. SECRETARY:

28. Amendment No. 4 offered by Senator Nimrod.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Yes, I would like to withdraw Amendment No. 4.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is leave granted? Leave is granted. Are there further
2. amendments?
3. SECRETARY:
4. Amendment No. 4 offered by Senator Carroll.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Carroll.
7. SENATOR CARROLL:
8. Thank you, Mr. President and members of the Senate. Amend-
9. ment No. 4 is very simple. It deletes "one thousand" and inserts
10. in lieu thereof "three thousand". The purpose of this amend-
11. ment, Senator Netsch, is that in this concept we are saying
12. that we will have multi-township assessors, because it takes a
13. certain number of parcels and a certain number of people for
14. any watchdog agency to look over the shoulder and look at a
15. coefficient of dispersion around the medium value and see
16. whether or not they are doing a proper job. Those who are
17. experts in the field tell us it takes a minimum, a minimum of
18. twenty-five parcel exchanges, sales if you would, in any given
19. year in order to determine a proper coefficient of dispersion
20. to see if the assessor is doing a proper job. Also, it takes
21. a minimum of three thousand in population in order to determine
22. whether or not there has been twenty-five sales. You will not
23. get the twenty-five sales, which is the minimum number of
24. adequate sales to make this decision, unless there are at least
25. three thousand people in the district. Property just doesn't
26. move that quickly otherwise. So, in the interest of trying to
27. make this concept work, in the interest of trying to give sufficient
28. information to those who will be given the responsibility and yes
29. the authority of saying whether or not a local assessor or
30. amalgamation of assessors is doing its job. They must have
31. the appropriate statistical data and that takes at least three
32. thousand. This bill was originally put in I know at the ten
33. thousand level which is considered the safe level at which

1. to get sufficient data. There was again substantial opposition
2. to that, and in my opinion, purely political. Again, they want
3. local people with some political control over them in order to
4. have an area that the local politician can control and therefore,
5. somewhat control the assessment. If we have these types of
6. statistics, then whomever we give the function to, be it a
7. commissioner, be it the LGA, we will have the appropriate
8. data on which to make reasonable and intelligent decisions,
9. and I would urge the adoption of the amendment.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President and Ladies and Gentlemen of
14. the Senate. I'm frankly again a little confused here this
15. morning. I would ask Senator Nimrod if he will yield that the
16. communication that was passed to all Senators...apparently
17. it was...was put on my desk this morning at any rate, the
18. amendment that had the support of the Township Officials of
19. Illinois and the Township Assessors Association and was agreed
20. to you...by you in committee, is that the one that was just beaten?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. The amendment was not agreed to. It was...it was stated
25. in committee, but that's the amendment. Yes.

26. SENATOR ROCK:

27. Okay. Now, the second amendment, which I take it is the
28. one that you just withdrew which you say is strictly technical
29. and takes care of an Enrolling and Engrossing problems caused
30. by the adoption of several House amendments, is that the one
31. you withdrew?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Nimrod.

1. SENATOR NIMROD:
2. Yes, I did.
3. SENATOR ROCK:
4. Do these problems still exist?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Senator Nimrod.
7. SENATOR NIMROD:
8. I don't know yet...
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. For what...just a moment. For what purpose do you arise,
11. Senator Soper?
12. SENATOR SOPER:
13. I say this...
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. For what purpose do you arise, Senator?
16. SENATOR SOPER:
17. ...Point of personal privilege. I think that Senator Rock is
18. out of order. We're not talking about what happened before.
19. We're talking about Carroll's amendment.
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Now, just a moment. Senator Rock has...
22. SENATOR SOPER:
23. Let him...
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. ...let him(machine cut off) and he is questioning Senator
26. Nimrod. The Chair rules that he is in order. Proceed.
27. SENATOR ROCK:
28. Well, the question is, I'm prepared to offer the amendment.
29. That's my problem. If...if, in fact, there is a technical
30. amendment needed and takes care of, as was said in this letter
31. that I received, Enrolling and Engrossing which we take care of
32. with regularity around here caused by the adoption of several
33. House amendments. My question is, on the...on the amendment which

1. he has withdrawn, that I would be delighted to offer it to take
2. care of those problems and I'm...I'm asking him, do those problems
3. still exist?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Nimrod.

6. SENATOR NIMROD:

7. Senator Rock, I...we're talking on a different amendment.
8. If you'd like to discuss this question, I'd be happy to come over
9. and talk to you about it, so that...and so you can decide what to
10. do before you go ahead.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Just a moment. Senator Partee, for what purpose do you
13. arise?

14. SENATOR PARTEE:

15. Well, I think we have reached the point of no return where
16. there is obviously an amendment that the gentleman has referred
17. to as something that will make the bill proper, and then he
18. withdraws it. Under these circumstances, I think maybe we
19. ought to break for an hour and a half because half of our members
20. are away at Conference Committees anyhow so, I said this morn-
21. ing that we're going to take a break and I had almost changed
22. my mind because of the...this...the progress made this morning.
23. We spent a lot of time on some bills that I had not anticipated
24. that we would, and we spent a little less time on those I thought
25. we would take a lot of time on. It's now twelve o'clock or five
26. or six minutes after twelve and I move we stand in recess till
27. twelve-thirty.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. The Senate stands in...

30. SENATOR PARTEE:

31. I mean until one-thirty...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. ...recess until...

1. SENATOR PARTEE:
2. ...one-thirty.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. ...one-thirty.
5. (RECESS)
6. (AFTER RECESS)
7. PRESIDENT:
8. The hour of one-thirty having arrived, the Senate is in
9. now in order...in Session. Resolutions.
10. SECRETARY:
11. Senate Resolution 409 introduced by Senators or Senator
12. Partee and all members.
13. PRESIDENT:
14. It's a congratulatory resolution...
15. SECRETARY:
16. Congratulatory...
17. PRESIDENT:
18. ...Senator Harris moves for the suspension of the rules
19. for the immediate consideration of this resolution. All in
20. favor say Aye. The rules are suspended. Senator Harris moves
21. for the immediate adoption of this resolution. All in favor, Aye.
22. Opposed Nay. The Ayes have it. The resolution is adopted.
23. Messages from the House.
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 passed a bill with the
28. following title in the passage of which I am instructed to ask
29. the concurrence of the Senate, to-wit: House Bill 3811.
30. PRESIDENT:
31. Rules. That goes to Rules.
32. SECRETARY:
33. A Message from the House by Mr. O'Brien, Clerk.

SB 1997
nonconcurrance
6-28-76

1. Mr. President - I am directed to inform the Senate
2. that the House of Representatives has refused to concur with
3. the Senate in the adoption of their amendments to a bill with
4. the following title: House Bill 3403 with House...Senate
5. amendments 1, 2, 3, 4, 5, 7 and 8.

6. PRESIDENT:

7. Secretary's Desk. On the order of the Secretary's Desk
8. on the order of concurrence, page 2 on your Supplemental Calendar,
9. Senate Bill 1997, Senator Daley.

10. SENATOR DALEY:

11. Mr. President and fellow Senators, on Senate Bill 1997
12. in regards to House Amendment No. 1, I refuse to...I nonconcur
13. with House Amendment No. 1.

14. PRESIDENT:

15. Question is on the nonconcurrance to House Amendment No.
16. 1. Senator Daley moves that the Senate not concur and ask that
17. a Conference Committee be appointed. All in favor say Aye.
18. Opposed Nay. The Ayes have it, and the Senate nonconcurr, and
19. the Secretary will so inform the House. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President and Ladies and Gentlemen of the
22. Senate. On that same list is Senate Bill 1936 which is the
23. appropriation, the large appropriation to the Capital Develop-
24. ment Board. The House has seen fit to append twenty-one amend-
25. ments and I would move, Mr. President and Ladies and Gentlemen
26. of the Senate, the Senate nonconcurr in these amendments and
27. request a Conference Committee.

28. PRESIDENT:

29. Senator Rock...you've heard the motion. All in favor say
30. Aye. Opposed Nay. The Ayes have it. The Senate nonconcurr
31. and the Secretary will so inform the House. Senator Dougherty.

32. SENATOR DOUGHERTY:

33. Yes, thank you, Mr. President. As I...on the...that list

1. ...Senate Bill 1789, could I move to concur with this...the
2. House amendments to Senate Bill 1789 which puts it precisely
3. in the same form as House Bill 3036?
4. PRESIDENT:
5. If we have thirty votes, Senator, we can do it.
6. SENATOR DOUGHERTY:
7. Oh, I thought that...necessary. All right.
8. PRESIDENT:
9. No, it has to...see it...it's final action and it will require...
10. On the order of concurrences on the Secretary's Desk on your
11. Supplemental Calendar page 1, the second bill, Senate Bill
12. 1594, Senator Egan.
13. SENATOR EGAN:
14. Thank you, Mr. President and members of the Senate. I
15. ...I move that the Senate nonconcur in amendment...House Amend-
16. ment No. 1 to Senate Bill 1594.
17. PRESIDENT:
18. Question is, shall the Senate concur in House Amendment No. 1 to
19. Senate Bill 1594?
20. SENATOR EGAN:
21. Nonconcur.
22. PRESIDENT:
23. Oh, I'm sorry. Senator Egan moves that the Senate non-
24. concur in House Amendment No. 1 to Senate Bill 1594. All those
25. in favor say Aye. Opposed Nay. The motion carries and the
26. Secretary shall so inform the House. Senator Egan, you have
27. another one on page 2 on the Supplemental Calendar, 3417,
28. Divison of Water Resources.
29. SENATOR EGAN:
30. Yes, Mr. President. May I ask if I may at this time...the
31. question has been asked of me that you did, in fact, announce
32. that there will be a Conference Committee appointed for Senate
33. Bill 1594?

1 PRESIDENT:

2 We will request one of the House.

3 SENATOR EGAN:

4 I beg your pardon.

5 PRESIDENT:

6 Yes.

7 SENATOR EGAN:

8 Thank you. All right, on the order of nonconurrence,
9 Mr. President, House Bill 3417, the House did, in fact, nonconcur
10 with Senate Amendments No. 1, 2, 3, 4, 5, 6, 7 and 8 and I'm
11 requesting that a Conference Committee be appointed...to refuse
12 to recede.

13 PRESIDENT:

14 Senator Egan moves that the Senate refuse to recede from
15 Senate Amendments Numbered 1, 2, 3, 4, 5, 6, 7 and 8 and that
16 a Conference Committee be appointed. All those in favor say
17 Aye. Opposed Nay. The Ayes have it. The motion carries,
18 and the Secretary shall so inform the House. By way of correcting
19 of the record on Senate Bill 1594, we...the motion to nonconcur
20 carried. The statement...the proper statement is that the
21 Secretary will so inform the House. And that gives them the
22 opportunity to either recede or concur. Thank you. Senator
23 Dougherty, I...I don't know if we have the number of people.
24 Want to try that again? What was your motion on which bill?
25 On Senate Bill 1789 on the Supplemental Calendar about midway
26 of the page, Senator Dougherty has a motion.

27 SENATOR DOUGHERTY:

28 We concur on motions 1 and 2 to 17...on bill 1789. We
29 concur on motions No. 1 and 2 in the House. I have them here.

30 PRESIDENT:

31 Question is shall the Senate concur in Amendments Numbered
32 1 and 2 to Senate Bill 1789? Those in favor will vote Aye. Those
33 opposed will vote Nay. Senator Glass.

1 SENATOR GLASS:

2 Thank you, Mr. President. I'd like to ask Senator
3 Dougherty a question, if I may, about Amendment No. 1.

4 PRESIDENT:

5 Senator...Senator Glass.

6 SENATOR GLASS:

7 Senator Dougherty, my copy here of Senate...or of I guess
8 it's House Amendment No. 1, indicates that if there is a dock facility,
9 I think it's over a thousand lineal feet, of dock frontage
10 that if that is leased or operated, it must be operated by more
11 than one contracting party. I just wondered what's the back-
12 ground of that amendment and why would you want to concur in
13 that amendment?

14 PRESIDENT:

15 Senator Dougherty.

16 SENATOR DOUGHERTY:

17 It...I put that amendment on. It provides for competition
18 and removes the opportunity for monopoly. In other words, there's
19 a thousand foot of land there for a...shore frontage, if you will.
20 It provides that it will be...will not be a sale. ...No. No
21 one will have absolute control over all the whole thing. There
22 will be open competition and removes the property...the idea of
23 any monopoly whatsoever.

24 PRESIDENT:

25 Senator Glass.

26 SENATOR GLASS:

27 Well, if...if you had left this up to the district, it seems to
28 me they could be a better judge of whether...you know, one or
29 more party was...was needed there. We were just wondering if
30 it had anything to do with patronage?

31 PRESIDENT:

32 Senator Dougherty.

33 SENATOR DOUGHERTY:

1. It has nothing to do with patronage. If you will come
2. over here, I'll show you the whole map and the district and
3. why it's necessary. I've tried to explain it to Senator
4. Harris and I've tried to give you some idea of it. I have
5. pictures here to describe why it's needed. This is why, you
6. see this entire property has been under the control of the
7. Youngstown Sheet and... Steel and Tube Company, and there's about a
8. thousand...about five thousand lineal foot of...of frontage
9. there that is controlled by this property, and it's under
10. leaseage to the transoceanic terminals, which is also controlled
11. by Youngstown Sheet and Tube. This will remove the possibility
12. of the Youngstown Sheet and Tube, or anyone of them...who will
13. control the entire operations. There's million of dollars...
14. millions of tons of equipment handled there and it provides for
15. the absolute...some degree of competition is what it is, and it just
16. foreclosed a monopoly on that entire river frontage. That's the
17. whole thing.

18. PRESIDENT:

19. Senator Glass.

20. SENATOR GLASS:

21. Well, Senator Dougherty, I'm not familiar with the operations
22. of the district or how they determine who is entitled to lease
23. that property, the dock property, but I...I would expect it
24. must be like other governmental bodies. That if there's a...
25. if there is space available, they...they put it out on...on a
26. competitive basis or they determine what's in the best interest
27. of the district. But I...I just...I don't understand why, you
28. know, at this late date we come along with the amendment. It
29. wasn't in the bill previously and it just seems to me you...you
30. might be better off leaving that up to the district. I...I...I
31. know you've said that it will...it will promote competition,
32. but why couldn't you have competition as I've indicated by
33. as...as space comes up for...for leasing, let...let it go...

34. PRESIDENT:

1 Time...time is...

2 SENATOR FAWELL:

3 ...out for a competitive bid.

4 PRESIDENT:

5 ...time is running, Senator. This is the third time we've
6 through this same thing. Senator Merritt.

7 SENATOR MERRITT:

8 Yes, Mr. President and members of the Senate, I rise in
9 support of Senator Dougherty's motion. While I don't like the
10 concept of these bills as much as I like the concept of our
11 commission bill, Senate Bill 1891 that's currently on 3rd reading
12 in the House at the moment, these bills as Senator Dougherty
13 now has them amended here and...and Representative Maragos
14 has them amended in the House are in identical form. I can
15 understand why we've lived with this problem on our commission
16 the last six to eight years. The acquisition of this site is
17 most important to the development of the ports in that important
18 area, right at the mouth of the river and Lake Michigan. And
19 Senator Dougherty is right in that once the condemnation, and
20 that's the only we ever going get this property, under condemna-
21 tion, and that's determined and it is under the jurisdiction
22 of the port, then I believe his amendment is exactly correct
23 that there cannot be one operator over the thousand feet. I
24 know there's...it's a controversial matter in several areas,
25 but then I support Senator Dougherty thoroughly. It does not
26 have the protection, I don't believe, that our commission bill
27 has, but be that as it may, I support Senator Dougherty in this
28 ...this amendment.

29 PRESIDENT:

30 Any further discussion? Senator Netsch.

31 SENATOR NETSCH:

32 Thank you, Mr. President. If I'm not mistaken, this is
33 my favorite piece of legislation now, the port district bill,

1 which makes very significant changes that go way, way, beyond
2 what the bill did when it was first introduced. I opposed it
3 yesterday, I opposed it three weeks ago and I still oppose it.
4 I think it is a...it...it does things that people really don't
5 even understand after one has read the bill and I've read the
6 bill several times. It does clearly give control of the port
7 district to the City of Chicago, both in terms of the appoint-
8 ing process and in terms of the territorial process. In
9 addition it had provision for powers which are just beyond my
10 comprehension. I...I...I think it gives the Chicago Port
11 District as it will be reconstituted the power to take over almost
12 anything within the boundaries of the City of Chicago. The
13 condemnation power clearly does extend that far. It is not
14 limited just to the Calumet River area or the Calumet Channel
15 area and I think it is a very frightening bill as it is. I...
16 I...I don't think it has to be passed in this form to strengthen
17 the Chicago Port District and I think it would be extremely
18 unfortunate if it were. I think it has implications far beyond
19 what any of us presently understand, and I think the bill
20 should not pass.

21 PRESIDENT:

22 We're not on the passage stage, we're on the concurrences.
23 SENATOR NETSCH:

24 I beg your pardon. Well, this concurrence does the same
25 thing.

26 PRESIDENT:

27 Senator Dougherty.

28 SENATOR DOUGHERTY:

29 What I'm trying to say is this that nobody understands
30 what we're referring to is the land that is now owned by the
31 Youngstown Sheet...Sheet and Tube Company and we...and we
32 do anything until we acquire this land by condemnation, until
33 we get the money through the CDB to acquire this property.

1. All we're trying to do at this point in time is to acquire the
2. ...to acquire the property in the proper manner. I know it's
3. not...to the contrary. I am afraid that the opponents
4. of this bill really don't understand the whole ball of wax. I
5. have here a map. I have here pictures. I have everything
6. describing what we're trying to do. We're only trying to do
7. put...put this into a position where we may operate the only
8. port district in the...in the country, the...where we may be
9. able to get some degree of achievement by acquiring such
10. property and then making...putting it to use. And the use of
11. it is right on the Calumet River and it will be controlled
12. by the Chicago Regional Port District and it will be totally
13. within the City of Chicago because there is no other portion
14. of the State, no other, can do...go along with a program of
15. this nature. All you have to do is come over here and take
16. a look at it. This is a lack of understanding on the part of
17. everybody that's opposed it. I handled this bill...these
18. bills for years and I have never had anyone employed by
19. my family that's...tried to help the neighborhood.
20. If we could get this program going, we can employ some nine
21. hundred people, longshoremen, for unloading these materials.
22. If we can get them to agree on foreign commerce, we can
23. bring business to the United States and attempt to offset some
24. of our lack of balance on foreign trade. This I've talked
25. with certain people on the...on the...on the national program.
26. This is vitally necessary. I don't know why the opposition is
27. still there. I think it's because I...where else does it exist
28. except in Chicago, and everything within it is south of 87th
29. Street. That's all. Nothing will ever operate in any other portion
30. of the city. There simply is not the room to do it. There
31. isn't the lake frontage. There's nothing along the lake
32. where we could put in an operation like that. There's nothing in
33. the city. There's nothing on the river...on the Chicago River, or

1. even the Calumet River save that which is already existent.
2. This is vitally necessary and just ask concurrence in this
3. amendment which is trying to put it in proper form on a bill
4. that's already passed this Body.

5. PRESIDENT:

6. Question is, shall the Senate concur in Amendments Numbered
7. 1 and 2 to Senate Bill 1789? Those in favor will vote Aye.
8. Opposed Nay. The voting is open. Have all voted who wish?
9. Take the record. On this question, the Ayes are 30, the...on
10. this question, the Ayes are 30, the Nays are 8, with 1 Voting
11. Present. The Senate does concur in amendments...House Amendments
12. Number 1 and 2 to Senate Bill 1789 and the bill having received
13. the constitutional majority is declared passed. Senator
14. Netsch has requested a verification of the roll...the affirma-
15. tive votes. Will those members please be in your seats?
16. Secretary, call the affirmative votes.

17. SECRETARY:

18. The following voted in the affirmative: Berning, Buzbee,
19. Carroll, D'Arco, Daley, Demuzio, Donnewald, Dougherty, Egan,
20. Kenneth Hall, Hynes, Johns, Knuppel, Kosinski, Lane, Latherow,
21. Lemke, McCarthy, Merritt, Howard Mohr, Don Moore, Nudelman,
22. Ozinga, Palmer, Rock, Savickas, Smith, Vadalabene, Welsh and
23. Mr. President.

24. PRESIDENT:

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

26. SENATOR ROCK:

27. I was prepared...

28. PRESIDENT:

29. Oh.

30. SENATOR ROCK:

31. ...to move to reconsider.

32. PRESIDENT:

33. Pardon me, Senator. Senator Netsch.

1. SENATOR NETSCH:
2. A chance...I'm sorry. Don't I get a chance to...to
3. suggest some names who were not present on the Floor?
4. PRESIDENT:
5. Of course. We're waiting for that.
6. SENATOR NETSCH:
7. All right. Senator Lane.
8. PRESIDENT:
9. Senator Lane is on the Floor.
10. SENATOR NETSCH:
11. All right. Senator Johns.
12. PRESIDENT:
13. Senator Johns. Is Senator Johns on the Floor? Well, is
14. he or isn't he?
15. SENATOR NETSCH:
16. All right, he's not. Senator Welsh.
17. PRESIDENT:
18. Senator Welsh is on the Floor.
19. SENATOR NETSCH:
20. All right. Where was I, let's see. Ozinga and Senator
21. Nudelman...
22. PRESIDENT:
23. Senator Ozinga is on the Floor.
24. SENATOR NETSCH:
25. Merritt.
26. PRESIDENT:
27. Senator Merritt is on the Floor.
28. SENATOR NETSCH:
29. All right, Donnewald is here. Okay, now...
30. PRESIDENT:
31. Senator Donnewald is here.
32. SENATOR NETSCH:
33. May I remove Senator Johns?

1. PRESIDENT:
2. Is Senator Johns on the Floor?
3. SENATOR NETSCH:
4. We've been through that.
5. PRESIDENT:
6. Take him off the roll call. The roll call has been
7. verified. The Ayes are 30...29, the Nays are 8...Postponed
8. Consideration is requested. Are there other members with
9. matters on the Secretary's Desk for concurrence or noncon-
10. currence, on the Supplemental Calendar or otherwise, who desire to
11. have them called? All right. Senator D'Arco.
12. SENATOR D'ARCO:
13. This would be on the Concurrence Calendar. I would move that...
14. PRESIDENT:
15. Now, wait just a minute. On the Supplemental or the
16. Regular Calendar?
17. SENATOR D'ARCO:
18. Supplemental.
19. PRESIDENT:
20. Fine. Page 1, Senate Bill 1881. Is that the one we're
21. dealing with it?
22. SENATOR D'ARCO:
23. Yeah, page 1.
24. PRESIDENT:
25. Fine. Page 1, Senate Bill 1881, Senator D'Arco.
26. SENATOR D'ARCO:
27. Mr. President, on the...on the Calendar it...it has House
28. Amendments No. 1 and 2 and as the bill reads, House Amendment
29. No. 1 passed, 2 failed, and 3 passed, so the Calendar may be
30. mistaken in having 1 and 2 as...should we check it out or I
31. don't know...
32. PRESIDENT:
33. Did you have any conversation with the Secretary about that?

1. SENATOR D'ARCO:

2. No, I didn't.

3. PRESIDENT:

4. All right. They'll check it out. We'll take it out of
5. the record for a moment. We'll check it out and see what is
6. it...Senator Egan.

7. SENATOR EGAN:

8. Yes, Mr. President and members of the Senate, on the
9. order of concurrence on the Secretary's Desk, Senate Bill 1932,
10. I wish to move that the Senate nonconcur in House Amendments
11. Number 1, 3, 4, 6, 7, 8, 9, 10, 14, 15, 18, 19, 20, 21 and 24.

12. PRESIDENT:

13. Senator Egan moves to nonconcur in House Amendments Numbered
14. 1, 3, 4, 6, 7, 8, 9, 10, 14, 15, 18, 19, 20, 21 and 24 to
15. Senate Bill 1932. Those in favor will say Aye. Opposed Nay.
16. The motion carries and the Secretary shall so inform the House.
17. For what purpose does Senator Knuppel arise?

18. SENATOR KNUPPEL:

19. Members of the Body, I'd move that the Senate concur in
20. ...excuse me, in Amendments 1, 2, 4 and 8 to Senate Bill 1608.

21. PRESIDENT:

22. Any discussion? Senator Knuppel moves that the Senate
23. occur...concur on Amendments Numbered 1, 2, 4 and 8 to Senate
24. Bill 1608. Those in favor will vote Aye. Opposed will vote
25. Nay. Any discussion? Senator Harber Hall.

26. SENATOR HARBER HALL:

27. Well, this is a major appropriation. I wonder if the
28. Senator would explain what those amendments are doing to
29. that bill.

30. PRESIDENT:

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. Yes, Sir, the...there's a...I mean they're...they're extremely

1. complicated. There are line items and so forth, but they
2. restore some of the money that was originally taken out here
3. in the budget of General Services. Now, it...they're line
4. changes and I've talked to the Department and I can...they've
5. written an explanation on each one of them. The first one is a
6. technical correction...

7. PRESIDENT:

8. Senator Harber Hall, he's making the explanation. All
9. right, he's listening. Go right ahead.

10. SENATOR KNUPPEL:

11. ...The first was a technical correction of a Senate
12. amendment to the contractual services line in the vehicles
13. division. The Senate amendment attempted to restore twenty-one
14. thousand but started from the wrong base number and in effect,
15. reduced the line by an additional forty-nine thousand. The
16. Senate staff agreed to this increase. So, we made a mistake
17. when we restored...that was when we were restoring, I think,
18. it was roughly...eighty thousand dollars or some such matter.
19. Number 2 affects the transfer of the MID Service Bureau from
20. the Department of Finance to the Department of General Services.
21. The Senate has concurred in the offsetting reduction in the
22. Department of Finance's appropriation. And then Number 4 reduces
23. by eight thousand dollars the equipment line in the procurement
24. Division general revenue and creates a nineteen,, hundred
25. dollar commodity line in the same division in the office
26. supply revolving fund. The Senate reduced the equipment line
27. based on underspending in FY '76. The Department submitted an
28. itemized list of expenditures refuting this contention and the
29. House restored the funds. Commodities line was inadvertently
30. left out of the appropriation and the House corrected the over-
31. sight. As to No. 8, restored funding for vehicle engineering...

32. PRESIDENT:

33. Senator Harber Hall. One moment, Senator Knuppel.

1. SENATOR HARBER HALL:

2. In checking our records over here, I find that this
3. increases the appropriation about roughly three hundred and fifty
4. thousand dollars. I have no further questions. Thank you, Senator.

5. PRESIDENT:

6. All right, then, the question is, shall the Senate concur...
7. oh, Senator Harris.

8. SENATOR HARRIS:

9. Thank you, Mr. President. In the absence of Senator Weaver,
10. I just want to say that our staff has reviewed these with re-
11. spect to the members on this side, and I certainly concur
12. with Senator Knuppel in his motion to concur.

13. PRESIDENT:

14. Question is, shall the Senate concur in Amendments
15. Numbered...House Amendments Numbered 1, 2, 4 and 8 to Senate
16. Bill 1608. Those in favor will vote Aye. Opposed Nay. The
17. voting is open.

18. (continued on next page)

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11/13/66
House 11/27/66
2/14/67
6/25/76
AB/1967

1. PRESIDENT:

2. Have all voted who wish? Take the record. On that
3. question the Ayes are 42, the Nays are 2 with none...none
4. Voting Present. The Senate does concur in House Amendments
5. 1, 2, 4, and 8 to Senate Bill 1608 and the bill having received
6. the required constitutional majority is declared passed.
7. For what purpose does Senator Savickas arise?

8. SENATOR SAVICKAS:

9. While we're on concurrences, I would ask that we go to
10. Senate Bill 1967 to concur with the House Amendments No. 1 and
11. 2.

12. PRESIDENT:

13. That's on the Regular Calendar, page...

14. SENATOR SAVICKAS:

15. Five.

16. PRESIDENT:

17. Five. Senator Savickas.

18. SENATOR SAVICKAS:

19. Well, Mr. President and members of the Senate, we've
20. gone into this pretty thoroughly yesterday, so at this time,
21. I would move that we concur with House Amendments Nos. 1 and 2.

22. PRESIDENT:

23. Senator Harris. Senator Harris.

24. SENATOR HARRIS:

25. Thank you, Mr. President. This is the matter that was
26. before us and received a fair amount of discussion yesterday
27. and then the Senator did request leave to take the bill from the
28. record which was just fine and the Senate concurred in that
29. request. There are a good many among us who do feel that
30. the amendment which is Amendment No. 1, which was what we referred
31. to here in the Senate as Senate Amendment 4 or the Nimrod amendment,
32. which we do, now, know was faulty, but which we all did support,
33. I shouldn't say we all did, which a majority of the members here in

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#1148
6/28/76

1. the Senate supported. And I would urge the membership
2. to join me in the application of Rule 43 and move to divide
3. the question so that we can concur in...I'm sorry, Rule 48,
4. we can concur in House Amendment No. 2 and refuse to concur
5. in Amendment 1 and get the bill into a Conference Committee
6. so that we can cure the imperfection of Senate Amendment No. 4.
7. Now, I...I sincerely believe that...that if we have that option
8. presented to us, the two Houses, that we can strengthen the
9. work product of this Session on this important subject of
10. Workmen's Compensation. The...the intent was not to empower
11. the Industrial Commission with rule making power with respect to
12. all injuries or diseases, but only with respect to the
13. matter of loss of hearing and the really sensible way to get
14. at this, I believe, would be to separate the question, divide
15. the question and then concur in Amendment No. 2 by the House,
16. nonconcur in Amendment No. 1, which deletes Senate Amendment No. 4
17. in its entirety, and get that issue into a Conference Committee
18. so that we can cure the problem that does in fact, exist within
19. Senate Amendment No. 4, and so, Mr. President, I would move
20. to divide the question that Senator Savickas has put.

21. PRESIDENT:

22. Senator Knuppel.

23. SENATOR KNUPPEL:

24. Well, Mr. President, it's time, we've discussed this, and
25. there are two extremes in here and I think...think if we don't
26. do something, this bill may not go out of here at all, and those
27. people who have complained the most bitterly, most bitterly of
28. the Workmen's Compensation Act that we passed last Fall will
29. be the losers, not those people who are...who were the ones
30. who favored 234. Therefore, I move that the motion of
31. Senator Harris lie...lie upon the Table.

32. PRESIDENT:

33. The motion of Senator Harris is to divide the question.

Handwritten notes: H 1 & 2, 6/2/76

1. Senator Knuppel has moved to Table that motion, a motion which
2. is not debatable. For what purpose does Senator Buzbee arise?

3. SENATOR BUZBEE:

4. Mr. President, this morning you admonished me from the
5. Chair not to snap my fingers at you, but to use my speak button.

6. PRESIDENT:

7. I saw your...

8. SENATOR BUZBEE:

9. I did that...

10. PRESIDENT:

11. ...speak button.

12. SENATOR BUZBEE:

13. I did that... ..

14. PRESIDENT:

15. Just a moment, Senator. Just a moment, Senator. I saw
16. your speak button. I also saw Senator Knuppel's speak
17. button prior to yours. I had no way of knowing what his motion
18. was going to be nor did I know what yours was going to be.

19. He has made the motion to Table. The Chair has no option except
20. to say that the motion is not debatable. Senator Buzbee.

21. SENATOR BUZBEE:

22. Mr. President, it has been the rule of this Senate the
23. four years that I have been here that anybody that wants to speak
24. on a subject, that that motion...that type of a motion is withheld
25. until that person has been allowed to speak and I am going to
26. ask for your ruling now, if you will extend that courtesy to
27. me.

28. PRESIDENT:

29. I can only extend that courtesy to you, if Senator
30. Knuppel desires to withhold his motion to Table. If he does not,
31. I have no option except to put the question. Senator Knuppel.

32. SENATOR KNUPPEL:

33. Mr. President, I'd be happy on behalf of my fellow Senator,

10/11/76
14/1/76
6/15/76

1. to withdraw the motion, but I'd like to be recognized as
2. soon as he is finished.

3. PRESIDENT:

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Thank you, Mr. President. Mr. President, yesterday
7. when this very question came up, I said that it appeared to
8. me that I was between the proverbial rock and the hard spot,
9. and that I thought that this sort of an amendment ought to stay
10. on the legislation but I didn't want to see the whole package
11. go down the tubes, and it has become even more clear to me
12. since yesterday that that very well may happen if we do not,
13. in fact, accede to the House's wishes and to withdraw the Nimrod
14. amendment which was the action of the House with House
15. Amendment No. 1 to delete the Nimrod amendment as we put on here.
16. Now, I have been told by several people that this is a cosmetic
17. bill, that it doesn't do anything, it will not have any
18. impact at all on Workmen's Compensation. I don't happen to
19. believe that. I happen to believe that in fact, it will
20. accomplish quite a bit. I would like to see this amendment
21. stay on, but due to the fact that I believe that we are now in
22. the posture for whatever reason and we all know what the
23. reasons are, but for whatever reason, that if this amendment,
24. in fact, does not come off, that the bill will never see the light
25. of day as far as becoming a law is concerned. And so for
26. that reason, I am going to withdraw my support from Senator
27. Harris' action and from Senator Nimrod's amendment and I'm
28. going to vote to Table House Amendment No. 1. Thank you,
29. Mr. President.

30. PRESIDENT:

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. At this time I move to Table Senator Harris' motion.

Handwritten notes in the top left corner: "6/28/76" and other illegible scribbles.

1. PRESIDENT:

2. Senator Knuppel moves to Table Senator Harris'...
3. just a moment, Senator, I'll get to you. Senator Knuppel
4. moves to Table Senator Harris' motion, a motion which is not
5. debatable. For what purpose does Senator Nimrod arise?

6. SENATOR NIMROD:

7. Yeah, Mr. President, I believe my light was the only...
8. probably the only other light that was on when Senator
9. Buzbee's was on and I wonder if Senator Knuppel might, as long
10. as he's extending the courtesy...

11. PRESIDENT:

12. Let me...let me say something to you, Gentlemen, I...and
13. Ladies, I have no way of knowing what anyone is going to say
14. when they stand up. As a matter-of-fact, I am certain
15. that there are members who do not know what they are going to
16. say when they stand up. All I can say to you is, when I see
17. the lights come on or I see persons seek recognition, I call
18. one of them. If that person makes a motion which shuts
19. off debate, the Chair has no recourse except to put the
20. question, except in those instances, where the person who has
21. sought to close debate, relinquishes. Now, he has relinquished
22. as far as Senator Buzbee is concerned, and if we are going to have
23. this orderly, it has to be a relinquishment by the person
24. putting the motion on all occasions. Otherwise games can be
25. played and I don't want to do that. Now, Senator Knuppel is the
26. person and the only person who could make the decision as to whether
27. or not he is going to withhold the motion until you have the
28. opportunity to speak. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Once more, out of courtesy to both sides, I will give
31. Senator Nimrod that request and I do hope, then, you will call on me
32. again to make the motion. Thank you.

33. PRESIDENT:

1870
Harris' Motion
148
6/28/76

1. I will, indeed. Senator Nimrod.

2. SENATOR NIMROD:

3. Yes, Mr. President. Thank you, Senator Knuppel.

4. I only wanted to remind the members who voted for this amendment
5. before, that this amendment was changed in wording to
6. accommodate and reach an agreement. And we accepted your
7. wording on that particular area and if it's faulty, then certainly
8. if wasn't because we presented it that way. It's because
9. we accepted the words that were changed for us and we accepted
10. the amendment because then you said you would support it.
11. Now, I hope we'd have a chance to get this on and I only
12. wanted to say that...this does get to Conference Committee,
13. at least there's a chance to get this hearing standard on.
14. And if it doesn't the worst that can happen is the bill will
15. pass without the amendment, so why should we pass it now
16. without the amendment when we have one chance, by supporting
17. Senator Harris' motion, we at least have a chance to attempt
18. to get the hearing standard on and if we were sincere when
19. we agreed to do this in the first place, then certainly we should
20. support this motion at this time, and again, thank you, Senator
21. Knuppel.

22. PRESIDENT:

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. Once again, I move to Table the motion of Senator Harris
26. with respect to division of this matter.

27. PRESIDENT:

28. Senator Knuppel moves to Table the motion of Senator
29. Harris to divide the question on the two amendments. All in favor
30. of Senator Knuppel's motion will vote Aye. Opposed will vote
31. Nay. The voting is open. Have all voted who wish? Take the
32. record. On that question the Ayes are 32, the Nays are 23, with
33. none Voting Present. The motion of Senator Knuppel to Table

11/11/1
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11/11/1
6/28/76

1. the motion of Senator Harris carries. Now, we revert
2. to Senator Savickas' motion to concur in House Amendments Numbered
3. 1 and 2 to Senate Bill 1967. All in favor will vote Aye.
4. Opposed Nay. The voting is open. Have all voted who wish?
5. Take the record. On that question the Ayes are 39, the Nays
6. are 15, with 1 Voting Present. The Senate does concur in the...
7. in House Amendments No. 1 and 2 to Senate Bill 1967, and the
8. bill having received the required constitutional majority
9. is declared passed. Senator Carroll.

10. SENATOR CARROLL:

11. Having voted on the prevailing side, I move to reconsider
12. the vote by which the Senate just took its concurrence action.

13. PRESIDENT:

14. Senator Savickas moves to Table. All in favor say Aye.
15. Opposed Nay. The Ayes have it. The motion carries. For
16. what purpose does Senator Hynes arise?

17. SENATOR HYNES:

18. Mr. President, I have a motion on the Secretary's Desk and
19. I would like to place that motion now if I might. It relates
20. to a vote that we took just a moment ago.

21. PRESIDENT:

22. Senator Hynes...read the motion, Mr. Secretary.

23. SECRETARY:

24. A Motion in Writing.

25. Having voted on the prevailing side, we do hereby
26. move to reconsider the vote by which the Senate concurred in
27. House Amendments Numbers 1, 2, 4 and 8 to Senate Bill 1608.
28. Signed by, Senators Thomas Lyons and Robert Egan.

29. PRESIDENT:

30. Thomas Hynes.

31. SECRETARY:

32. Hynes...

33. PRESIDENT:

1. Senator Hynes.

2. SENATOR HYNES:

3. Mr. President, this is the annual appropriation for the
4. Department of General Services. The House added four amend-
5. ments to that bill, and while there may be some merit to part
6. of it and conceivably at some point to all of it, I do not
7. think that those of us who have worked on the Appropriations
8. Committee on this matter had an opportunity to review it adequately,
9. and I think we are in, at least, entitled to that, and secondly,
10. I think that there are...there are some questions that...that
11. ought to be raised in the debate on it. And I would, therefore,
12. move to reconsider so as to return this matter to the...the
13. Concurrence Calendar so that it can be considered at a later
14. point.

15. PRESIDENT:

16. Any discussion on the motion? Senator Hynes moves...any
17. discussion? Senator Knuppel.

18. SENATOR KNUPPEL:

19. Well, I...I would encourage everybody to vote for this
20. motion even though it's my bill, but there...this has been on
21. the Supplemental Calendar and these amendments have been here,
22. but I certainly don't want to pass anything that I don't have
23. the support for, and if I could pass it the first time, I can
24. pass it the second time, I think, Senators, so I'll ask you to
25. support his motion.

26. PRESIDENT:

27. Senator Harris.

28. SENATOR HARRIS:

29. Thank you, Mr. President. By all means, I wish to join
30. Senator Hynes and I might add Senator Weaver. They...these two
31. men who have labored in behalf of all of us these many months
32. were, in fact, at the point this bill was concurred in, attending
33. a Conference Committee and I think it is an appropriate understanding

1. to develop that we not deal with any contingent expense appro-
2. priation bills unless these two Senators are on the Floor here-
3. after, and I...

4. PRESIDENT:

5. The point is well taken, Senator.

6. SENATOR HARRIS:

7. ...and I think...I just want to join in the motion to re-
8. consider and get the bill back before us and then hereafter
9. certainly give them an opportunity to sign on or off on these
10. concurrences.

11. PRESIDENT:

12. Senator Hynes moves that the Senate reconsider the vote
13. by which...by which Amendments 1, 2, 4 and 8 were concurred in
14. on Senate Bill 1608. Those in favor will say Aye. Opposed Nay.
15. The Ayes have it. The motion carries. The order will...the
16. bill will return to the order of concurrences. On the order of
17. nonconcurrences on the Supplemental Calendar on page 2, House
18. Bill 3403, Senator Demuzio, and I'm not sure it's on the
19. printed Calendar. We've added it here. All right. We have
20. a second...it is on the second Supplemental Calendar. May I
21. have one please? On your second Supplemental Calendar on the
22. order of nonconcurrences, House Bill 3403, Senator Demuzio.

23. SENATOR DEMUZIO:

24. Mr. President, in reference to House Bill 3403, I move that
25. the Senate refuse to recede from Amendments 1, 2, 3, 4, 5, 7 and 8
26. and ask that a Conference Committee be appointed.

27. PRESIDENT:

28. Senator Demuzio moves that the Senate refuse to recede from
29. the adoption of Amendments Numbered 1, 2, 3, 4, 5, 7 and 8 to
30. House Bill 3403 and that a Conference Committee be appointed.
31. All those in favor say Aye. Opposed Nay. The Ayes have it.
32. The motion carries, and the Secretary shall so inform the House.
33. Senator Nimrod.

1. SENATOR NIMROD:

2. Mr. President, I have patiently been waiting and I thought
3. I'd ask a question of you as when we can return to that order
4. of business from when we recessed, so we can...

5. PRESIDENT:

6. What is your question, Senator?

7. SENATOR NIMROD:

8. My question is, when do we return to that order of
9. business that which we recessed under? We were in the process
10. of an amending stage and a bill was just left that way. You
11. called for an adjournment. I was just wondering when we could
12. get back to that.

13. PRESIDENT:

14. We will be getting back to that very momentarily.

15. SENATOR NIMROD:

16. Thank you.

17. PRESIDENT:

18. What purpose does Senator Fawell seek recognition?

19. SENATOR FAWELL:

20. On the Supplemental Calendar, Senate Bill 887 is listed
21. and I would like to make a motion that we concur with the House
22. amendment in that...in regard to that bill.

23. PRESIDENT:

24. Is there discussion? Senator Fawell moves that the House
25. concurs with House Amendment No. 1 in Senate Bill 887. Any
26. discussion? The question is...Senator Fawell.

27. SENATOR FAWELL:

28. Well, I could give a brief explanation.

29. PRESIDENT:

30. Please, go right ahead.

31. SENATOR FAWELL:

32. This bill deals with annexations in regards to park districts
33. and in reference to this particular section, it merely states

1. that in order to take advantage of it, a person must reside on
2. the property and the property must be used for residential
3. purposes. There were some people who feared that commercial
4. property might be, therefore, detached from a park district.
5. I know of no opposition. Now, everyone seems to be in complete
6. accord with us, and I would move for concurrence.

7. PRESIDENT:

8. Any further discussion? Question is, shall the Senate
9. concur...may I have the number of the amendment, please? All
10. right. In House Amendment No. 1 to Senate Bill 887. Those
11. in favor will vote Aye. Opposed Nay. The voting is open.

12. (continued on next page)

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concurrance
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SB 1945

and 4

1. PRESIDENT:

2. Have all voted who wish? Take the record. On that
3. question, the Ayes are 54, the Nays are none, with none Voting
4. Present. The Senate does concur in House Amendment No. 1 to
5. Senate Bill 887 and the bill having received a constitutional
6. majority is declared passed. Senator Carroll, for what
7. purpose do you arise?

8. SENATOR CARROLL:

9. Thank you, Mr. President, on Page 2 of the Supplemental
10. Calendar, in the order of the Secretary's Desk concurrence,
11. Senate Bill 1945, I would move that the Senate do concur with
12. House Amendments No. 1 and 2 to Senate Bill 1945. 1945 was
13. a Tax Incremental Financing Act. The House amended the bill
14. to conform with the way we just passed the House Bill, so that
15. these amendments are to adopt the amendments that the Senate
16. debated and passed a couple of days ago, and I would ask for
17. the concurrence of the Senate in House Amendments No. 1 and 2.

18. PRESIDENT:

19. The question is, shall the Senate concur in adoption of
20. Amendments No. 1 and 2 to Senate Bill 1945. Those in favor will
21. vote Aye. Opposed Nay. The voting is open. Have all voted
22. who wish? Take the record. On that question, the Ayes are 37,
23. the Nays are 5, with 3 Voting Present. The Senate does concur
24. in House Amendments No. 1 and 2 to Senate Bill 1945, and the
25. bill having received a constitutional majority is declared
26. passed. Senator D'Arco.

27. SENATOR D'ARCO:

28. Thank you, Mr. President. I move that the Senate concur
29. in House Amendments 1 and 3 to Senate Bill 1881. Senate...House
30. Amendment No. 1 simply gives the local Mental Health facilities
31. the opportunity to review the application for grants from Dangerous
32. Drug Commission, and Amendment No. 3 allows the President of
33. the Nurse's Association to be appointed to the Board of the Dangerous

1. Drug Commission and I would move for the...I would move to con-
2. cur in these amendments.

3. PRESIDENT:

4. On the Supplemental Calendar page 1, under House...under
5. Senate Bill 1881, the Calendar shows House Amendments Numbered
6. 1 and 2. Strike the 2 and insert in lieu thereof 3. It is
7. House Amendments 1 and 3 that he seeks to concur in. Any
8. discussion? Senator Newhouse.

9. SENATOR NEWHOUSE:

10. Thank you, Mr. President. I had intended to talk to
11. Senator D'Arco and didn't get a chance to do so. There's one
12. amendment that...one portion of that amendment that I'd like
13. to discuss with you.

14. PRESIDENT:

15. Senator D'Arco. Take it out of the record. Senator Joyce.

16. SENATOR JOYCE:

17. Yes, Mr. President and members of the Body, on page 2 of
18. the Supplemental Calendar, regarding House Bill 3377, the House
19. refused to concur with Amendments 1 through 11 and we will
20. refuse to recede and request a Conference Committee.

21. PRESIDENT:

22. Senator Joyce moves that the Senate refuse to recede from
23. the adoption of Senate Amendments Numbered 1, 2, 3, 4, 5, 7,
24. 8, 9, 10 and 11 and that a Conference Committee be appointed.
25. All those in favor say Aye. Opposed Nay. The Ayes have it.
26. The motion carries and the Secretary shall so inform the House.
27. Senator Demuzio. Is Senator Demuzio there? No. For what
28. purpose does Senator Ozinga desire recognition?

29. SENATOR OZINGA:

30. Mr. President, as long as we're at a lull here, I would seek
31. to suspend the rules with regard to the introduction of bills.
32. On June the 24th, there were three bills introduced into this
33. Body, namely Senate Bill 2016, 2017 and 2018. I have spoken

1. with the sponsor and would wish to be added to these bills as cosponsor
2. of them
3. PRESIDENT:
4. Is leave granted? Leave is granted. For what purpose does
5. Senator Bruce seek recognition?
6. SENATOR BRUCE:
7. Yes, Mr. President, relative to page 2 of the Supplemental
8. Calendar, House Bill 3818.
9. PRESIDENT:
10. Page 2, Supplemental Calendar, House Bill 3818, Senator
11. Bruce.
12. SENATOR BRUCE:
13. Thank you, Mr. President, the Senate has refused to concur
14. with Senate Amendments No. 1 and 2. Number 1 was the Partee
15. amendment. Number 2 was the amendment offered by Senator Philip
16. relative to striking the appropriation for that vehicle re-
17. cycling board. My motion is that we refuse...that we refuse to
18. recede...that we do recede from Senate Amendments No. 1 and 2.
19. PRESIDENT:
20. Any discussion? Pardon me, Senator Davidson, you desire
21. recognition?
22. SENATOR DAVIDSON:
23. Yes. I...I think this amendment was of some interest
24. to Senator Philip and we just went to get him. He's called to
25. the phone and should be right here before we make a motion on
26. this.
27. PRESIDENT:
28. Senator Bruce, do you want to wait until he finishes his phone call
29. or...
30. SENATOR BRUCE:
31. Yes. Oh...
32. PRESIDENT:
33. ...just pass it?

1. SENATOR BRUCE:
2. ...let's wait till Senator Philip is on the Floor. I
3. ...he was here when I...
4. PRESIDENT:
5. All right, let's pass it then. Take it out of the record.
6. Did Senator Demuzio return? For what purpose does Senator
7. Moore arise?
8. SENATOR MOORE:
9. On a point of personal privilege, Mr. President.
10. PRESIDENT:
11. State your point.
12. SENATOR MOORE:
13. Seated in the President's Gallery the wife of one of
14. our colleagues, Mrs. Frank Ozinga. She, too, is down here
15. celebrating her twentieth honeymoon, because each time this
16. year the Senator is in Session and I would like her to raise
17. ...or to stand up and be recognized by the Senate.
18. PRESIDENT:
19. Will she please stand and be recognized by the Senate.
20. Senator Bruce, I understand Senator Philip has finished his
21. conversation now and...
22. SENATOR BRUCE:
23. Yes, Mr. President. My motion is then on House Bill 3818
24. that the Senate recede from Amendments No. 1 and 2 to that
25. House Bill. That should read House Bill 3818.
26. PRESIDENT:
27. Senator Philip.
28. SENATOR PHILIP:
29. Did he say Senate Amendment 1 and 2?
30. PRESIDENT:
31. Senator Bruce.
32. SENATOR BRUCE:
33. Yes, I did. That we would recede from both of those amendments.

1. I...I've explained them one time, but I will gladly explain
2. them again. The first amendment was the Partee amendment.
3. These are three separate agencies, none of which are so in-
4. volved that we have great fear of the Vehicle Recycling Board,
5. the State Civil Service Commission and the State Employees Retirement
6. Board, one of those is a legislative created commission,
7. and Amendment No. 2 was by Senator Philip to...to delete
8. in its entirety the appropriation for the Vehicle Recycling Board. The House
9. has refused to concur with that amendment. They are, I
10. understand, adamant in the position that this agency
11. would be funded. It is the agency which will control junk
12. automobiles in the State and my motion then is that the Senate
13. recede from Amendments No. 1 and 2.

14. PRESIDENT:

15. Senator Philip.

16. SENATOR PHILIP:

17. Thank you, Mr. President. Of course, I'm going to
18. object to this motion, and might remind the Body of two things.
19. The Vehicle Recycling Board has been in so-called operation
20. since 1973. To this date, it does not have a plan. We
21. checked...we...we questioned the executive director of that
22. agency. They have no plan, number one. Number two, they have
23. yet to pick up one car to be recycled. As you're probably
24. aware now, the statute,..in the statutes, the county sheriff
25. or the city police or the State Police can pick up cars now
26. and tow them off the highway. So, this whole recycling board
27. is useless, needless and I would resist this motion.

28. PRESIDENT:

29. Any further discussion? Senator Bruce may close the debate.

30. SENATOR BRUCE:

31. Roll call.

32. PRESIDENT:

33. Senator Nudelman.

1. SENATOR NUDELMAN:

2. I hate to snap my fingers, Senator, but my light is
3. flickering. I still don't know what the first amendment
4. is. I don't know what the so-called Partee amendment is,
5. and if I am sure that if Senator Partee, in fact, puts an
6. amendment on a bill, it shouldn't be taken so lightly as to be
7. cursorily explained in that manner. I would appreciate an
8. explanation of what the Partee amendment is.

9. PRESIDENT:

10. Senator Bruce.

11. SENATOR BRUCE:

12. Well, thank you, Senator Nudelman. It's been discussed
13. here by so many, that it just limits the amount of appropriation
14. to fifty percent between July 1 and December 30th of this year
15. and has been placed uniformly on all appropriations, I think, by
16. Senator Partee. I think he is a member of the Body and that's
17. why it was referred to as the Partee amendment. We've put those
18. on some one hundred appropriation bills at this point and I
19. apologize for the cursory explanation. These are three very
20. small separate agencies and the feeling was that rather than go into
21. a Conference Committee, the better light might be to just to
22. recede on that one amendment on these three very small agencies.

23. PRESIDENT:

24. The question is, shall the Senate recede from Amendments No. 1 and
25. 2 to House Bill 3818? Those in favor will vote Aye. Those
26. opposed will vote Nay. The voting is open. Have all voted who
27. wish? Take the record. On this question, the Ayes are 22, the
28. Nays are 29, with 1 Voting Present. The Senate refuses to recede
29. from the adoption of the Amendments No. 1 and 2 to House Bill
30. 3818, and the Secretary shall so inform the House. Senator Hynes.

31. SENATOR HYNES:

32. On a point of personal privilege. I would like to explain
33. my personal vote...my present vote. I wished to support Senator

1. Bruce in his motion to recede from Amendment No. 2, but I
2. opposed him in his motion to recede from Amendment No. 1, and
3. therefore, I took the middle ground and voted Present.

4. PRESIDENT:

5. Senator Bruce, I take it that you wish to ask that a
6. conference committee be appointed. Well, all right. Senator
7. Ozinga, for what purpose do you seek recognition?

8. SENATOR OZINGA:

9. A matter of personal privilege, Mr. President,

10. PRESIDENT:

11. State your point, Senator.

12. SENATOR OZINGA:

13. As soon as Senator Moore took advantage of recognizing
14. Grandma up in the balcony, why in walks her two grandchildren
15. to give her a little bit of assistance together with my son
16. and his wife. So, I'd like them to stand and be recognized.
17. He is the Superintendent and the principal of the Winchester
18. Schools.

19. PRESIDENT:

20. Will they please stand and be recognized by the Senate?
21. Senator Bruce.

22. SENATOR BRUCE:

23. I was reminded by the Parliamentarian that we do not have
24. joint rules. In fact, it is not automatic and I would move
25. then that the Senate having failed to recede from those two
26. amendments that the House be so informed and that a Conference
27. Committee be appointed.

28. PRESIDENT:

29. You've heard the motion. All in favor say Aye. Opposed
30. Nay. The Ayes have it. Motion carries. (machine cutoff) get
31. back to Senator Nimrod's, but he isn't here at the moment.
32. There is a bill, and I've asked...been asked about on the order
33. of House Bills on 3rd reading, House Bill 3637, Senator Daley.

HB 3637
6/28
3rd

1. SECRETARY:

2. House Bill 3637

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Daley.

7. SENATOR DALEY:

8. Mr. President and fellow Senators, when the bill was
9. called, I was off the Floor in a Conference Committee and in
10. turn I informed the President to call the bill as soon as
11. possible. This adds...the purpose of the amendment
12. amendment is to extend to university related non-for-profit
13. institutions located on or adjacent to a campus the right
14. to finance new buildings or additions under the...under the
15. Illinois Education Facilities Authority Act as passed out of
16. the House. It's Representative Shea's bill. It will help to
17. develop in or around university industrial complexes. I'd
18. ask for a favorable roll call.

19. PRESIDENT:

20. Any further discussion? Senator Buzbee.

21. SENATOR BUZBEE:

22. I was going for the speak button, Mr. President. My fingers
23. just happened to come together and made a popping noise, other-
24. wise I would not have...would not have done that. I noticed
25. that this bill has...has...is on our calendar without reference
26. to the Education Committee, and it seems to me that this is a
27. ...perhaps a rather important thing that we're doing here, and
28. what I'm really saying is that I don't have any idea what the
29. bill is all about, and I'd like to have just a little bit more
30. thorough explanation if possible.

31. PRESIDENT:

32. Senator Shapiro.

33. SENATOR SHAPIRO:

1. Mr. President and Ladies and Gentlemen of the Senate,
2. this bill is a perfectly good bill and I support it wholeheartedly.
3. It...all it allows ...are private institutions throughout the State
4. to use the existing authority they have to gain access to a
5. property adjacent to that campus that is not institution property.
6. Now, the specific case for which this bill is needed is the
7. University of Chicago, who is attempting to gain a...a library,
8. a Federally funded library, which will be called the national
9. depositories, a national library and archives. The only way
10. you can gain this library and gain the necessary funding through
11. the Educational Facilities Authority is to pass this bill.
12. There are no State funds involved in it. It will allow the
13. University of Chicago to raise its own funds in order to attract
14. this Federal institution and I would urge everyone to join
15. Senator Daley in voting for the bill.

16. PRESIDENT:

17. The Chair would add that there...there was a rather extended
18. debate on this question when it was on the amendment stage and
19. there many, many explanations given. Any further discussion?
20. Question is...Senator Berning.

21. SENATOR BERNING:

22. Thank you, Mr. President. I...I just thought it was worthy
23. of note in passing that out of twenty-one bills on 3rd...House 3rd
24. reading on our Calendar, fifteen of them are there without
25. reference. It does not necessarily reflect to our good judgement.

26. PRESIDENT:

27. Including some of yours, Senator? The question is, shall
28. House Bill...no, no...yes...the question is, shall House Bill
29. 3637 pass? Those in favor vote Aye. Opposed Nay. The voting
30. is open. Feeling better? Have all voted who wish? Have all
31. voted who wish? Take the record. On that question, the Ayes
32. are 50, the Nays are 1, with 3 Voting Present. House Bill 3637
33. having received a constitutional majority is declared passed.

1. On the order of House Bills on 3rd reading, House Bill 3891,
2. Senator Netsch. Senator Netsch is asking leave to return the
3. bill to the order of 2nd reading for the purpose of amendment.
4. Is leave granted? Leave is granted. House Bill 3891 is on
5. the order of 2nd reading. Senator Netsch.

6. SECRETARY:

7. Amendment No. 1 offered by Senator Netsch.

8. SENATOR NETSCH:

9. It's actually a combination of Senator Fawell and myself
10. putting together all the recommendations of the committee,
11. and because they...the major portion of it was his, he was
12. going to offer the amendment. Senator Fawell, I defer to
13. you.

14. PRESIDENT:

15. Senator Fawell.

16. SENATOR FAWELL:

17. Well, Mr. President and members of the Senate, what this
18. amendment does is to set forth an appeal procedure by an
19. aggrieved licensee who has been ordered to close a nursing home.
20. It was the feeling of the Public Welfare Committee that the
21. bill, as given to the committee, did not provide due process
22. procedure, so that in those cases where it may be an arbitrary
23. action by the department, the licensee would have the right
24. to go immediately into court and seek an injunction and the court
25. would then determine whether or not the grounds as specified in
26. the Act do exist. I think with this amendment that the bill is
27. in proper form and I would support the adoption of the amendment.

28. PRESIDENT:

29. Any further discussion? Senator Netsch.

30. SENATOR NETSCH:

31. Thank you. I would just like to support Senator Fawell's
32. comments, and add to it that one of the other points that was
33. brought up by members of the committee was that a...it ought to be

H 33830

2nd reading
6-28-70

1. possible to close part of a nursing home. As a matter-of-fact,
2. Senator Ozinga, I think this was particularly your point that
3. ...that you wanted the statute made clear that a part of a
4. nursing home could be closed rather than the whole nursing
5. home, because in some cases there might be simply a floor
6. or a wing that was in unhealthy or unsafe condition but not
7. the rest of it. So, we have also changed the language to make
8. clear that that...that, too, could take place, so that with all
9. of these provisions, I think that it is clear that the bill
10. says now what the committee wanted it to say, and I would
11. support Senator Fawell's...let's see what's he moving to adopt...
12. the amendment, I guess.

13. PRESIDENT:

14. Yes, he is.

15. SENATOR NETSCH:

16. I would support that motion. Thank you.

17. PRESIDENT:

18. Any further discussion? Senator Fawell moves the adoption
19. of Amendment No. 1 to House Bill 3891. Those in favor will say
20. Aye. Opposed Nay. The Ayes have it. The amendment is adopted.
21. Any further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDENT:

25. 3rd reading. House Bill 3830. It is on the order of 2nd
26. reading. It is at the stage of Amendment No. 4, so by way of
27. bringing us back into the position we were, is Senator Carroll on
28. the Floor? Senator Rock.

29. SENATOR ROCK:

30. When we left this order of business, I think I was approximately
31. in mid sentence...and I think Mr. President, if the Body will recall,
32. I had Senator Nimrod in the position of attempting to respond to
33. a question related to the written missal he caused to be put on

1. everybody's desk this morning and it said the second amendment
2. is strictly technical and takes care of an Enrolling and Engrossing
3. problems caused by the adoption of several House amendments.
4. My question was, it seems to me at...at the point at which we did,
5. in fact, recess, do those problems still exist?
6. PRESIDENT:
7. Senator Nimrod.
8. SENATOR NIMROD:
9. Well, Senator Rock, if they existed before, they certainly
10. exist now, but what I was telling you was that we're on a
11. different amendment and if you wanted to discuss that particular
12. amendment with me, I was happy to do it. But I think right now
13. we're on a different amendment and I...I think we ought to
14. address ourselves to that before we start going back to this
15. other one.
16. PRESIDENT:
17. We're on Amendment No. 4 offered by Senator Carroll.
18. Senator Knuppel, for what purpose do you arise?
19. SENATOR KNUPPEL:
20. Well, now have...are we on 4 and has it been presented?
21. PRESIDENT:
22. It's about to be presented at the moment.
23. SENATOR KNUPPEL:
24. All right, I want to speak on it.
25. PRESIDENT:
26. Well, it has been presented, but we...I thought we would
27. just like to have a rerun, so everybody would know precisely where
28. we were. Senator Carroll, for the rerun.
29. SENATOR CARROLL:
30. Why, thank you, Mr. President. I'll attempt to reconstruct
31. my remarks of earlier this morning. Very simple amendment.
32. Changes from one thousand to three thousand the population figure
33. for assessing districts. Purpose of this and I am member of that

1. Property Tax Commission, was that in order to adequately assess
2. the work of the assessor, you must have at least so many sales
3. in any assessing district to know whether or not the man has
4. been properly doing his job. They use a phrase coefficient of
5. dispersion generally related to the median of assessments as
6. Senator Brady asked me about before. And the point is, unless
7. there are twenty-five sales per year, there is no legitimate
8. way to adequately determine whether or not an assessor has
9. done his job. We are told by the department and by those who
10. deal in this area of government that you cannot get twenty-five
11. sales without at least three thousand in population. So, if
12. we are going to be honest and sincere in our efforts to reform
13. property taxation, and honest and sincere in our efforts to
14. make sure that township assessors are doing their job, we must
15. have an adequate number of population in the assessing district
16. so that we may know that they have or have not been using the
17. proper procedures to come up with the proper coefficient of
18. dispersion so that we may adequately assess a multiplier. I
19. would ask for adoption of this amendment.

20. PRESIDENT:

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Mr. President and members of the Body, to affix this
24. standard at this number in some areas of downstate Illinois
25. where population is so sparse that the chickens sleep with the
26. hoot owls and where you have to use a swinging vine to get in,
27. would doom this bill to defeat. We have large areas in downstate
28. Illinois where it would be very difficult to secure a...a
29. district of this population and yet there are many, many parcels
30. it...in those sections. This bill...and I think that's why this
31. amendment may be offered. I don't want to impune the Senator's
32. motive, but it may be to try to kill this legislation. I would,
33. therefore, tell you that there is no way that you will be able

1. to find assessors nor to have this bill work in downstate Illinois with
2. this high a population. Several counties don't have more than
3. six thousand population and many times most of those live in the
4. ...in the county seat. I think even in counties such as Cass
5. County where I live, they have fifteen thousand people, but
6. approximately ten thousand of those people live in the western
7. areas of Cass County or live maybe in Chandlerville where there's
8. a village or Virginia or Ashland leaving all of the rest...
9. leaving all of the rest of the county to be assessed by one assessor.
10. It'd be very difficult to get districts of this size where with one
11. thousand you can make reasonable sized assessment districts and
12. thereby if this bill can become law, you can cut down the total
13. number of assessors, you can make some meaningful progress with
14. this legislation toward reorganizing assessment procedures in
15. downstate Illinois.

16. PRESIDENT:

17. Senator...

18. SENATOR KNUPPEL:

19. And as I understand it, this bill doesn't apply to Chicago
20. anyway, and I would appeal to you...those of you who are from
21. Chicago that we've kind of followed a pattern here you know, that
22. if it affects Cook County and doesn't affect downstate, I'll
23. go along with you guys, but if it...if it affects downstate and
24. doesn't affect Chicago, I'd like for you to keep your grubby
25. hands off.

26. PRESIDENT:

27. ...How to win and...how to win friends and influence votes.
28. Senator Glass.

29. SENATOR GLASS:

30. If I may, Mr. President, I'd like to ask Senator Carroll
31. a question.

32. PRESIDENT:

33. He indicates he'll yield.

1. SENATOR GLASS:
2. Senator Carroll, does...is the coefficient of dispersion
3. related to the coefficient of friction?
4. PRESIDENT:
5. Senator Carroll.
6. SENATOR CARROLL:
7. Until your hands are ungrubby being from the County of
8. Cook, I don't it would be proper to answer that. No, it does
9. not. The coefficient of friction if you want an explanation is
10. different from the coefficient of dispersion,
11. PRESIDENT:
12. Senator Glass.
13. SENATOR GLASS:
14. Thank you, Mr. President. Thank you, Senator Carroll.
15. Well, grubby hands or not, I agree with Senator Knuppel and
16. this amendment should be defeated.
17. PRESIDENT:
18. Any further discussion? Senator Palmer.
19. SENATOR PALMER:
20. (machine cutoff)this. Will Senator Carroll answer a
21. question?
22. PRESIDENT:
23. Senator Carroll. Yes, he says he will.
24. SENATOR PALMER:
25. Senator Carroll, how does this co...coefficient dispersion
26. relate to the fundamental psychological phenomena?
27. PRESIDENT:
28. ...Doctor Carroll.
29. SENATOR CARROLL:
30. Senator Palmer, I think you should talk to your private
31. counselor about that.
32. PRESIDENT:
33. Senator Clarke...oh, Senator...Senator, had you finished
34. Senator Palmer?

1. SENATOR PALMER:

2. I have to consult with...

3. PRESIDENT:

4. I say that you have.

5. SENATOR PALMER:

6. ...Walter and I would like to return.

7. PRESIDENT:

8. Senator Clarke.

9. SENATOR CLARKE:

10. Mr. President and members of the Senate, I think that this
11. pertains to a very interesting situation that developed over
12. the past year, because when we started working on this proposition,
13. obviously there is tremendous resistance among the assessors
14. over the State. We have worked out a compromise, and it is a
15. admitting a compromise, to the extent that the great majority of
16. the assessors, those that are active, those that are on the job,
17. are supporting this bill as it came over here with a thousand
18. population, and this was an issue that was a point and was
19. debated privately and in meetings for over a year. So, that the
20. miracle I speak of is the fact that we should even have support
21. at all from people in the assessing field which we do have at
22. the thousand population. I would like to take some issue though,
23. because I think that there's conflicting testimony as to what is
24. necessary in terms of size in order to judge. I think that an
25. assessor from northern Illinois had this figure that it took
26. three thousand, Mr. Hair. I've never heard that from the
27. department and I think it can be done and this is certainly
28. far better than nothing. I support opposition to this amendment.

29. PRESIDENT:

30. Any further discussion? Senator Nimrod.

31. SENATOR NIMROD:

32. Yes, Mr. President, I...I think that Senator Knuppel certainly
33. explained the case as it pertains to downstate, and I do want to

1. call your attention to a fact that this bill does not apply to
2. Cook County and does not apply to St. Clair. Now, that's
3. because they're exempt because they have the county board of
4. appeals. Now, what we're saying here is that instead of taking
5. care of the undersized townships with this problem which was
6. intended with the bill, what we, in fact, will be doing is
7. eliminating some eleven hundred...approximately eleven hundred
8. assessors throughout this State, and that is certainly the
9. problem...must be the reason or the purpose to get it back.
10. There's been adequate discussion. There certainly has been a
11. great number of hearings that have been held throughout the State
12. and certainly this...this particular issue was brought up in
13. committee and it was defeated 7 to 2 in committee and certainly
14. was reached as a compromise, as Senator Clarke has said, and
15. I would urge all members to resist this amendment.

16. PRESIDENT:

17. No, Senator Latherow sought recognition.

18. SENATOR LATHEROW:

19. Well, thank you, Mr. President, I just wanted the member-
20. ship to recognize if they believe in Senator Knuppel's state-
21. ment, I'd like for them to look at the membership on the
22. commission.

23. PRESIDENT:

24. Senator Carroll may close the debate.

25. SENATOR CARROLL:

26. Thank you, Mr. President, I will close it by just reiterating
27. a few facts. First of all, Senator Clarke, you may not have
28. been at one of the meetings where the department testified as
29. to the number parcels necessary to get an adequate figure.
30. Secondly, it is not an attempt to scuttle this legislation,
31. but rather to say...rather than that this legislature shall bow
32. to political pressure in an area where we are attempting to do
33. away with political pressure. That's the speech we have always

1. heard and one that I happen to agree with. If assessors are
2. to be taken out of the political process and do away with
3. political pressure, let's at least, at least give those who
4. are looking over the shoulder an adequate number, an adequate
5. number of parcels to look over the shoulder about. If you don't
6. want to give the information to the people you're asking to
7. give it to, fine. If you want to be legitimate in this approach
8. and say here is an actual standard to go by, this amendment should
9. be adopted.

10. PRESIDENT:

11. The question is on the adoption of Amendment No. 4. All
12. in favor will say Aye. Roll call is requested. A roll call is
13. requested on the adoption of Amendment No. 4 to House Bill 3830.
14. All in favor vote Aye. Opposed vote Nay. The voting is open.
15. Have all voted who wish? Take the record. On this question,
16. the Ayes are 18, the Nays are 30, with 1 Voting Present. Amend-
17. ment No. 4 fails. Any further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDENT:

21. 3rd reading. House Bill 3891, Senator Netsch. That is
22. the one that you and Senator Fawell just amended. Would you
23. like to call it now for passage? Read the bill.

24. SECRETARY:

25. House Bill 3891

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Netsch.

30. SENATOR NETSCH:

31. Thank you, Mr. President. This bill which is now in the
32. form that incorporates all the suggestions of the Senate Committee
33. on Health, Welfare and Corrections would in effect allow the

1. closing of nursing homes under fairly limited conditions. The
2. primary one of which is not only a violation of any rule or
3. regulation of the department governing nursing homes, but also
4. where...and I'm quoting, the continued violation constitutes an
5. imminent and serious threat to the health or safety of residents
6. in that home. As the bill is now amended, it would also permit
7. a closing only of that part which constituted the imminent and
8. serious threat to the health or safety of a residence. There
9. is a second provision which says that where the threat is only
10. to a particular patient. For example, where that patient is
11. being given treatment that is a threat to the health or safety
12. of that patient, the department may move to remove only that
13. patient and not to close the entire home. As the bill has now
14. been amended at Senator Fawell's suggestion and Senator Moore's
15. suggestion, it does, I think, provide very adequate due process
16. standards. The notice to the nursing home is now a ten day
17. notice before the actual closure can take place. That allows
18. ample time for the matter to be taken to court. There are very
19. specific provisions which allow the court to hear the state-
20. ment preliminarily and to issue an injunction to prevent the
21. closure where it is not justified, where there is no basis, in
22. fact, or it is based on arbitrary or capricious action or where
23. otherwise an injunction standard has not been met. I'm
24. sorry, it has been met. So, that there are...we have now a
25. combination of an adequate tool in the hands of the Department
26. of Public Health to move in where people are genuinely threatened
27. by conditions in nursing homes and counter balanced adequate
28. due process safeguards to the nursing homes, so that they will
29. not be subjected to the possibility of totally unwarranted action.
30. As the bill is, we think it is in good form. We think it
31. provides a very important tool in the hands of the Department
32. of Public Health and I would seek support of it.

33. PRESIDENT:

1. Just before Senator Schaffer, let me tell our guests in
2. the gallery that the rules of the Senate do not permit the
3. taking of pictures unless consent has been given. Senator
4. Schaffer.

5. SENATOR SCHAFFER:

6. Briefly, Mr. President, this is a good bill. The amendment
7. makes it a better bill. This bill should be passed. It'd give the
8. Department of Public Health, I think, a valuable tool to police
9. the nursing home industry and I believe that their association
10. is...was willing to support the bill before the amendment and
11. with the amendment, from the their point of view, it's even
12. better.

13. PRESIDENT:

14. Any further discussion? The question is, shall House Bill
15. 3891 pass? Those in favor will vote Aye. Opposed will vote
16. Nay. Just a moment, Senator Nudelman.

17. SENATOR NUDELMAN:

18. My light is flashing, Mr. President.

19. PRESIDENT:

20. It is now, yes. Senator Nudelman.

21. SENATOR NUDELMAN:

22. Thank you, Mr. President. It was flashing then too.

23. PRESIDENT:

24. Not here. Senator Nudelman is recognized.

25. SENATOR NUDELMAN:

26. Then something is wrong with the system...

27. PRESIDENT:

28. Senator Nudelman is recognized....

29. SENATOR NUDELMAN:

30. ...and I think the Chair...

31. PRESIDENT:

32. ...if he cares to speak to this question.

33. SENATOR NUDELMAN:

34. ...should seek to...should seek to repair it.

1. I have two problems with this bill. One of my problems with
2. the bill is that under Section B the director can remove all
3. of the patients. The language is so loosely drawn from the
4. particular facility and thus effectively accomplishing by
5. Section B what it could not accomplish by Section A without
6. the ten day notice. My second concern with the bill is why
7. do we put the shoe on the foot of the facility and why not put
8. it on...the shoe on the foot of the department inasmuch as
9. we have a ten day provision. In any event the place can't
10. be closed for ten day, and why shouldn't the burden of in-
11. stituting the court action and showing due cause be put on the
12. department to go into court and say, this is an unsafe home
13. and should be closed. I don't think it's proper that in we should
14. separate this type of a...of a business from any other type of
15. a business and put the burden on them to prove that they are
16. safe where in all other instances, the government is required
17. to go into court to seek the closing or other remedy of a...of
18. a...an unreasonable situation. I think there are two problems
19. with this bill which...which the amendment has not cured, and
20. I would urge the defeat of the legislation.

21. PRESIDENT:

22. Question is, shall House Bill 3891 pass? Those in favor...
23. pardon. Senator Netsch, for what purpose do you arise?

24. SENATOR NETSCH:

25. I'm sorry, don't I get to close the debate, then, since
26. the debate was not closed?

27. PRESIDENT:

28. The debate had been closed. You had made a...your....your
29. speech and then Senator Nudelman, I had not seen was recognized.
30. I suppose on...in fairness you get a chance to reclose the debate.
31. Senator Netsch.

32. SENATOR NETSCH:

33. Thank you. I just wanted to respond briefly to the...the

1. point that was raised by Senator Nudelman as I heard it. The
2. burden of proof still is on the department when they go into
3. court, Senator Nudelman. It is true that the burden of initiating
4. that court action is on the licensee, but proof is on...still
5. on the department. I think that is totally justified under the
6. circumstances. What we are talking about is an initial finding
7. on the...on the part of the Department of Public Health that
8. there is a continuing imminent threat to health and safety. It
9. seems to me under those circumstances that is perfectly fair
10. to, in effect, reverse the...the burden of initiating action
11. so long as the department still carries the burden of proof.
12. What we are seeking really is not a...an action which the
13. department expects or hopes to use very often, but a tool
14. in its hand so that it can help to bring about compliance with
15. health and safety standards. It is health and safety standards
16. in nursing homes where the people themselves are not able really
17. to respond adequately to oppressive conditions that we are after.
18. I think under those circumstances it is entirely justified.

19. PRESIDENT:

20. Does Senator Rock seek recognition?

21. SENATOR ROCK:

22. No. Really, I...then we'd just have to hear Senator Netsh
23. close again. I'm not sure how much of this I can stand.

24. PRESIDENT:

25. The question is, shall House Bill 3891 pass? Those in
26. favor vote Aye. Opposed Nay. The voting is open. Have all
27. voted who wish? Take the record. Postponed Consideration
28. requested. 3903. Senator Weaver and Senator Hynes on the Floor?
29. We'll hold that one a minute. House Bill 3918, Senator Schaffer,
30. just before you...you...you start, Senator Schaffer, let me make
31. the announcement that it's the intention of the Chair for the
32. Senate to take a break at five-thirty and return at seven-thirty
33. so that you will not make any other arrangements contrary to the

1. time you're going to be away from here. Senator Schaffer.

2. SENATOR SCHAFFER:

3. Mr. President, I hadn't planned on speaking until five-thirty,

4. so wasn't necessary. House Bill 3918 is fairly...

5. PRESIDENT:

6. Read the bill.

7. SECRETARY:

8. House Bill 3918

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. No, Senator Schaffer, you always speak to the point. I

13. was just making the announcement, so that nobody would order

14. something in the intervening period. You may continue.

15. SENATOR SCHAFFER:

16. Thank you, Mr. President. This bill simply provides...it

17. amends the Park District Code and provides that the Act does

18. not prohibit the leasing of golf courses, tennis, handball courts,

19. et cetera, to units of local government or school districts

20. before the outstanding bonds are retired. This bill comes

21. about on the advice on Bond Council and is supported by the

22. Park District Association. I know of no opposition. Be happy

23. to answer any questions.

24. PRESIDENT:

25. Any further discussion? Question is, shall House Bill 3918

26. pass? Those in favor vote Aye. Opposed Nay. The voting is open.

27. Have all voted who wish? Take the record. On that question,

28. the Ayes are 43, the Nays are none, with three Voting Present.

29. House Bill 3918 having received a constitutional majority is

30. declared passed. Senator Daley, for what purpose do you arise?

31. SENATOR DALEY:

32. It's in regards to House Bill 3560. I'd like to bring

33. House Bill 3560 back to 2nd reading for an amendment....

1. PRESIDENT:
2. Is leave granted?
3. SENATOR DALEY:
4. ...Is Senator Harris...
5. PRESIDENT:
6. Leave is granted. House Bill 3560 is now on the order of
7. 2nd reading. Who has the amendment?
8. SECRETARY:
9. Amendment No. 1 offered by Senator Harris.
10. PRESIDENT:
11. Senator Harris. Oh, he's not on the Floor. We'll just
12. leave it on 2nd reading until he gets back and he'll offer it.
13. House Bill 3533, Senator Kenneth Hall. Read the bill. We're
14. on House Bills on 2nd now. 3533, Senator Kenneth Hall.
15. SECRETARY:
16. House Bill 3533
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. House Bill
21. 3534, Senator Kenny Hall.
22. SECRETARY:
23. House Bill 3534
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. House Bill
28. 3831, Senator Carroll. Why, then would you like to Table it
29. or...or...recomit it or what? 'Cause it is...you know it is on
30. 2nd reading now today? You understand it? All right. Senator
31. Daley.
32. SENATOR DALEY:
33. Mr. President, in regards to House Bill 3560, I'll offer the

1. amendment.

2. PRESIDENT:

3. All right, explain the amendment. We can...anybody...any
4. discussion on the amendment? It's amendment number what? 1?

5. SECRETARY:

6. Amendment No. 1.

7. SENATOR DALEY:

8. What the amendment does, it takes care of the objections
9. by the Secretary of State. What it does, it protects the
10. purchasers of...of securities in regards to a urban development
11. area of cities under fifty thousand. It...it protects the
12. purchasers and it only pertains to a population of cities under
13. fifty thousand in regards to the...the Secretary of State
14. wrote the amendment up.

15. PRESIDENT:

16. Senator Daley moves the adoption of Amendment No. 1 to
17. House Bill 3560. All in favor will say Aye. Opposed Nay. The
18. Ayes have it. Amendment No. 1 is adopted. Any further amend-
19. ments? 3rd reading. Senator Lane.

20. SENATOR LANE:

21. I'm just wondering, is this Thursday, Mr. President?

22. PRESIDENT:

23. Yeah...

24. SENATOR LANE:

25. I'd like to address House Bill 3721, 3rd reading.

26. PRESIDENT:

27. 3721 on the order of 3rd reading. Senator Lane. Did we
28. move the bill back to 2nd? Is it on 2nd now? So then, Senator
29. Lane seeks leave to take House Bill 3721 to the...it's been amended.
30. Then we moved it back to 3rd? Fine. Read the bill.

31. SECRETARY:

32. House Bill 3721.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Lane.

4. SENATOR LANE:

5. Thank you, Mr. President and members of the Senate. The
6. concept...the concept of the bill is to offset revenue problems
7. in school districts where local assessment base unexpectedly
8. increased for the '75-'76 school year. This bill would assist
9. some one hundred school districts in seventy-seven counties,
10. including Cook. This bill was originally intended to be an
11. amendment to the School Aid Formula, House Bill 3518. It
12. lost in the shuffle. It would take care of some twenty-two
13. districts in Cook County...in suburban Cook County. I ask for
14. your favorable consideration.

15. PRESIDENT:

16. Any further discussion? Senator Glass.

17. SENATOR GLASS:

18. I'm having a hard time finding the bill and...and I wonder
19. if we could...could have a...this question answered, Senator
20. Lane? Is this sort of a hold-harmless bill? Is it similar
21. to House Bill 20...2868 from a couple of years ago that in
22. effect says that districts get the same amount of money they did
23. in the previous year regardless of whether their tax equalized
24. assessments declined?

25. PRESIDENT:

26. Senator Lane.

27. SENATOR LANE:

28. Senator Glass, this bill is more or less a correction of
29. House Bill 2868. 2868 created a problem for the school districts
30. and this is to more or less ease the pain.

31. PRESIDENT:

32. Are you finished Senator Glass?

33. SENATOR GLASS:

1. I'm finished. I...

2. PRESIDENT:

3. Senator Fawell.

4. SENATOR FAWELL:

5. Senator, what is the cost of this bill?

6. PRESIDENT:

7. Senator Lane.

8. SENATOR LANE:

9. The cost is approximately six million dollars.

10. PRESIDENT:

11. Senator Fawell.

12. SENATOR FAWELL:

13. Mr. President, I rise in opposition to the bill. Undoubtedly,

14. there are a number of districts in my Senatorial district which

15. would profit by this, but what we are doing is to say to these

16. school districts that insofar as the 1974 levy is concerned, the

17. fact that you failed to make a higher levy, does not work to

18. your detriment. You can go back and look at your 1973 levies,

19. and if your 1973 levies are higher for purposes of determining

20. the operating tax rate in the resource equalizer formula, you

21. may choose those operating tax rates and thus be able to get more

22. State aid. What we're talking about here then is just another

23. package of six million dollars from the General Revenue Fund in

24. order to finance our common schools, and that's just going to mean

25. that the formula is that much more conditioned and there's going

26. to be that much less money for other districts. Now, each year

27. a school district under the resource equalizer formula is held

28. to its particular operating tax rate in '74. These are taxes

29. that are collected in '75, thus they affect the '75-'76 fiscal

30. year, and it's something that, Ladies and Gentlemen, we simply cannot

31. afford. Again, I...I'm confident that there are school districts

32. in my legislative district that did not go ahead and levy in

33. 1974 as much as when they reviewed the assessment valuation

1. available and the tax rates, they could have levied, but if
2. we continue to do things like this, that formula is going to
3. be so screwed up that we won't know if we're coming or going,
4. and we just cannot afford another six million dollars for
5. certain school districts, and I, therefore, rise in opposition
6. to the bill.

7. PRESIDENT:

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Well, Mr. President, this is a bill that again comes to
11. the Floor without reference to committee, and I know I personally
12. have been involved in conversations concerning the School Aid
13. Formula for at least...daily conversations for at least eight
14. or nine weeks. I'd at no time recalled hearing anything about
15. this. I am sure my good friend Senator Lane's intentions are
16. ...are good ones in that he's trying to help correct a problem.
17. But here it is the day that we were supposed to get out of Session,
18. and we're called upon to vote upon a bill such as this that has
19. never been referred to committee, and as Senator Fawell says,
20. could have a major impact on the School Aid Formula, and it
21. just seems to me that this is the sort of thing we ought wait
22. to do until sometime in the future when we have more time to
23. consider what we're doing. Let's don't mess up the School Aid
24. Formula anymore, and then see if there's some way we correct
25. this particular problem, but to bring it down here the...the
26. ...the last or the next to the last or two days before the last
27. day of Session without reference, it seems to me is a bad way
28. to go and I...I just don't believe that those of us in...in
29. downstate schools...downstate areas that have schools that are
30. ...we're concerned about the School Aid Formula that we ought to
31. be changing around anymore until we can see at least one more
32. computer printout and see what impact it will have on the...on
33. the whole financial picture. I would...I would rise also in

1. opposition to this bill. Out of pure ignorance, if nothing
2. else.

3. PRESIDENT:

4. Any further discussion? Senator Lane may close the debate.

5. SENATOR LANE:

6. Getting back to the number of districts this does affect,
7. this does help out one hundred districts and I know in suburban
8. Cook County we're going to need help, if not for the upcoming
9. budget period for the...the following one, and that's where this,
10. I think, will more or less correct the foul up that we do have
11. in the School Aid Formula at this time. I ask for your favorable
12. consideration.

13. PRESIDENT:

14. Question is, shall House Bill 3721 pass? Those in favor
15. vote Aye. Opposed Nay. The voting is open. Have all voted
16. who wish? Take the record. Senator D'Arco, for what purpose
17. do you arise?

18. SENATOR D'ARCO:

19. (machine cut off) House Bill 3721 pass?

20. PRESIDENT:

21. There's been a request for a verification of the roll
22. call first. On this question, the...Ayes are 30, the Nays are
23. 17, with none Voting Present. House Bill 3721 having received
24. a constitutional majority is declared passed. A verification
25. of the roll call has been requested. Just a moment. The Clerk
26. will call the affirmative vote.

27. ACTING SECRETARY: (MR. FERNANDES)

28. The following voted in the affirmative: Brady, Bruce,
29. Carroll, D'Arco, Daley, Davidson, Donnewald, Dougherty, Egan,
30. Kenneth Hall, Harris, Hickey, Hynes, Joyce, Knuppel, Kosinski,
31. Lane, Lemke, McCarthy, Mitchler, Moore, Nudelman, Palmer, Rock,
32. Roe, Savickas, Schaffer, Vadalabene, Welsh, and President.

33. PRESIDENT:

1. Senator Buzbee. Is Senator Bruce on the Floor? Take
2. him off the roll call.

3. SENATOR BUZBEE:
4. Senator Carroll.

5. PRESIDENT:
6. Take him off the roll call.

7. SENATOR BUZBEE:
8. Senator Joyce.

9. PRESIDENT:
10. Senator Joyce is in his seat.

11. SENATOR BUZBEE:
12. Senator Nudelman.

13. PRESIDENT:
14. Senator Nudelman on the Floor? Take him off the roll call.

15. SENATOR BUZBEE:
16. Senator Vadalabene.

17. PRESIDENT:
18. Senator Vadalabene on the Floor? Take him off the roll call.
19. On this question, the Ayes are 27...postponed consideration.
20. For what purpose does Senator Daley arise?

21. SENATOR DALEY:
22. Mr....Mr. President, I'd like to move House Bill 3560.

23. PRESIDENT:
24. Read the bill. 3560.

25. ACTING SECRETARY: (MR. FERNANDES)
26. House Bill 3560
27. (Secretary reads title of bill)
28. 3rd reading of the bill.

29. PRESIDENT:
30. Senator Daley.

31. SENATOR DALEY:
32. Mr. President and fellow Senators, this will allow the
33. members of the national security exchange registered under the

1. Securities Exchange Act of 1934 under Illinois law...be allowed
2. them to be a trustee or a custodian of investment funds and
3. trust.. Presently they're prohibited. This will correspond
4. with about forty other states that have the present law.

5. PRESIDENT:

6. Any further discussion? The question is, shall House Bill...
7. Senator Harris, I'm sorry.

8. SENATOR HARRIS:

9. I just want to join Senator Daley in support of this bill.
10. He graciously accepted an amendment that cures a problem for
11. Representative Grotberg and me in my district and in Senator
12. Mitchler's district. Additionally, I do want it understood
13. that the Secretary of State's office did help us draft the
14. amendment that they accepted. They are certainly no longer
15. opposed to the bill...I'm sorry, to the amendment that Senator
16. Daley...accepted and I want that clearly understood. They are
17. ...they are not necessarily enamored with the amendment but
18. they no longer oppose. Would urge a favorable roll call.

19. PRESIDENT:

20. The question is, shall House Bill 3560 pass? Those in
21. favor will vote Aye. Opposed Nay. The voting is open. Have
22. all voted who wish? Take the record. On that question, the
23. Ayes are 43, the Nays are none, with none Voting Present. House
24. Bill 3560 having received a constitutional majority is declared
25. passed. Senator Rock.

26. SENATOR ROCK:

27. Senator Harber Hall. Yes, he's on the Floor. I wonder if
28. we might go to the order of 3562, Mr. President. That was the
29. bill, you will recall, we called yesterday and then reconsidered
30. its passage, because the membership had not really had an
31. opportunity to take a look at this. Senator Harber Hall does
32. have an amendment. I would move or ask leave that this bill
33. be brought back to 2nd for the purpose of an amendment.

1. PRESIDENT:
2. Is leave granted? Leave is granted. House Bill 35...3652
3. is on the order of 2nd reading. 3652. Senator Harber Hall is
4. recognized.
5. SECRETARY:
6. Amendment...Amendment No. 1 offered by Senator Harber Hall.
7. PRESIDENT:
8. Senator Kenneth Hall.
9. SENATOR HARBER HALL:
10. No, this is cousin Harber.
11. PRESIDENT:
12. Oh, pardon me, Senator Harber Hall. I...my attention
13. was distracted by this charming bit of pulchritudinous femininity.
14. SENATOR HARBER HALL:
15. No one can blame you, Mr. President. She affects me the
16. same way. Mr. President and thank you, Senator Rock, for the
17. opportunity to offer this amendment. This bill provides
18. certification on all vouchers for State payment for services
19. or material and with this amendment I propose to remove the
20. language that provides for unusually stiff monetary penalty.
21. I believe the existing law would take of the penalty portion
22. and still the bill is needed to provide the wordage that certifies
23. that people are at work or certifies that material has been
24. ...or services have been delivered. This bill will specify in
25. exact terminology and provide for the certification signature
26. line and the wording that each one who signs the voucher will
27. have to certify to. I move for...adoption of this amendment.
28. PRESIDENT:
29. Any discussion on the amendment? Senator Harber Hall moves
30. the adoption of Amendment No. 1 to House Bill 3652. Those in
31. favor will say Aye. Opposed Nay. Amendment No. 1 is adopted.
32. Any further amendments? 3rd reading. Senator Carroll, you
33. asked me about a particular bill on the order of consideration

1. postponed? I'm looking for intervening work.

2. SENATOR CARROLL:

3. 3099.

4. PRESIDENT:

5. For what purpose does Senator Shapiro arise?

6. SENATOR SHAPIRO:

7. Mr. President, I would like to have my name removed as

8. chief sponsor of House Bill 3069 and have the name of Senator

9. Brady substituted as chief sponsor.

10. PRESIDENT:

11. Is leave granted? Where is the bill? Could some one

12. tell us? Must be in Rules.

13. SENATOR SHAPIRO:

14. In...in Senate Education Committee.

15. PRESIDENT:

16. Fine, thank you. How gracious. Senator Carroll, what

17. was the number?

18. SENATOR CARROLL:

19. 3099, Mr. President, on the order of consideration postponed.

20. PRESIDENT:

21. On the order of consideration postponed, page 4 of your

22. Calendar. Is there leave to go to that order of business?

23. Leave is granted. House Bill 3099, Senator Carroll.

24. SENATOR CARROLL:

25. Thank you, Mr. President, this is the bill that dealt

26. with the Public Community College Act and allowing, by way of

27. amendment, the ability to lease space. There were some questions

28. on the other side of the aisle by Senator Glass, Senator Berning,

29. and others that I think we have answered. This is existing

30. statutory language in all of these types of bond issues. If we do

31. not pass this bill, it will mean the State will pay the cost

32. rather than the city, and I would be willing to answer any

33. questions or in lieu thereof ask for a favorable roll call.

1. PRESIDENT:

2. Any further discussion? The question is, shall House
3. Bill 3099 pass? Those in favor will vote Aye. Opposed Nay.
4. The voting is open. Have all voted who wish? For what
5. purpose does Senator Newhouse arise? We're on the roll call.

6. SENATOR NEWHOUSE:

7. Can't find the bill. 3099.

8. PRESIDENT:

9. It's on page 4, on the order of consideration postponed.
10. The Chair announced it. Have all voted who wish? Page 4,
11. consideration postponed, Senator Newhouse. Have all voted who
12. wish? Take the record. On this question, the Ayes are 41,
13. the Nays are 3, with 2 Voting Present. House Bill 3099 having
14. received a constitutional majority is declared passed. House
15. Bills on the order of 3rd reading, page 3 of your Calendar.
16. House Bill 3652, Senator Rock. For what purpose does Senator
17. Vadalabene arise?

18. SENATOR VADALABENE:

19. On a point of personal privilege, Sir, in the form of
20. an announcement.

21. PRESIDENT:

22. State your point, Sir.

23. SENATOR VADALABENE:

24. After six long years, the civic center bills, Senate Bill
25. 1590 and Senate Bill 1591 have just passed the House of Representa-
26. tives with no amendments.

27. PRESIDENT:

28. I know that does your heart proud, Senator. You've worked
29. hard and long and diligently on that subject. Resolutions.
30. Resolution on the Secretary...pardon. On the Secretary's Desk,
31. Resolution...House...Senate Resolution 408.

32. SENATOR SCHAFFER:

33. Mr. President, Senate...Resolution 408 is introduced by

1. Senator Rock and myself. It's basically fairly simple. The
2. State is in the process of establishing a State-wide Health
3. Coordinating Council and the Director of the Department of
4. Health is very involved in this and it appears that they're
5. going to come up with, I believe, a ninety-two member board.
6. Most of us feel that this board is too big to be workable,
7. and this resolution calls upon the Director of Public Health
8. to limit that board to forty. I think that...that size is
9. plenty big. It complies with the...the Federal requirements.
10. I think it'd be a lot more workable than a ninety-two member
11. board.

12. PRESIDENT:

13. Any further discussion? Senator Palmer, for what purpose
14. do you rise...seek recognition.

15. SENATOR PALMER:

16. I just rised to stretch my legs, Mr. President.

17. PRESIDENT:

18. Well, you also stretched your finger, 'cause it's on this
19. button here. Senator Newhouse.

20. SENATOR NEWHOUSE:

21. Yes, Mr. President and Senators, we had a sort of a debate in...
22. in committee over this expansion of this board or the contraction
23. of this board, and I have received communications from a number
24. of people who contend that first of all, and of my own knowledge
25. know that that ninety member board was the result of about two
26. years of deliberations on the part of an awful lot of people in
27. the health field. The feeling was that there ought to be a fairly
28. representative number of public members on that board. I understand
29. Senator Schaffer's position and his position is that it's unwieldy.
30. The opposite side of the coin is that an awful lot of people
31. who are in this business would like to have some input into what
32. goes on. We're talking about an awful lot of money, of an awful
33. lot of money, billions of dollars from which decisions are

1. going to be made in the next few years. I guess arguments can
2. be made on both sides of the coin, or if you want to go to
3. the peek of efficiency, we can talk about four or five members
4. and that's one of the points that I made in the committee. I'm
5. not sure that...that I'd opt for ninety. On the other hand, I'm
6. not sure that I'd opt for a slash to forty. I would simply suggest
7. that those who made the recommendation of ninety members did
8. have an awful lot of meetings, involved an awful lot of people,
9. and this was the compromise they arrived at, and for that
10. reason, I would oppose this resolution.

11. PRESIDENT:

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. Mr. President and members of the Body, it was my privilege
15. to handle the budget for the Department of Public Health this
16. year and Dr. Lashof explained in great detail how they arrived
17. at this figure, and I think it has already been explained,
18. but they're required by Federal law to have a percentage of at
19. least fifty-one percent consumers and the rest of them are
20. suppliers, and she started naming off all the different kinds
21. of suppliers in the medical health field and when you spread
22. those out geographically over the State of Illinois...if you
23. want to get a true input from both consumers and the suppliers
24. and purveyors of services, it's almost necessary to have this
25. size...this size board. Now, it may seem ridiculous, and I'll
26. admit that a board of ninety some people is...is bound to be
27. very unworkable, but I think that the problem that has been placed
28. on them comes from the Federal rather than the State mandate
29. and I think she's tried very hard and as Senator Newhouse has
30. said, she...they have given ample consideration to this problem.
31. It isn't as if they just reached out and picked that size board. To
32. meet the needs and to have input from all people, it was almost
33. an essential or a requirement and to have geographic dispersions
34. the board be this size. I would, therefore, oppose the resolution.

1. PRESIDENT:

2. Senator Regner...Senator Wooten, I'm sorry. Senator
3. Wooten is next. You're next, Senator Regner.

4. SENATOR WOOTEN:

5. Thank you, Mr. President and colleagues. I've merely to
6. echo what Senator Knuppel said and point out one other element
7. that I think is important. That this injects us into a debate
8. on one side of a proposition. The debate has been going on for
9. some time. They have been arguing about the number which should
10. make up this board. Quite frankly, the position that is presented
11. to us in the resolution is a position that was presented in that
12. debate by the providers and they lost there. I would not like
13. to see us weigh in on their side here. I think we ought to let
14. the conversation go on. They're going to be holding hearings
15. on many things, including the number which should make up the
16. board, so I would urge the membership not to intrude the Illinois
17. Senate on one side in that continuing argument.

18. PRESIDENT:

19. Senator Regner.

20. SENATOR REGNER:

21. Senator Schaffer, how many members are you providing for
22. in your resolution?

23. PRESIDENT:

24. Senator Schaffer.

25. SENATOR SCHAFFER:

26. Senator Regner, we're providing for forty members. That's
27. only slightly smaller than the Senate, probably you can get every...
28. interest group in the State including the Mafia in that number.

29. PRESIDENT:

30. Senator Regner.

31. SENATOR REGNER:

32. I'm in total agreement with your resolution, Senator Schaffer,
33. and in the testimony before the Public Health...before

1. the subcommittee regarding the Public Health appropriation,
2. thirty-eight, I think, are the minimum number that can serve
3. on this committee. What they're talking about is having
4. twenty subcommittees and people criss-crossing back and forth
5. serving on the two and three and four subcommittees and our
6. ...our contention was and our discussion was and we did reduce
7. their appropriation for travel for this committee by a substantial
8. amount in an amount equal to what the minimum number would be,
9. actually a little over the minimum, and we felt pretty strongly
10. that ninety-three was an unwieldy number of people to really
11. accomplish anything. I think we all can testify to that
12. that have served here in the General Assembly. When you get
13. that many people together, you're just never going to agree on anything,
14. and they're going to spend a travel money and accomplish absolutely
15. nothing and I certainly think we should adopt this resolution.

16. PRESIDENT:

17. Senator Brady.

18. SENATOR BRADY:

19. Yes, Mr. President and fellow members. I introduced an
20. amendment to a bill last week in Public Health which did precisely
21. this. It brought about much debate on the subject and although
22. we ruled that the amendment was either not germane or not
23. appropriate at the time to be on that bill, many of the members
24. on that committee said that this should be discussed further
25. and maybe we could look into it a year from now and see what we
26. could do about it. The situation as it arises now is that they
27. will be making up this board before that time and once you make
28. up a ninety some member board, it's going to be pretty difficult
29. to cut back. I think a...a forty member board will give enough
30. input from both suppliers and consumers to do the job adequately
31. and also fits the Federal guidelines, and for that reason I
32. support this resolution.

33. PRESIDENT:

1. Senator Rock.

2. SENATOR ROCK:

3. Thank...

4. PRESIDENT:

5. Now, just a moment. There are three other members who've
6. ...who've requested to speak on this matter. Senator Rock.

7. SENATOR ROCK:

8. ...Thank you, Mr. President and Ladies and Gentlemen of
9. the Senate. I will be brief. I was not fortunate enough to
10. be in the Public Health and Welfare Committee when this matter
11. was discussed, but I think a resolution of this kind merits
12. our support. We are urging the director of an agency of an
13. outgoing administration to not act precipitously. That is,
14. don't be going around appointing ninety some people as Senator
15. Brady so well pointed out. It's darn difficult once you've
16. appointed ninety people, all of a sudden cut it back to ten.
17. I think the reasonable of approach would be the middle ground.
18. Appoint a workable, handlable committee of forty or fifty, but
19. certainly not ninety-two, and if, in fact, it has to be expand-
20. ed for one reason or another, then expand it. Appointing this
21. many would almost be like appointing another House, and we
22. know how that works.

23. PRESIDENT:

24. Senator Kenny Hall.

25. SENATOR KENNETH HALL:

26. Thank...thank you, Mr. President and members of the Senate.
27. Would the sponsor of this yield to a question?

28. PRESIDENT:

29. He indicates he will.

30. SENATOR KENNETH HALL:

31. Senator Schaffer, who makes these appointments? I'd...I'd
32. like to know.

33. PRESIDENT:

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. The director of the Department of Public Health, I believe.

4. PRESIDENT:

5. Senator Hall...Kenny Hall.

6. SENATOR KENNETH HALL:

7. Well, I agree with Senator Rock on the reduction. The
8. only thing that I'm concerned with, that when all these appoint-
9. ments are being made around here, we and especially in the
10. metro-east area, we come out on the short end of the stick.
11. Now, I realize that ninety people is...is way too much, but
12. by the same token, I would be amenable to seeing this reduced,
13. but I hope that all segments are taken into consideration while
14. this is going to happen.

15. PRESIDENT:

16. Senator Fawell.

17. SENATOR FAWELL:

18. Well, briefly I...I rise in support also of this resolution.
19. I'm a member of the Public Welfare Committee. I might point
20. out that the State Board of Education is only seventeen members
21. and we resisted here in the Legislature, an effort for many special
22. interests to also want to be able to sit on that board. In fact,
23. we see that happening every Session where different special
24. interest groups want to be on that board. It seems to me that
25. without question that this ninety member board is not only too
26. many but when you stop and consider what the taxpayers are going
27. to have to pay just to keep that board in session meeting. Let's hope
28. that they don't have any dinner meetings, because the cost can
29. be quite astronomical, so I do support the resolution.

30. PRESIDENT:

31. Senator Demuzio.

32. SENATOR DEMUZIO:

33. Senator Schaffer, how many members of the Comprehensive

1. Health Planning Board are there now?
2. PRESIDENT:
3. Senator Schaffer.
4. SENATOR SCHAFFER:
5. Well, two things. One, Senator Hall, I gave you some
6. wrong information. There would be two members each appointed
7. from the HSA's or the Health Planning Agencies that are being
8. established and then forty percent of the remainder or forty
9. percent of the total would be appointed by the governor, I
10. assume based on the recommendation of the Department...director
11. of the Department of Public Health. Senator Demuzio, your...
12. you may confusing this with the Comprehensive Health Planning
13. Board which I believe has fourteen or fifteen members. This is
14. a new State-wide health planning council, or whatever you want
15. to call it, that's going to be established. It's in the process
16. of being established. I'm not sure that it has a counter part
17. inexistence today. This is in...in compliance with some
18. Federal legislation and regulation that's now becoming a...a
19. timely.
20. PRESIDENT:
21. Any further discussion? Senator Demuzio.
22. SENATOR DEMUZIO:
23. I heard some references a few minutes ago in reference
24. to Federal requirements. Do the Federal government require
25. that ninety-two members or less be appointed? What...what's
26. the...what's the Federal requirement or is there any?
27. PRESIDENT:
28. Senator Schaffer.
29. SENATOR SCHAFFER:
30. Federal government requires no less than thirty-eight,
31. and my resolution calls for forty.
32. PRESIDENT:
33. Senator Wooten.

1. SENATOR WOOTEN:

2. Pardon me for speaking the second time. It's the first
3. time that I've done that this year, but on this point, I simply
4. want to reemphasize that there are hearings going on right
5. now as to the size of this board. The lowest number which
6. has been considered in several votes is fifty-five, and the
7. reason that they there are...have tentatively settled on ninety-two
8. is to guarantee that the public is well represented. If we go
9. to forty, that number simply gives the edge to the providers.
10. It's just that simple. And I think we ought not get ourselves
11. on one side of the argument. I agree forty is a much more
12. manageable number. Ninety-two sounds terrible, but I suggest
13. to you that there are elements at work here that we ought to
14. know a little bit more about before we intrude ourselves into
15. this debate. I don't think it's proper for us to support this
16. resolution without knowing a good deal more about what's going
17. on.

18. PRESIDENT:

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Mr. President, I would point out to you that we have already
22. taken action in this legislative Body which will probably be
23. more...more effective on this board than what a resolution would
24. be, and that action that we took was, we reduced the travel
25. allowance for this particular board from one hundred thousand
26. to sixty thousand, so sixty thousand dollars is the maximum
27. amount allowable for travel and in conversations with director,
28. she assured us that fifty-five was the minimum as per the re-
29. quirements that were put on ...by the Feds, that fifty-five
30. was the minimum they could get by with, and as Senator Wooten
31. said, the ninety-three were came about because of the...a number
32. of...public members they wanted on, but I think we've already
33. effectively pretty well restricted the membership by reducing

1. their...their travel allowance to only sixty thousand dollars.

2. PRESIDENT:

3. Senator Schaffer.

4. SENATOR SCHAFFER:

5. Well, if I might, Senator Buzbee, just in...in response to
6. I guess to Senator Wooten more than Senator Buzbee, the Health
7. planning agencies will appoint two each, that's twenty-two.
8. Those people...the health planning agency in my area is composed fairly
9. heavily of consumers which would give consumers a very heavy
10. input. The remainder then could then be appointed from the
11. various expert fields. My opposition isn't that I want to
12. see anybody cut out, and one other thing, Senator Wooten, those
13. groups that are holding hearings to determine the size, all
14. realize that if they say it ought to be smaller, they're the group
15. that's liable to be cut out. It'd be kind of like this Body
16. voting on reducing the size of the Senate. If I knew it was
17. my district that was going to be eliminated, I don't think I'd
18. vote for it, and I think that's the way they feel. I'm just, in
19. principal, opposed to any type of committee or council with
20. ninety-two members. I think...I think it's unprecedented in
21. the State. I don't think it could possibly be an effective
22. body and this State-wide health coordinating council will oversee
23. directly or indirectly, tremendous amounts of capital and have
24. a tremendous impact on the people of this State, and I think
25. that it should be as effective a body as possible, and I cannot
26. conceive a ninety-two member board being effective. I fear it
27. would either be total chaos or would by necessity be dominated
28. by a small number of people and I move for the approval Senate
29. Resolution 408.

30. PRESIDENT:

31. ...Senator Schaffer moves to suspend the rules for the
32. immediate consideration of this resolution. All in favor will
33. say Aye. Opposed Nay. In the opinion of the Chair, there was as

1. much Yea as Nay, so we're going to take a roll call. Senator
2. Schaffer moves for the suspension of the rules for the immediate
3. consideration of this resolution. All in favor will say Aye...
4. just a minute. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Parliamentary Inquiry. What vote does it take to suspend
7. the rules?

8. PRESIDENT:

9. It takes thirty votes.

10. SENATOR KNUPPEL:

11. Thank you.

12. PRESIDENT:

13. You're right. The Chair is in error. A motion to suspend
14. the rules is not necessary, because this resolution came from
15. the Secretary's Desk. The only question is, shall the resolution
16. be adopted? That takes a majority of those voting. The question
17. is, shall Senate Resolution 408 be adopted? Those in favor will
18. vote Aye. Opposed will vote Nay. The voting is open. Have
19. all voted who wish? Take the record. On this question, the
20. Ayes are 32, the Nays are 11, with none Voting Present. Senate
21. Resolution 408 is adopted. For what purpose does Senator
22. Nimrod rise?

23. SENATOR NIMROD:

24. Mr. President and fellow Senators, for two reasons. One,
25. I would seek leave to withdraw a motion that I had filed on 3930
26. in writing and I'd like to withdraw that. That was on...

27. PRESIDENT:

28. Fine, Senator.

29. SENATOR NIMROD:

30. ...and then secondly...

31. PRESIDENT:

32. Well, just let me say to you just for future reference,
33. when you did not call it yesterday, it's automatically died.

SB 1877
Concurrence
6-28-16

1. SENATOR NIMROD:

2. Oh. Okay.

3. PRESIDENT:

4. Fine.

5. SENATOR NIMROD:

6. And second, I'd like to move to discharge Committee on
7. Rules on House Bill 3602 which is the other half of the...the
8. Township Government Laws Study Commission. The commission...
9. the appropriation bill went ahead and we inadvertently had forgotten
10. about this, and Senator Dougherty is the vice-chairman. I've
11. ...spoken with him, and he concurs in this and we ask you to
12. discharge and be read and placed on 2nd reading.

13. PRESIDENT:

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

15. SENATOR NIMROD:

16. Aye.

17. PRESIDENT:

18. Opposed Nay. The Ayes have it. The motion carries. For
19. what purpose does Senator Rock rise?

20. SENATOR ROCK:

21. Thank you, Mr. President. On the Supplemental Calendar is
22. Senate Bill 1877, which I understand the Chair wishes to proceed
23. with.

24. PRESIDENT:

25. I'm sorry, Senator. I...I didn't hear you.

26. SENATOR ROCK:

27. On the Supplemental Calendar, on the order of concurrence.

28. PRESIDENT:

29. On the Supplemental Calendar, page 1, on the order of
30. concurrence, Senate Bill 1877.

31. SENATOR ROCK:

32. That is correct. I understand the Chair wishes to proceed.

33. PRESIDENT:

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6-28-76

1. Yes, sir. Senator Rock.

2. SENATOR ROCK:

3. If I might...Senator Berning, on the Floor?

4. PRESIDENT:

5. Senator Berning is on the Floor.

6. SENATOR ROCK:

7. Okay. House Amendment No. 1 to Senate Bill 1877 is virtually
8. identical to that amendment which was talked about by Senator
9. Berning when this bill was before us. As you will recall, the subject
10. matter of this bill is an amendment to the Personnel Code con-
11. cerning the equal employment opportunity program. House Amend-
12. ment No. 1 added the requirement that the State Equal Employment
13. Opportunity Officer, appointed by the governor, must also be
14. subject to the advice and consent of the Senate. It further
15. states the State Equal Employment Opportunity Officer would hold
16. a two year term which would commence in January 1977. This
17. House amendment is, as I say, almost identical to the one that
18. Senator Berning had talked about putting on in the Senate. I
19. know of no other objection and I would move, Mr. President, that
20. the Senate concur with House Amendment No. 1 to Senate Bill 1877.

21. PRESIDENT:

22. Any further discussion? The question is, shall the Senate
23. concur in House Amendment No. 1 to Senate Bill 1877? Those in
24. favor vote Aye...no...will vote Aye, and opposed will vote Nay.
25. The voting is open. Have all voted who wish? Take the record.
26. On this question, the Ayes are 49, the Nays are none, with none
27. Voting Present. The Senate does concur in House Amendment No.
28. 1 to Senate Bill 1877, and the bill having received the consti-
29. tutional majority is declared passed. Experience dictates to
30. me that perhaps Senator Mitchler might desire recognition.
31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Mr. President, I wonder if we might have leave of the Senate

1. to go to the order of motions?

2. PRESIDENT:

3. Is there leave? Leave is granted. Senator Mitchler.

4. SENATOR MITCHLER:

5. Mr. President and members of the Senate, I would move that
6. the Senate Committee on Rules be discharged from further
7. consideration of Senate Bill 1539 and that the bill be advanced
8. to 1st reading, read a first time, and advanced to the order of
9. 2nd reading.

10. PRESIDENT:

11. Would you tell us what the bill is about, Senator.

12. SENATOR MITCHLER:

13. I have to look here first. I...

14. PRESIDENT:

15. You can tell it's an emergency, Senator.

16. SENATOR MITCHLER:

17. ...oh, yes...yes, yes. Now, I remember this. This bill,
18. Senate Bill 1539, is an amendment to the Regional Transportation
19. Authority Act and this provides that the counties the...in the
20. Regional Transportation Authority Act may, by referendum, disconnect
21. from the Regional Transportation Authority Act, and it sets up
22. the manner in which the counties may disconnect. The reason
23. that I'm asking that this bill be discharged...originally I did not
24. intend to do so, I was going to amend, I believe it was Senate
25. Bill 1977, Senator Morris' bill, but the sponsor and several
26. other cosponsors and supporters of that bill desired that this
27. particular amendment...this bill not be amended into that parti-
28. cular bill. So, I withdrew it, but others insisted on having
29. it put on and there was a vote and I think at this time, in order
30. to give everybody a chance to have it out on the Floor, I think
31. this is a good opportunity to give a favorable vote to support
32. my motion to discharge the Senate Rules Committee and have the
33. bill advanced to the order of 2nd reading.

1. PRESIDENT:

2. Senator Mitchler, so that...Senator Mitchler, so that my
3. courtesy to you will not be misunderstood, I was given to under-
4. stand you wanted to introduce some guests in the gallery.

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. Mr. President, as I recall, this very question was, in
8. fact, voted upon on the Floor of this Senate in an amendment
9. that Senator Hynes sponsored, and at that time, Senator Mitchler
10. voted No. Now, it was my understanding and perhaps if I'm
11. wrong, Mr. President, you can correct me, that once a member had
12. voted No on such an issue as this, that he was not allowed to
13. bring it back up once again for...for a re-vote, and...and the reason
14. that I voted against that amendment at that time was, that I didn't
15. want to give Cook County the option to opt out of the RTA, and
16. I still stand with that and it seems to me that at this point
17. that we're a...we're a little bit late on reading a Senate Bill
18. for the first time and I just think this motion is improper and
19. I would move that it lie upon the Table.

20. PRESIDENT:

21. Senator Mitchler has moved to discharge the Rules Committee
22. of Senate Bill 1539. Senator Buzbee has moved to Table it.
23. The question is on Senator Buzbee's amendment. All in favor
24. of Tabling the amendment will say Aye. Opposed Nay. The Ayes
25. have it. The amendment is Tabled. (machine cutoff) serious?
26. The Senate will be at ease for a moment. The bill that was just
27. discharged. Yes...read the...read the House Bill. It's on
28. 1st reading. One moment, Senator.

29. SECRETARY:

30. House Bill 3602...

31. PRESIDENT:

32. Now, just...one minute, uno momento, one minute.

33. SECRETARY:

1. ...House Bill 3602
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDENT:
5. 2nd reading. Senator Mitchler.
6. SENATOR MITCHLER:
7. A roll call was asked on the last question, now, and
8. you just turned around to discuss something on the podium with
9. ...you have so many beautiful ladies approaching you today on
10. the podium. I don't know what...what it's all about, but I
11. think...
12. PRESIDENT:
13. And I'm not telling either.
14. SENATOR MITCHLER:
15. ...you're entitled to roll call. You...you announce a
16. roll call on motion to Senator Buzbee's there, and we'd like
17. to have a recorded roll call, is all.
18. PRESIDENT:
19. We have a recorded roll call on that question, Senator.
20. SENATOR MITCHLER:
21. You never announced the roll call. It...and we'd asked...
22. PRESIDENT:
23. And it didn't?
24. SENATOR MITCHLER:
25. ...for a recorded roll call, and I think we're entitled to
26. that, Mr. President. We're on the order of motions...
27. PRESIDENT:
28. Well, I'm sorry, Senator, we've moved to another order of
29. business. I heard one request. It takes two. Senator Mitchler.
30. SENATOR MITCHLER:
31. Now, Mr. President, my good friend, you know...
32. PRESIDENT:
33. That's fleeting...

1. SENATOR MITCHLER:

2. ...and I'm...no, we're been here...now, let's be fair.
3. Whatever the roll call may be, let it stand, but I'm entitled
4. to make a motion. We're on the order of motions, and I sought
5. recognition and I proposed this question. Senator Buzbee
6. moved to Table, and I think we've asked for a recorded vote on
7. this, and I would pressure it. Now, let's have a...let's have
8. a roll call. You haven't denied that in the entire Session,
9. Mr. President, and for you to do so on this, would be extremely
10. wrong.

11. PRESIDENT:

12. Senator Buzbee didn't move to Table your request for a
13. roll call, but I'll tell you what we will do. We'll give you
14. a roll call, Senator, if that is...if you want a roll call so
15. that you can...you will be able to go home and say you voted
16. on both sides of the question, you're going to get it. Is that
17. what...is that the purpose, Senator? Is that the motivation?
18. You'll get it. On Senator Buzbee's motion to Table the motion
19. made by Senator Regner on...Mitchler on Senate Bill 1539, those
20. in favor of Senator Buzbee's motion will vote Aye. Opposed
21. will vote Nay. The voting is open. Have all voted who wish?
22. Take the record. On this question, the Ayes are 31, the Nays
23. are 18, with none Voting Present. The motion to Table carries
24. and prevails, and will the Secretary be instructed to give a
25. copy of both roll calls to Senator Mitchler. Senator Mitchler.

26. SENATOR MITCHLER:

27. Well, Mr. President, I would now move that the Senate
28. Committee on Rules be discharged from further consideration of
29. Senate Bill...

30. PRESIDENT:

31. You're out of order, Senator.

32. SENATOR MITCHLER:

33. 15...

1. PRESIDENT:

2. Senator, I...I recognized you on the last motion. This is a
3. frivolous motion. The Chair recognizes...rules that it is
4. frivolous, and you may appeal the ruling of the Chair. Senator
5. Mitchler.

6. SENATOR MITCHLER:

7. Well, Mr. President, with all of your power and that, why
8. are you so afraid to have a motion put to this Body and acted
9. upon in an orderly manner? Is it something that you do not
10. want to be recorded on or something?

11. PRESIDENT:

12. Senator, the Chair rules that...

13. SENATOR MITCHLER:

14. And I think that motion is...

15. PRESIDENT:

16. ...you asked me a question. Would you like a answer? See
17. that shows how frivolous the motion is. You don't even want
18. an answer to your question. The answer to your question is,
19. that your motion is a frivolous motion, and the motion is denied,
20. and you have the right, the perfect right, to appeal the ruling
21. of the Chair. For what purpose does Senator Buzbee arise?

22. SENATOR BUZBEE:

23. On a point of order, Mr. President. I believe that our
24. rules provide for dilatory type actions, and I think that's what
25. this is. I would admonish the Chair to continue on to the next
26. order of business.

27. PRESIDENT:

28. I appreciate that, but it really isn't necessary. I
29. appreciate it. For what purpose does Senator Knuppel.

30. SENATOR KNUPPEL:

31. Well, it seems like we've started to arrive at the silly
32. hour, and what I wanted to know was about time we can expect to
33. adjourn for supper and then come back?

1. PRESIDENT:
2. We may be on our way in a minute. For what purpose does
3. Harber Hall arise?
4. SENATOR HARBER HALL:
5. I wonder, Mr. President, if I could ask the Chair to go to
6. the order of 2nd reading from a bill that's in that position
7. now that we need to get out of here today if...
8. PRESIDENT:
9. Any...
10. SENATOR HARBER HALL:
11. ...we can...
12. PRESIDENT:
13. ...is leave granted? Which bill is that, Senator?
14. SENATOR HARBER HALL:
15. 3652, Mr. President.
16. PRESIDENT:
17. 3652 is...Senator Rock is the sponsor. I asked him a few
18. moments ago about that and...Senator Rock.
19. SENATOR ROCK:
20. Senator Hall now has another amendment that is technically
21. correct. The first one from the Reference Bureau did not do what
22. he had requested of the Reference Bureau to do. I would like to
23. ask leave to bring 3652 back to the order of 2nd reading for
24. Tabling that prior amendment and substituting a different one.
25. PRESIDENT:
26. Is leave granted? House Bill 3652 is removed from the
27. order of 3rd reading and brought back to the order of 2nd reading.
28. Senator Rock is recognized.
29. SENATOR ROCK:
30. There was but one amendment. Is that correct? Well,
31. having voted on the prevailing side, I move to reconsider the
32. vote by which Amendment No. 1 was adopted for the purpose of
33. Tabling that amendment?

1. PRESIDENT:
2. All in favor say Aye. Opposed Nay. The...the amendment
3. SENATOR ROCK:
4. Is reconsidered...
5. PRESIDENT:
6. ...no, the bill is reconsidered, right. The amendment is
7. reconsidered...the adoption of the amendment is reconsidered.
8. SENATOR ROCK:
9. Right. And now I move to Table Amendment No. 1.
10. PRESIDENT:
11. Senator Rock now moves to Table Amendment No. 1. All in
12. favor will say Aye. Opposed Nay. Amendment No. 1 is Tabled.
13. Any further amendments?
14. SECRETARY:
15. Amendment No. 2 offered by Senator Harber Hall.
16. PRESIDENT:
17. Senator Harber Hall.
18. SENATOR HARBER HALL:
19. Mr. President and fellow Senators, this is, in fact, is
20. a proper amendment that I had described earlier as Amendment No.
21. 1. No. 1 having been now Tabled, I move that this Amendment No.
22. 2 be adopted.
23. PRESIDENT:
24. Senator Daley.
25. SENATOR DALEY:
26. Will the sponsor yield for a question?
27. PRESIDENT:
28. Indicates he will.
29. SENATOR DALEY:
30. What does the amendment do?
31. PRESIDENT:
32. Senator Harber Hall.
33. SENATOR HARBER HALL:

1. This amendment as I described Amendment No. 1 removes the
2. fiscal penalty involved with the...the certification or the
3. erroneous certification on vouchers for personal services
4. and materials and other services.

5. PRESIDENT:

6. ...Senator Daley.

7. SENATOR DALEY:

8. Mr....will the...the department head or the one who's
9. responsible still have to sign an affidavit?

10. PRESIDENT:

11. Senator Harber Hall.

12. SENATOR DALEY:

13. ...It seems like you only deleted the penalty. Now, he
14. still has to sign an affidavit with a date. What's that for?

15. PRESIDENT:

16. Senator Harber Hall.

17. SENATOR HARBER HALL:

18. The content of the certification is in here and it's pro-
19. vided by this amendatory law and he...he must still sign it.
20. We have removed the reference to a specific penalty for erroneous
21. certification.

22. PRESIDENT:

23. Senator Daley.

24. SENATOR DALEY:

25. If he knowingly signs this and it states that in signing
26. this he has to know that this is a true, a complete, correct,
27. and according to the provisions of the law, will he commit
28. perjury?

29. PRESIDENT:

30. Senator Harber Hall.

31. SENATOR HARBER HALL:

32. Well, I...I don't...I can't answer that. I'm not a lawyer,
33. but it's my understanding that all of us sign things for the

1. State that...that have some type of certification, and I would
2. presume that this is like our signing our own pay vouchers.

3. PRESIDENT:

4. Senator Daley.

5. SENATOR DALEY:

6. Then the penalty is greater than what you have in here?

7. PRESIDENT:

8. Senator Harber Hall.

9. SENATOR HARBER HALL:

10. There's no...there's no oath sign here and it's not
11. notarized, so I don't know how that could be perjury. You're...
12. you're not perjuring yourself...that I...so far as I know.

13. PRESIDENT:

14. Senator Daley.

15. SENATOR DALEY:

16. Under your bill, it says according to provisions of the
17. law, and I think the person would be committing perjury, if a
18. person, an employee, is transferred into another department or
19. is an emergency plan for over ninety days and the person in
20. charge signs this affidavit and the department head and the
21. ...Department of Personnel in the State, you're going to have
22. many, many people in the next two or four years committing
23. perjury on these affidavits.

24. PRESIDENT:

25. Any further discussion? Senator Harber Hall may close
26. the debate.

27. SENATOR HARBER HALL:

28. I don't see the...point is well taken. I...I would have
29. an interest in it if that were correct. I move adoption of the
30. amendment.

31. PRESIDENT:

32. Senator Harber Hall moves the adoption of Amendment No. 2
33. to Senate Bill...that has to be House Bill 3652. All in favor

1. will say Aye. Opposed Nay. The amendment fails. Senator Rock.

2. SENATOR ROCK:

3. ...This amendment has nothing whatever to do with what Senator
4. Daley was objecting to. This amendment takes out the criminal
5. penalties in three different sections and deletes one section entirely.
6. To have the amendment fail on that basis, I think, is...is a
7. mistake. If he wants to speak against the bill, that's one
8. thing, but his remarks were in no way directed to the amendment.

9. PRESIDENT:

10. Senator Daley.

11. SENATOR DALEY:

12. My remarks were directed to this amendment, and I would
13. like to sit down with Senator Hall and talk about the amendment.
14. I...I...that's what my remarks were to the amendment and not to
15. the main body of the Bill. I'd like to sit down with Senator Hall.

16. PRESIDENT:

17. This bill did come in without reference, so Senator Hall
18. would you take it out of the record and why don't you sit down
19. and see if you can work it out, because I think there's a mis-
20. understanding here. Senator Nudelman.

21. SENATOR NUDELMAN:

22. Parliamentary Inquiry, Mr. President. How can you take it
23. out of the record? We've already voted down the amendment. You
24. announced that fact and the mere fact that Senator Rock was not
25. paying attention doesn't change the record. The amendment had
26. lost. Now, to say you want to take it out of the record is an
27. incorrect procedure. Are we going to get to silly time of the
28. Session again?

29. PRESIDENT:

30. If you would take the time to listen to the procedure, you
31. would know that I did announce that the amendment failed. The
32. bill is still in the posture that it would be in after the amend-
33. ment had failed. Then, it was suggested that it be taken out of

1. the record, before any further amendments were offered.

2. SENATOR NUDELMAN:

3. Might...might I inquire what is now being taken out of the

4. record if we are taking the whole...

5. PRESIDENT:

6. The bill itself, Senator...

7. SENATOR NUDELMAN:

8. ...the whole...the whole process we just went through,

9. and I submit that we are doing an incorrect thing, and there's

10. no necessity...

11. PRESIDENT:

12. Well...

13. SENATOR NUDELMAN:

14. ...to take the bill out of the record, because...because

15. you're not changing anything at this point. There's nothing

16. to take out of the record.

17. PRESIDENT:

18. The bill is taken out of the record...subsequent to what-

19. ever action is taken prior to that time. There's no further

20. request for additional amendments, which would be the next order

21. of business. It is taken out of the record. Now, what happens

22. with that amendment in terms of its affirmation or rejection or

23. being reconsidered will be happening when the amendment comes

24. back, Senator. And I submit that you are in error. Senator

25. Nudelman.

26. SENATOR NUDELMAN:

27. Thank you, Mr. President. I most strenuously object to

28. having my microphone cut off in mid sentence...

29. PRESIDENT:

30. Who cut off?

31. SENATOR NUDELMAN:

32. ...you...

33. PRESIDENT:

1. ...I didn't order it...

2. SENATOR NUDELMAN:

3. ...you...I have no idea...

4. PRESIDENT:

5. ...no, I didn't order anybody to cut it off, Senator...

6. SENATOR NUDELMAN:

7. ...I have no idea who cut it off...

8. PRESIDENT:

9. ...okay.

10. SENATOR NUDELMAN

11. ...I can be ruled out of order...

12. PRESIDENT:

13. I might ask you...

14. SENATOR NUDELMAN:

15. ...my suggestions can be...

16. PRESIDENT:

17. ...Nobobody is going to...

18. SENATOR NUDELMAN:

19. ...disrespectively disregarded...

20. PRESIDENT:

21. ...Senator...

22. SENATOR NUDELMAN:

23. ...but I most respectfully...

24. PRESIDENT:

25. ...please don't make that suggestion.

26. SENATOR NUDELMAN:

27. ...state to you, Mr. President, I...I...I most seriously

28. object to that process. I was in mid sentence...

29. PRESIDENT:

30. Let me say to you, Senator...

31. SENATOR NUDELMAN:

32. ...when my microphone was...was disconnected up there.

33. PRESIDENT:

1. ...Well, Senator, let me say to you, that I've had that
2. inclination on some occasions, but I've never done it. Nobody
3. cut you off intentionally. I did not direct anyone to cut you
4. off. Do you...is that clear?

5. SENATOR NUDELMAN:

6. ...Unfortunately, I don't have John Knuppel's ability to
7. speak above the lack of the microphone.

8. PRESIDENT:

9. But is it clear that I did not ask anyone to cut you off?

10. SENATOR NUDELMAN:

11. I didn't...I didn't...I didn't allege that, Mr. President...

12. PRESIDENT:

13. But the inferenence was there...

14. SENATOR NUDELMAN:

15. ...but there are several...

16. PRESIDENT:

17. ...Senator...

18. SENATOR NUDELMAN:

19. ...people up there who have control of buttons, and...any-
20. one of them who has...any one of them who might have so acted
21. is...it...that action is being resented by me and I want it
22. known. I don't go along with that.

23. PRESIDENT:

24. Does Senator...Mitchler arise for the purpose of introducing
25. someone in the gallery? Then he is...he is recognized. Senator
26. Mitchler.

27. SENATOR MITCHLER:

28. I would...I would rise on a point of personal privilege,
29. Mr. President.

30. PRESIDENT:

31. State your point.

32. SENATOR MITCHLER:

33. In the gallery directly behind me is the Wayne Hudson family.

1. They formerly lived in Aurora. They now reside in Waterman.
2. They're members of the Hundred and Fiftieth Reactivated Civil
3. War group and they have just returned from Mason City where
4. they had a reenactment of a Civil War battle. That is the
5. reason they are attired in the costume in the Civil War era
6. that they are. And if the Wayne Hudson family would please
7. rise, I'd like to introduce them to the Senate, and the Senate
8. to them.

9. PRESIDENT:

10. Will they please rise and be recognized by the Senate?
11. Senator Schaffer is recognized.

12. SENATOR SCHAFFER:

13. Mr. President, it occurs to me that if Mr. Hudson is
14. Polish and in need of a job, we have a job opening here that
15. I think he might be uniquely qualified for, and I think you
16. should talk to Senator Davidson about it.

17. PRESIDENT:

18. To the order of Conference Committee Reports. Will the
19. members be in their seats? On the order of Conference Committee
20. Reports. You'll find copies on your desks. Senate Bill 1637.
21. Who's the sponsor please? That's what I need to know. Who is
22. the Senate sponsor to Senate Bill 1637? Senator Hynes.

23. SENATOR HYNES:

24. Mr. President and members of the Senate. This is the
25. annual appropriation for the Board of Higher Education for its
26. operations and for certain grants. You'll recall the other
27. day, there was one House amendment upon which I moved to concur,
28. and the Senate did not concur in that amendment. It was the
29. addition by the House of sixty-five thousand dollars to fund
30. the Legislative Intern Program operated through the various
31. universities in this State. The Conference Committee has met
32. and the Report bears nine signatures in favor of restoring that
33. sixty-five thousand dollars and I would move the adoption of the

1. Conference Committee Report.

2. PRESIDENT:

3. Any further discussion? Senator Kenneth Hall.

4. SENATOR KENNETH HALL:

5. I would like to speak in favor of that, and I'd also like
6. to call it attention to Senator Roe at this time that the...it's
7. back over here.

8. PRESIDENT:

9. Any further discussion? The question is, shall the Senate
10. adopt the Conference Committee Report on Senate Bill 1637? Those
11. in favor will vote Aye. Opposed will vote Nay. The voting is
12. open. Have all voted who wish? I was just reading at who signed
13. the Conference Committee Report and just looking at the votes
14. here, that's all. Have all voted who wish? Take the record.
15. Is Senator Smith on the Floor? (machine cut off) ask the
16. members to push their own switches only please. On this question,
17. the Ayes are 28, the Nays are 15, with 2 Voting Present. The
18. Senate does not adopt...adopt the Conference Committee Report.
19. The Secretary shall so inform the House. Senator Hynes, I
20. assume you desire to request a Second Conference Committee. A
21. Second Conference Committee will be requested of the House. The
22. Second Conference Committee Report of this date on House Bill
23. 3370. Senator Kosinski. For what purpose does Senator Joyce
24. arise?

25. SENATOR JOYCE:

26. I believe the record is wrong, Mr. President. I have 3370.

27. PRESIDENT:

28. Oh, I'm sorry. The Digest apparently apparently had...had
29. it wrong. Let our record show it's Senator Joyce's bill.
30. Senator Joyce is recognized.

31. SENATOR JOYCE:

32. Yes, the Conference Committee Report now indicates that
33. the Senate does recede from Senate Amendment No. 3 and which

1. reduced the appropriations by thirty-one thousand two hundred
2. and seventeen. However, the Report used by...uses the amendatory
3. language, reduces the appropriations by twelve thousand seven
4. hundred and sixty for personal services and fourteen hundred
5. and fifty-seven dollars for related benefits, for a total
6. reduction of fourteen thousand two hundred and seventeen. The
7. reduction follows the desire by the Senate Appropriations
8. Committee to reduce the step and merit increases to three per-
9. cent and they...the House now agrees.

10. PRESIDENT:

11. Any further discussion? The question is, shall the Senate
12. adopt the Conference Committee Report...oh, all right. The
13. question is, shall the Senate adopt the Second Conference
14. Committee Report on House Bill 3370? Those in favor will vote
15. Aye. Opposed will vote Nay. The voting is open. Have all
16. voted who wish? Take the record. On this question, the Ayes
17. are 50, the Nays are none, with none Voting Present. The Senate
18. does adopt the Second Conference Committee Report on House Bill
19. 3370, and the bill having received the constitutional majority
20. is declared passed. Conference Committee Report on House Bill
21. 3858, Senator Knuppel. 3858. Senator Knuppel.

22. SENATOR KNUPPEL:

23. The Conference Committee Report deletes the amendment that
24. was put on here by Senator Demuzio and in addition to that makes
25. technical corrections. You will recall that that amendment
26. provided that...that the governor could appoint no one from a
27. professional agricultural association which already had two
28. members on the State Fair Board. We've, in conference with the
29. House, we found this was going to be very difficult for the
30. governor because of the lack of definition of what a professional
31. agricultural association was and furthermore, it put a tremendous
32. burden on him to check all the men who had already been selected
33. by the county fair districts and then to further screen the

1. people that he might want to consider. We...and as a group,
2. the amendment was deleted, and as I say, technical corrections
3. made. I would solicit a favorable roll call on concurrence.

4. PRESIDENT:

5. Any further discussions? Senator Latherow. You just
6. want to say Amen? All right. The question is, shall the Senate
7. adopt the Conference Committee Report on Senate...on House Bill
8. 3858? Those in favor vote Aye. Those opposed vote Nay. The
9. voting is open. Have all voted who wish? Take the record. On
10. this question, the Ayes are 49, the Nays are none, with none
11. Voting Present. The Senate does adopt the Conference Committee
12. Report on House Bill 3858, and the bill having received the re-
13. quired constitutional majority is declared passed. House Bill
14. 3820, Senator Joyce.

15. SENATOR JOYCE:

16. Thank you, Mr. President. House Bill 3820, the House does
17. now concur in the following Senate amendments...amendments to
18. House Bill 3820. They're 1, 2, 3 and 4, the Senate amendments
19. or total number of amendments added in the Senate, and Senate No...
20. Amendment No. 3 reduces the fire protection personnel standards
21. in Education Commission by sixty-five hundred. Senate Amendment
22. No. 4 adds some eighty-five thousand five hundred dollars to
23. the bill to carry out the purpose of Senate Bill 1950 which is
24. an Act in relation to the hazardous material offered by Mr. President.

25. PRESIDENT:

26. Any further discussion? Question is, shall the Senate
27. adopt the Conference Committee Report on House Bill 3820? Those
28. in favor will vote Aye. Opposed Nay. The voting is open. Have
29. all voted who wish? Take the record. On this question, the
30. Ayes are 48, the Nays are 1, with none Voting Present. The Senate
31. does adopt the Conference Committee Report on House Bill 3820,
32. and the bill having received the constitutional majority is
33. declared passed. Are there are any other...may I have the membership's

1. attention? Are there any other bills on the Secretary's Desk
2. on the order of concurrence or nonconcurrence, either on the
3. calendar or on the supplemental calendar that a member desires
4. to call? Senator D'Arco.

5. SENATOR D'ARCO:

6. Mr. President, I would like...on the order of concurrence
7. I have Senate Bill 1881, and I would like to concur in House
8. Amendments 1 and 3 to that bill.

9. PRESIDENT:

10. On the order of the Secretary's Desk on concurrences on
11. the supplemental calendar, page 1, Senate Bill 1881 by Senator
12. D'Arco. Senator D'Arco desires to concur in House Amendments
13. Numbered 1 and 3. Is there any discussion? Senator Davidson.

14. SENATOR DAVIDSON:

15. The supplemental calendar we have says House Amendments
16. 1 and 2. You're saying 1 and 3. Which is correct?

17. PRESIDENT:

18. 1 and 3 is correct. Earlier in the day, perhaps you were
19. not on the Floor, we made the...the...mentioned that that was
20. a typographical error and that the actual amendments are 1 and
21. 3...

22. SENATOR DAVIDSON:

23. Thank you.

24. PRESIDENT:

25. Please strike the 2 and write 3 on your sheets.

26. SENATOR DAVIDSON:

27. Thank you.

28. PRESIDENT:

29. Any further discussion? The question is, shall the Senate
30. concur in Amendments No. 1 and 3 to Senate Bill 1881? Those in
31. favor vote Aye. The opposed Nay. The voting is open. Have
32. all voted who wish? Take the record. On that question, the Ayes
33. are 43, the Nays are none, with 3 Voting Present. The Senate

1. does concur in Amendments No. 1 and 3 to Senate Bill 1881, and
2. the bill having received the constitutional majority is declared
3. passed. Resolutions.

4. SECRETARY:

5. Senate Resolution 410 introduced by Senators Mitchler,
6. Davidson and all Senators. It's congratulatory.

7. PRESIDENT:

8. Senator Mitchler.

9. SENATOR MITCHLER:

10. Yes, Mr. President and members of the Senate, a State
11. employee who has had service with the State of Illinois since 1940, Verdun
12. Randolph. I'm sure that many of you are acquainted with him
13. over in the Department of Public Health.. He's retiring, and
14. this is a resolution that really was requested by many of
15. his fellow employees in the Department. That speaks well for
16. someone that has had that many years service. And Mr. President,
17. I'd ask for suspension of the rules, immediate consideration
18. and adoption of this resolution, that all Senators be listed
19. along with Senator Davidson and myself as sponsoring
20. resolution for a fine fellow with a good record of service.

21. PRESIDENT:

22. In lieu of a watch, Senator Mitchler moves the immediate
23. suspension of the rules for the immediate consideration of this
24. resolution. All in favor will say Aye. The Ayes have it. The...
25. the rules are suspended. Senator Mitchler now moves the adoption
26. of Senate Resolution 410 immediately. All in favor will say
27. Aye. Opposed Nay. The resolution is adopted.

28. SECRETARY:

29. Senate Resolution 411 introduced by Senator Berning.
30. It's congratulatory.

31. PRESIDENT:

32. Senator Berning.

33. SENATOR BERNING:

1. Thank you, Mr. President, I move for the suspension of
2. the rules for the immediate consideration of this congratulatory
3. resolution.

4. PRESIDENT:

5. Senator Berning moves for the suspension of the rules for
6. the immediate consideration of this resolution. All in favor
7. say Aye. Opposed Nay. The Ayes have it. The rules are suspended.
8. Senator Berning now moves for the immediate adoption of this
9. resolution. All in favor say Aye. Opposed Nay. The resolution
10. is adopted.

11. SECRETARY:

12. Senate Resolution 412 introduced by Senator Vadalabene, and
13. it's congratulatory.

14. PRESIDENT:

15. One moment, please. For what purpose does Senator Berning
16. arise?

17. SENATOR BERNING:

18. Thank you, Mr. President. I would ask leave to have all
19. Senators shown as sponsors.

20. PRESIDENT:

21. Is leave granted? All Senators be shown as cosponsors.
22. Senator...Resolution 412, Senator Vadalabene.

23. SENATOR VADALABENE:

24. Yes, thank you, Mr. President and members of the Senate,
25. as you'll recall about two weeks ago here in Springfield, at Lanphier
26. Field, there were six regional champs in the Midwest Regional
27. Title National Collegiate Athletic Association baseball game,
28. and one of the participants was SIU Edwardsville. I want to
29. repeat SIU Edwardsville, and they came in second in the NCA
30. Division II National Baseball Championship and this is a con-
31. gratulatory resolution, and I would...ask leave for immediate
32. consideration of this resolution.

33. PRESIDENT:

1. Senator Vadalabene moves for the suspension of the rules
2. for the immediate consideration of this resolution. All in
3. favor say Aye. Opposed Nay. The rules are suspended. Senator
4. Vadalabene moves the immediate adoption of this resolution.
5. All in favor say Aye. Opposed Nay. The resolution is adopted.

6. SECRETARY:

7. Senator Resolution 413 introduced by Senator Glass and it's
8. congratulatory.

9. PRESIDENT:

10. Senator Glass.

11. SENATOR GLASS:

12. Thank you, Mr. President and Ladies and Gentlemen. This
13. resolution congratulates one of our colleagues, Senator Bob
14. Mitchler, upon his selection by the United States Environmental
15. Protection Agency to receive a 1976 Environmental Quality
16. Award in Illinois and I would move for the waiver of rules,
17. the immediate consideration and adoption of this resolution.

18. PRESIDENT:

19. Does anyone desire to discuss this resolution? Oh...fine...
20. Executive. Senator Glass, you did move though for the suspension
21. of the rules for the immediate consideration of this resolution?
22. All in favor say Aye. Opposed Nay. The rules are suspended.
23. For what purpose does Senator Vadalabene arise?

24. SENATOR VADALABENE:

25. Yes, I'm sorry, Mr. President and members of the Senate,
26. I wanted to ask to have all members to be shown on Resolution 412.
27. I failed to mention that fact.

28. PRESIDENT:

29. Is leave granted? Leave is granted. Now, on this resolu-
30. tion, the rules are now suspended. Senator Glass moves for the
31. immediate adoption of this resolution. All in favor say Aye.
32. Opposed Nay. The resolution is adopted. Senator Buzbee, for
33. what purpose do you arise?

1. SENATOR BUZBEE:

2. Well, Mr. President, I just wanted to ask leave to be
3. shown as a...cosponsor of Senate Resolution 412, that resolution
4. concerning the SIU Edwardsville baseball team, but Senator
5. Vadalabene already took care of it, so thank you.

6. PRESIDENT:

7. You just had to say it, didn't you? Senator Glass.

8. SENATOR GLASS:

9. Thank you, Mr. President. I would ask leave of the Body
10. to have all members shown as cosponsors of Senate Resolution
11. 413.

12. PRESIDENT:

13. Is leave granted? Leave is granted, and the Pages, too.
14. For what purpose does Senator Carroll arise?

15. SENATOR CARROLL:

16. I was just curious as to whether Senator Mitchler wanted
17. a roll call on that particular motion.

18. PRESIDENT:

19. I think we have...may I have the attention of the member-
20. ship? We have just about finished our permissible work at this
21. moment. The Chair has a dilemma, it's five minutes to five.
22. I had two thoughts about what time we should return. One was,
23. that we return at seven o'clock, if everybody was going to get
24. here at seven, and the other was, that we return at seven-thirty.
25. Well, I know it's better in terms of the time, but the problem
26. is, I've been so very much disappointed at the lateness
27. of the arrival. We try to give enough time so you can get here
28. on time, but advantage is taken of that kind of consideration.
29. It's five minutes to seven. The Senate will stand in adjournment
30. until seven-fifteen.

31. (RECESS)

32. (AFTER RECESS)

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The hour of seven-fifteen having arrived, the Senate
2. will be in Session. We...we do...we do not, as a matter-of-fact,
3. accept snapping fingers. We have a speak button. Ring the
4. bell, Mr. Sergeant-at-Arms. On the order of House Bills on
5. 3rd reading, House Bill 3903. Read the bill, Mr. Secretary.
6. SECRETARY:

7. House Bill 3903

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President. House Bill 3903 is a supplemental
14. appropriation in the amount of six hundred eighty-seven thousand
15. to the court of claims. This is necessitated by four different
16. categories. One is the Police and Fire Death Benefit where
17. awards total two hundred and forty-three thousand. One is
18. the result of lapsed appropriations, part is a replacement of
19. lost awards and the fourth category that they pay from are
20. those which are less than a thousand dollars where we have in-
21. structed the court to pay those immediately. I would ask for
22. a favorable roll call.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion?

25. SENATOR CARROLL:

26. I might add that nothing of Mr. Emil Peterson's appropria-
27. tion is in this.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any discussion? All right, the question is, shall House
30. Bill 3903 pass? Those in favor will vote Aye. Those opposed
31. will vote Nay. The voting is open. Have all voted who wish?
32. Take the record. On that question, the Ayes are 40, the Nays
33. are none, none Voting Present. House Bill 3903 having received

1. a constitutional majority is declared passed. ^{P. 10} Senator Partee,
2. for what purpose do you arise? Senator Partee.
3. SENATOR PARTEE:
4. Well, Mr. President, I've never been a very nose person
5. and I don't look on the members' desk, but I have noticed something
6. on Senator Donnewald's desk that causes me at least some pause
7. and some concern, and I'm just wondering if he might relieve
8. me of my anxiety.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Is at the...that might be the Abner Mikva Memorial.
11. Senator Donnewald.
12. SENATOR DONNEWALD
13. (machine cut off) destructive.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Right on. Senator Donnewald, before...as long as you're
16. standing up here, you can't make that move. Will you come up
17. and assume the podium, please.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Rock, as to House Bill 3191, is it your desire to
20. bring the bill back to the order of 2nd reading?
21. SENATOR ROCK;
22. Yes.
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Is there leave? Leave is granted. The bill is on 2nd
25. reading. Senator Rock.
26. SENATOR ROCK:
27. 3191 as the Calendar indicates...the Calendar frankly is
28. in error with respect to the synopsis. It says, authorizes "certain"
29. counties. It is not "certain" counties. It's "all" counties.
30. It's State-wide. It also says to three dollars. The fact is,
31. that the bill says two dollars. But be that as it may, Senator
32. Sommer has an amendment he wishes to offer, to which I have
33. agreed, and I would yield to Senator Sommer.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Senator Sommer.
3. SECRETARY:
4. Amendment No. 1 offered by Senator Sommer.
5. SENATOR SOMMER:
6. Mr. President and members, this simply allows the counties
7. to maintain law libraries in any public building, not exclusively
8. the court house...
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Is there further...
11. SENATOR SOMMER:
12. ...I move adoption.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. ...Senator Bloom.
15. SENATOR BLOOM:
16. Is this the Judge Hipple Memorial Amendment?
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. I...I assume you're addressing that to...
19. SENATOR BLOOM:
20. Senator Sommer.
21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. ...Senator Sommer. Senator Sommer. Indicates he'll reply.
23. SENATOR SOMMER:
24. Senator Bloom, I hadn't realized Judge Hipple was dead.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Bloom.
27. SENATOR BLOOM:
28. Well, based on the medical definition we passed last
29. Session, there's a good chance he is.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Is there further discussion? The question is, shall
32. Amendment No. 1 to House Bill 3191 be adopted? Those in favor
33. indicate by saying Aye. Those opposed Nay. The Ayes have it.

HB 3222
3rd Reading
6-28-76

1. The amendment is adopted. Are there further amendments?
2. SECRETARY:
3. No further amendments.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. 3rd...3rd reading. Senator Rock.
6. SENATOR ROCK:
7. Thank you. I would, in fact, like to get back to that
8. bill; and in the meantime, I have a bill on 3rd reading, 3222,
9. with which I think we can proceed.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Read the bill.
12. SECRETARY:
13. House Bill 3222
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Rock.
18. SENATOR ROCK:
19. Thank you, Mr. President and Ladies and Gentlemen of
20. the Senate. House Bill 3222 amends and creates a new paragraph
21. in the Act creating the Department of Children and Family
22. Services, and it very simply requires that reimbursable services
23. for which the department shall pay one hundred percent of the
24. reasonable cost, pursuant to a written contract negotiated between
25. the department and the agency furnishing the services, shall in-
26. clude but are not limited to. And there's a long laundry list
27. of those things with which...or about which the department can
28. negotiate. It says finally the department may pay, may pay one
29. hundred percent of the reasonable...cost of research and valua-
30. tion focused exclusively on services to wards of the Department
31. of Children and Family Services. We have had in...as a matter-
32. of-fact in this State, we do have some thirty thousand children
33. who are wards of the State. About two thousand of them are from

1. time to time in private care institutions. The department has
2. taken, frankly, kind of an arbitrary attitude that they will
3. negotiate, if at all, only on their terms. The private agencies
4. are quite upset, and it seems to me that there ought to be a
5. legislative declaration that we do, in fact...that we...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. That did it. Proceed.

8. SENATOR ROCK:

9. ...Thank you, Mr. President. That we do, in fact, expect
10. that the State of Illinois will pay the reasonable cost of pro-
11. viding care for these wards of the State. We have had in the
12. past months some discussion about wards of the State being
13. shipped out of state for services that were presumably not
14. available within the State. It seems to me that the department
15. should, could and under this bill, shall negotiate with the
16. private care agencies within this State to afford the proper
17. child care service to these thirty thousand wards of the State.
18. I would solicit a favorable vote.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Bloom.

21. SENATOR BLOOM:

22. Thank you, Mr. President. I rise in support of this
23. legislation. I have in my district Catholic charities of the
24. archdiocese of Peoria, and my file on their problems with the
25. Department of Children and Family Services in this area is about
26. six inches thick. The voluntary agencies fulfilled a very vital
27. and vibrant role up until this had been passed, and in the last
28. ten years in the Department of Children and Family Services, we've
29. seen nothing but their authority and efforts stifled at every
30. way, and so, I'd urge a favorable roll call.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Bruce. Senator Glass.

33. SENATOR GLASS:

1. SENATOR GLASS:

2. Well, thank you, Mr. President, I, too, rise in support
3. of this bill. The arrogance of the Department of Children and
4. Family Services that I think all of us have heard about is one
5. of the more unfortunate things in State government, and the
6. way they have forced private agencies to take assignments of
7. wards with the threat of with...withholding State monies is...
8. is unfortunate. I don't really think this bill goes far enough,
9. and I...I suppose on balance it's better than nothing. I...I
10. would like to ask the sponsor of the bill, Senator Rock, if
11. there's any indication that the Governor will sign this bill?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Rock.

14. SENATOR ROCK:

15. Well, my understanding, Senator Glass, the question is
16. a good one. My understanding is from Representative Grotberg
17. that, as you and I both know, when House Bill 3222 was introduced
18. in the House, it had quite a different form. The House bill, as
19. amended, I am informed by Representative Grotberg represents
20. a compromise agreement reached between the Governor's counsel
21. and the Director and Representative Grotberg, so I would assume that
22. once having given sanction to this compromise, it would be signed.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Berning.

25. SENATOR BERNING:

26. Thank you, Mr. President. One question for clarification,
27. please. Not having had the bill and unable to determine from
28. what little I've seen, would you...describe for me what the
29. contract covers and is it on an individual basis or a contract
30. for services covering the kind of service that an institution
31. provides?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Rock.

1. SENATOR ROCK:

2. Well, it's...it's an...it's an individual contract with
3. respect to each facility or each child care association. I
4. should not say association, because that includes the hundred
5. and some that are involved, but it...it's individual with respect
6. to each facility. It is also individual with respect to the
7. type of service that is offered. In other words, at...at one
8. institution there may be provisions in the contract for day
9. care services. At another institution there may be provisions
10. for some other kind of service.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. ...Senator Berning.

13. SENATOR BERNING:

14. Well, in order to make it a little more understandable to
15. me and perhaps to emphasize where my question arises, let's take
16. a specific situation. I have a residential school in my
17. district which cares for the mentally retarded and developmentally
18. disabled. Many of these children require varying degrees of
19. care and service. My question then simply is this, can one
20. contract cover all types and all degrees of expense and care or will
21. it require an individual contract for a specifically type...
22. specifically handicapped type person?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Rock.

25. SENATOR ROCK:

26. Well, the problem that I have with your question, Senator
27. Berning, and believe me, I'm not trying to duck it, the problem
28. I have relates to what I asked Director Levitt when he appeared
29. before the Appropriations Committee. The fact is that in a
30. situation such as the institution you described, the Department
31. of Mental Health is the contractor, not the Department of Children
32. and Family Services, and as a result there are, in fact, different
33. rates and different programs that come or are contracted for by

1. the State of Illinois.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Just...just a moment. May we have order. May we have
4. order, please? Senator Berning..

5. SENATOR BERNING:

6. Well, thank you, Senator Rock. I recognized that for most
7. cases, whether it is a school that I recited or any other, the
8. Department of Mental Health is involved, but there are instances,
9. and I think of one particularly where it was the Department of
10. Children and Family Services, and incidentally this school never
11. got anything, and the individual was placed by court order,
12. though it...he was really a ward of the...of the Department of
13. Children and Family Services.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Newhouse.

16. SENATOR NEWHOUSE:

17. Thank you, Mr. President. I'd like to outline for the
18. sponsor a particular kind of problem that I have and then ask
19. him a question which he may or may not be able to answer. I
20. now have in...adjacent to my district, Mr...Senator Rock, a
21. vendor who has contracted with the Department of Children and
22. Family Services with which we are having considerable difficulty. Let
23. me tell you very briefly what has happened. This contract
24. was for the...for the provision of service to severely, mentally
25. disturbed children. The contract was abruptly terminated.
26. There were four reasons were given. Three of which...which
27. were absolutely speechless. The fourth of which was the reason
28. that the overhead costs were too high, whatever that means.
29. Without first ever having consulted with the accountant for the
30. vendor or ever having discussed the matter with the accountant for
31. the vendor, this contract was terminated leaving a number of
32. severely damaged youngsters without services. As a legislator,
33. and several of the legislators who were concerned, got into the act

1. and talked with the Department of Children and Family Services.
2. We are talking the vendor without other recourse agreed to have
3. an audit of his books, which of course would have cost him
4. money. Meanwhile these severely disordered children were not
5. being served. As it stands now, the vendor has lost his contract.
6. The children that were assigned for the services are either
7. being served or are not being served. No one really seems to
8. know. But the vendor, of course, is put in the position where
9. he would go bankrupt were he depending upon this contract alone
10. for services. Now, the question that I...pops to my mine is
11. this. I'm not sure after we make these appropriations what
12. kind of controls the legislature has or what input they have
13. into the keeping of a contract. As far as I can tell, I'm
14. not even sure that the department could make him hold even if
15. they wanted to at this stage. This seems to me to be an awful
16. way to run a railroad. It seems to me to be a disservice to
17. the children and, of course, a disservice to the vendor who've
18. gone to considerable trouble in order to provide service for
19. ...for our children with mental disorders in this...in this
20. State. Is there anything in this bill, or is there anything
21. outside this bill, that can help us in the control of a situation
22. such as this?

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Rock.

25. SENATOR ROCK:

26. My...my answer in a...in a brief way, Senator Newhouse, is
27. we piously hope so. I am aware of the situation about which
28. you speak. As a matter-of-fact, the gentlemen who is the provider
29. of service, and I hesitate to call him a vendor, because they
30. are not being paid the reasonable cost of the service they
31. provide, a very valuable service, has, in fact, talked to me,
32. and I was the one that suggested that...that he contact both
33. you and Representative Mann and others. The Department has kind of,

1. in my opinion, taken an arbitrary attitude with respect to the
2. private sector. What we are attempting to say at least by
3. virtue of House Bill 3222 is, if in fact, one, we do, in fact,
4. as a legislative declaration wish that you will contract with
5. the private sector. They have, and do, afford a service which
6. the State simply cannot provide without them. Secondly, if in
7. fact you're going to contract with the private sector, you
8. should agree to pay one hundred percent of the reasonable
9. cost with respect to these services that the private sector is
10. offering. Thirdly, we do have kind of a handle with respect
11. to the Department of Children and Family Services budget. We
12. have in the past couple of years broken out into line items
13. what we expect the...the department should spend...reasonably
14. should spend for purchase of care agreements for homemaker
15. services, for day care, and we have said to the department that
16. we expect that this should and will be spent in the correct
17. manner. What has happened is that in many instances the depart-
18. ment has arbitrarily decided, one, that we will not do what
19. is in the best interest of this child for budgetary or other
20. reasons and so we will not contract with a...with the private
21. sector, or two, we find somebody in the private sector who can give
22. us a reasonable facsimile of this service at a lower cost. By
23. virtue of House Bill 3222, we are attempting to change that situation.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there...now the time is expired on both. Senator New-
26. house, did you...Senator Graham.

27. SENATOR NEWHOUSE:

28. I...I...I would simply remark, Mr. President, in that...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Just...just a moment. Senator Newhouse.

31. SENATOR NEWHOUSE:

32. ...I simply want to say, Mr. President, in this event I
33. will support this bill wholeheartedly.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Graham.

3. SENATOR GRAHAM:

4. I have two questions of Senator Rock.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rock indicates he will respond.

7. SENATOR GRAHAM:

8. We do have now the Department of Mental Health contracting...

9. I can't hear myself. I'm sure Senator Rock can't. We do, in
10. fact, have the Department of Mental Health who is contracting
11. for some of their patients outside of the State. Would this in
12. any event have any effect upon those contracts?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Rock.

15. SENATOR ROCK:

16. Senator Graham, I would like to say it would, but the fact
17. of the matter is, it probably won't for this reason, that the
18. Department of Mental Health is the contractor is those instances
19. where in their medical judgment the...the services that will
20. benefit this or that particular ward in their opinion are not
21. available within this State. I think that's a question that
22. we should address as to why it is not available in this State,
23. if it's not. I am going on the assumption that their medical
24. judgment is better than mine. They claim that the services for
25. which they contract outside the State simply are not available
26. in this State. We...I...I just have not gotten to that point
27. yet. My objection to the Department of Mental Health as the
28. ...Senator Berning's question was that we have...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Just...just a moment. There's an awful lot of noise behind
31. Senator Graham. He can't hear. I can't hear. Now, we can hear.
32. Proceed.

33. SENATOR ROCK:

1. ...My objection was and still is and I questioned Dr.
2. Levitt at not...not enough length apparently in the Appropria-
3. tions Committee, is that in many instances where the Department
4. of Mental Health is the prime contractor with the private
5. agency they have a different rate schedule than the...than
6. does the Department of Children and Family Services. And
7. apparently if a child is a ward of the Department of Children
8. and Family Services and yet is under the jurisdiction of the
9. Department of Mental Health, Mental Health sets the cost or
10. sets the rate, and if, in fact, the private agency feels that
11. they are not being paid enough to adequately care for this
12. child, DCFS as a matter-of-fact passes the buck, and says, "No, you've
13. got to talk to the Department of Mental Health", and there appears
14. at...at least to me to be a lack of communication between two
15. code departments of this State and I have brought it to their
16. attention more than once.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Graham.

19. SENATOR GRAHAM:

20. ...One more question, Senator Rock. Does your bill, in
21. fact, if it is passed, prohibit DCFS from contracting for services
22. without the State?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Rock.

25. SENATOR ROCK:

26. No.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Ozinga.

29. SENATOR OZINGA:

30. Mr. President and members of the Senate, I rise in support
31. of this bill. Reason being as you have heard from practically
32. everybody that's spoken so far, the confusion that has arisen
33. with reference to try to get a buck back for some of these vendors

1. so-called. It's been a terrific fight, and the passing of the
2. buck has been terrific. Result, nobody gets paid. Institution
3. in my territory waited six months just...just to start negotiating,
4. therefore, by this bill, it will eliminate a little bit of the
5. passing of the buck and in reference to Senator Berning's
6. question, we now have the bill in...and it lists all of the
7. different things that they can contract for with not more than
8. twenty percent going to cost of administration. I think this
9. is a good bill and at least it will get us to a spot where we will
10. be able to put the finger on somebody.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? Senator Rock may close the
13. debate.

14. SENATOR ROCK:

15. I think the issue is well aired. I would ask for a favor-
16. able roll call.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. The question is, shall House Bill 3222 pass? Those in
19. favor vote Aye. Those opposed Nay. The voting is open. Have
20. all voted who wish? Take the record. On that question, the
21. Ayes are 49, the Nays are none. House Bill 3222 having received
22. a constitutional majority is declared passed. House...House
23. Bill 3191, Senator Rock. Read the bill.

24. SECRETARY:

25. House Bill 3191

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President and Ladies and Gentlemen of the
32. Senate. House Bill 3191 says in short shrift the county board
33. of any county may establish and maintain a county law library at the

1. county seat of government and in addition such branch law
2. libraries and other locations within that county as the county
3. board deems necessary. Additionally, this bill says, the
4. county board may authorize a county law library fee of not to exceed
5. two dollars to be charged and collected by the clerks of all
6. trial courts located in the county. The bill as originally
7. introduced in the House by Representative Katz dealt only
8. with the County of Cook and its law library and provided for a
9. three dollar fee as opposed to the two dollar fee. Representa-
10. tive Katz was...his bill was amended in the House to...to make it
11. applicable to all counties in the State. It is permissive.
12. It is at the will of the county board, and it says one, they
13. may provide a county law library, and two, if it is provided,
14. they may call for a fee of two dollars to be collected by the
15. circuit court of the county. I know of no objection. I would
16. solicit a favorable roll call.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. Question to the sponsor.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Indicates he'll respond.

23. SENATOR DAVIDSON:

24. Bill...they can ask less than two dollars if the county
25. board so desires, correct?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rock.

28. SENATOR ROCK:

29. That is correct.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? Question is, shall House Bill
32. 3191 pass? Those in favor vote Aye. Those opposed Nay. The
33. voting is open. Have all those voted who wish? Take the record.

1. On that question, the Ayes are 46, the Nays are 2. House Bill
2. 3191 having received a constitutional majority is declared
3. passed. Conference Committee Reports. House Bill 3553,
4. Conference Committee Report. Senator Howard Mohr.

5. SENATOR HOWARD MOHR:

6. Yes, Mr. President, I move that we concur in the Con-
7. ference Committee Report. The House did accept our Senate
8. amendment which removed a one million dollars from a two million
9. dollar appropriation for a disaster area in the...the Lyden Town-
10. ship area.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. The question is, shall the adopt the Conference Committee
13. Report...just a moment. Senator Partee.

14. SENATOR PARTEE:

15. Well, I want to be helpful on this matter. I understand
16. that the amendment from the House limited it to the March 12th
17. storm. Is that what it amounts to?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Howard Mohr.

20. SENATOR HOWARD MOHR:

21. This is limited to the March 12th, Senator.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Partee.

24. SENATOR PARTEE:

25. Well, I think that's a good bill and I'm proposed to support it.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The question is, shall the Senate adopt the Conference
28. Committee Report on House Bill 3553? Those in favor vote Aye.
29. Those opposed Nay. The voting is open. Have all those voted
30. who wish? Take the record. On that question, the Ayes are 49,
31. the Nays are none. The Senate does adopt the Conference Committee
32. Report on House Bill 3553 and the bill having received the re-
33. quired constitutional majority is declared passed.

1. SECRETARY:
2. (machine cut off) Conference Committee Report on House
3. Bill 3417. Senator Merritt is the sponsor.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Merritt.
6. SECRETARY:
7. Egan...Egan...Egan is the...no, Egan...
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Just...just a moment.
10. SECRETARY:
11. ...Senator...Senator Egan is the true sponsor.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Egan. First Conference Committee Report.
14. SENATOR EGAN:
15. Thank you, Mr. President and members of the Senate. This
16. Conference Committee Report is that which has been acted upon
17. by the...on the waterways bill and it's one that has not attained
18. much significance, Mr. President and members of the Senate...
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Just a moment. Would the members please be in their seat?
21. Would all unauthorized people clear the Floor? Will the
22. Sergeant-at-Arms attend to that. May we have order, please.
23. SENATOR EGAN:
24. ...Yes, as I was saying that this is the Conference
25. Committee Report on the waterways bill and there...there were
26. three paragraphs in the Conference Committee Report, one of
27. which is the Senate recede from the Amendments No. 2 and 6.
28. The House concurred in Senate Amendments 1, 3, 4, 5, 7 and 8 and
29. that it be further amended by deleting five million five hundred
30. thousand and including...inserting in lieu thereof nineteen
31. million one hundred thousand which is the difference in the
32. total cost, and that which was originally requested for the
33. Middle Fork Reservoir. And as the sponsor in the Senate of

1. House Bill 3417, I move, Mr. President and members, that we
2. concur in the Conference Committee Report.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Just a moment. I've been advised by the Secretary that
5. we've never received a message from the House acceding to our
6. request for a Conference Committee, so take it out of the record.
7. Senator Egan, for what purpose do you arise?

8. SENATOR EGAN:

9. Well, if the House has not acceded to the request...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. The message, Senator, hasn't been sent.

12. SENATOR EGAN:

13. ...Well, then, the House has not acceded to the request.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. We...they...we have not been officially advised of that
16. fact, Senator.

17. SENATOR EGAN:

18. Then my question is, how did we get a Conference Committee
19. which has already met and signed the Conference Committee Report?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator, it's a technical matter, and it will be straightened
22. out. Senator Partee.

23. SENATOR PARTEE:

24. So there will be no mistake about it and so that our record
25. is clear, have we sought a Conference Committee and is a Con-
26. ference Committee Report that reports to be here, a legal
27. document?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Yes, that's correct, but I'm advised that we do not have
30. the Message.

31. SENATOR PARTEE:

32. Well, then the Conference Report then is a nullity? Is that
33. correct?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. It's...it's like a baby...a seven month baby, it's a little
3. premature.
4. SENATOR PARTEE:
5. Well, I appreciate the homily, but if it is not a baby,
6. then it is not a baby. Irrespective of whatever adjective used
7. to describe it...something which is not come into being is not
8. in being. That's the way I understand life.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senator Merritt, for what purpose do you arise?
11. SENATOR MERRITT:
12. Why...Mr. President and members of the Senate, by what
13. authority have we moved here to appoint a Conference Committee
14. that I served on, that served at three o'clock this afternoon?
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. There's no question about the fact that you did serve on
17. that committee, but I'm advised that the Secretary of the House had...
18. SENATOR MERRITT:
19. By what authority did we meet...
20. PRESIDING OFFICER: (SENATOR DONNEWALD)
21. Just...just a moment. Just a moment. Easy. The House did
22. not go through the proper motions in their record of appointing
23. the members to their part of the Conference Committee.
24. SENATOR MERRITT:
25. That is...that is...
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. We are trying to clear up...now, just a moment...
28. SENATOR MERRITT:
29. ...not right...
30. PRESIDING OFFICER: (SENATOR DONNEWADL)
31. Senator. Just a moment. We're trying to clear the record.
32. SENATOR MERRITT:
33. ...That is not right.

1. Conference Committee Report. Senator Rock.
2. SENATOR ROCK:
3. Well, as one who believes that life begins at conception, it
4. appears that the Conference...it...it appears that the...this
5. Conference Committee...
6. PRESIDING OFFICER: (SENATOR DONNEWALD)
7. Let's go to the next bill.
8. SENATOR ROCK:
9. ...is the gestation period of the Indian elephant.
10. SECRETARY:
11. First...First Conference Committee Report on Senate Bill
12. 1614, and I don't know whether it's Senator Hynes or Egan.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. The Digest indicates Senator Morris.
15. SECRETARY:
16. Senator Morris is the...
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. We'll hold it until he returns. Senate Bill 1614, Senator
19. Morris. First Conference Committee Report.
20. SENATOR MORRIS:
21. I would like to hold the vote on this until tomorrow
22. morning. We have a meeting scheduled in the morning which may
23. resolve one problem that still exists.
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. We may adjourn tonight, Senator.
26. SENATOR MORRIS:
27. Well, then the Department of Law Enforcement will not be
28. funded and that's perfectly all right with me.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Yes, for what purpose do you arise, Senator Lemke?
31. SENATOR LEMKE:
32. Point of personal privilege.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. State your point.

2. SENATOR LEMKE:

3. Today some remarks were made, which I have received for the
4. last hour complaints from my constituents, and several fellow
5. colleagues in the House of Representatives who are of certain
6. ethnic backgrounds. Both being Polish and Italian, we have
7. heard remarks from the Senator from McHenry, Senator Schaffer,
8. making fun of the Polish people and making fun of the Italian
9. people. Now, I want to quote him about the Revolutionary War
10. if he talks about the people that in stand, and if we
11. thinks it's only the WASPS that freed this country. If it wasn't
12. for Kosciusko, there would be no Saratoga, and there would be no
13. West Point, and if it wasn't for Pulaski, there would be
14. no George Washington, because he would have been captured by
15. the British Generals, and there would have been no country here
16. if it wasn't for the Italians. Now, we are tired of hearing
17. complaints from our constituents by certain Senators who make
18. sly and joking remarks about their character and their ethnic
19. background. And today we will stand it, and we want an apology
20. to the Polish and the Italian people in this State, and in this
21. country.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Schaffer.

24. SENATOR SCHAFFER:

25. First of all, Senator, I think if you search my background,
26. you might be surprised how Irish I am. My comment earlier to
27. the gentleman in the Civil War uniform in the gallery related
28. to your objections to Senator Davidson's amendment, which who
29. felt would keep someone of Polish ancestry, out of the job as
30. the Lincoln Tomb custodian. And my comment simply was, that if
31. the gentleman was of that particular ethnic background and a
32. Civil War Veteran, he could certainly have the position with no
33. one objecting. Now if that...if you interpret that as slur on your

1. ethnic background, I certainly apologize to you. It certainly
2. was not meant that way. I...I think, quite frankly, no one...
3. that no one else has taken it that way that I am aware of. You have
4. ever reason to be proud of your ethnic background. I have
5. many, many people that I know and revere who are Polish, and
6. if...if you wish an apology for something, you certainly have
7. it. I didn't at the time I made the remark mean it as slur.
8. I don't think very many other people interpreted it that way.
9. You certainly have reason to feel proud of your ethnic back-
10. ground and to the extent that I have in some way infringed on
11. your strong feelings, I apologize.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Nudelman. Senator Nudelman.

14. SENATOR NUDELMAN:

15. Thank you, Mr. President. I have a parliamentary inquiry.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. State your point.

18. SENATOR NUDELMAN:

19. I have on my desk a Conference Committee Report on Senate
20. Bill 1614 which seems to be signed by some eight of ten members
21. of that Conference Committee, and I...I would inquire of the
22. Chair how we can avoid hearing that Conference Committee Report
23. and how that Conference Committee can meet again and undo what
24. it has already done? I'd...I'd inquire of Senator Morris what
25. he proposes to do, and then inquire of the Chair and the Parliamen-
26. tarian how that can be done?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Well, in response to you, Senator, the sponsor of the bill,
29. of course, can control his own bill. There is, I understand,
30. some...and Senator Morris...Senator Morris, if you'd...I would
31. ...I would state that he has that right to discuss the bill and
32. determine what actually this Conference Committee Report did say,
33. and if there is disagreement, then he would ask for another

1. Conference Committee Report. Senator Partee.

2. SENATOR PARTEE:

3. Well, I think that the question could be answered in just
4. a few moments. A couple of things have happened which I think
5. will give us the opening to...and determination. One is,
6. Representative Shea is on his way over here to talk to me about
7. something that appears to be critical and the other is, I don't
8. know whether the House is or is not in Session. Well...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. May we have order. Will the Senators please be in their
11. seats? Now, let's not continue until everybody is in their
12. seats and the Chambers cleared of unauthorized personnel.

13. SENATOR PARTEE:

14. One of the problems that has arisen is that obviously some
15. Messages from the House have not yet gotten here. Representa-
16. tive Shea is on his way over and we're going to be discussing
17. that. And I never like to be one that brings rumors but I'm
18. given to understand, I don't know yet whether it is true or not,
19. but the House may or not be in Session at this moment. I don't
20. know, but I will know in a few minutes and as soon as we find
21. out, we'll tell you what our posture is.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Palmer.

24. SENATOR PALMER:

25. Mr. President, I wanted to be recognized after Senator Lemke
26. made his remarks on the ground of personal privilege.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. State your point.

29. SENATOR PALMER:

30. I wanted the Senate to recognize the...the distinct honor
31. that we have in our presence here tonight, the presence of a
32. very gracious Polish lady, Mrs. Kosinski, Senator Kosinski's
33. wife, who happens to be in the gallery up there...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Would she stand...
3. SENATOR PALMER:
4. ...right behind the President.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. ...and be recognized. Senator Nudelman, for what purpose
7. do you arise?
8. SENATOR NUDELMAN:
9. Thank you, Mr. President. I would pursue my inquiry. I
10. found, Mr. President Partee's...comments unresponsive to my
11. question. My question is, does the sponsor of the bill have
12. the right to disregard the...Conference Committee Report and
13. refuse to present it to this Body?
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Senator Morris.
16. SENATOR MORRIS:
17. I'd...for Senator Nudelman's edification....
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senator Netsch. Senator Netsch. Senator Morris.
20. SENATOR MORRIS:
21. ...I was not disregarding the Conference Committee Report.
22. We have a problem which we are trying to resolve at this
23. moment, and I think if we have fifteen minutes now or at least
24. wait until morning, we can resolve it. If you want to force
25. an up or down vote on it now, I guess that may be the prerogative
26. of the Chamber, and I can always just Table the bill.
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Just a moment. Just a moment. Senator Nudelman.
29. SENATOR NUDELMAN:
30. Thank you, Mr. President. I find that unresponsive. I...
31. I...I merely want to inquire what can be done at this point in
32. time to change the Conference Committee Report without the
33. appointment of an additional Conference Committee? We have

1. something before us, and I don't know whether the Senator has
2. to act on it or not, but I don't know what can be done (untelligible word)
3. the record to...to change what already is in the record.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. It's not a matter of changing as I understand it. It's
6. a matter of determining what the contents of the Committee...
7. the Conference Committee Report is.
8. SENATOR NUDELMAN:
9. I have it here before me, Mr. President. I could read it
10. to you.
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Well, just a moment...
13. SENATOR NUDELMAN:
14. It's been distributed to...
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. ...just a moment...
17. SENATOR NUDELMAN:
18. ...our desks.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. ...just a moment. Senator Partee.
21. SENATOR PARTEE:
22. A parliamentary inquiry. A parliamentary inquiry is this,
23. have...has...does...
24. PRESIDING OFFICER: (SENATOR DONNEWALD)
25. Just...Senator, just a moment. Can...may we please have
26. order? May we please have order? Will the Senate...will the
27. Senators please be in their seats? Senator Bloom. Could we
28. have order, please? Senator Partee.
29. SENATOR PARTEE:
30. ...Has a message been sent to the Secretary of the Senate
31. requesting a Conference Committee on the bill in question?
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. We have not as yet received it. The Secretary informs me

1. that it...

2. SENATOR PARTEE:

3. That...that...that answer is good.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. All right.

6. SENATOR PARTEE:

7. You've not received it. Can legally, just as a matter of

8. sequence, you deal with a Conference Committee Report prior to

9. the receipt of a Message from the House?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator, you're addressing yourself to 6...Senate Bill

12. 1614?

13. SENATOR PARTEE:

14. Yes.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. That is here.

17. SENATOR PARTEE:

18. Now, the message...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Just...just a moment...

21. SENATOR PARTEE:

22. ...The Conference Committee Report is here. The question

23. is, has the message arrived? ...I...you see, I think the whole...

24. wait a minute, you can't listen to both of us. I'll wait.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. ...Yes, it has. The message...

27. SENATOR PARTEE:

28. The question...

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. ...has arrived.

31. SENATOR PARTEE:

32. ...did it...had the message arrived a few moments ago when

33. we were discussing this?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. That was a different bill, Senator.

3. SENATOR PARTEE:
4. Well, maybe I'm not talking about the same bill. I'm
5. talking about the bill that Senator Nudelman and Senator Merritt
6. are discussing.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Different bills completely. Senator Rock.

9. SENATOR PARTEE:
10. ...Well...well, I'm not finished, if I may?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. I'm sorry. Senator Partee.

13. SENATOR PARTEE:
14. So, the one they're discussing that's...you're not discussing
15. that anymore? All right. You're talking now about Senator
16. Morris' bill? Is that correct? Fine.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. We were...

19. SENATOR PARTEE:
20. And a message is here on that bill?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)
22. ...Yes.

23. SENATOR PARTEE:
24. Fine. Now, what is the problem at this point?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator...Senator Morris is trying to determine exactly
27. what the message does contain. Senator Rock.

28. SENATOR PARTEE:
29. Now, here.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Oh, just a moment. Senator Partee.

32. SENATOR PARTEE:
33. I just would like to address one thing. I heard Senator

1. Morris say something about he would Table the bill, and my
2. parliamentary inquiry is, after a bill has reached the Con-
3. ference Committee stage, has the sponsor a possessory right
4. to Table it? And I think the answer is no. I just want to know.
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. Not without a...a majority of those voting. Senator Rock.
7. SENATOR ROCK:
8. I was attempting at least to point out that I think
9. Senator Morris' obstinacy and the inquiry from both Senator
10. Nudelman and whoever are at this point moot. The House has
11. refused to adopt that Conference Committee Report.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Well, we don't have that message as yet, Senator.
14. SENATOR ROCK:
15. I was going to ask about the second message, but I sure
16. didn't want to get there yet.
17. PRESIDING OFFICER: (SENATOR DONNEWALD)
18. That's good. Senator Hynes.
19. SENATOR HYNES:
20. Mr. ...Mr. President, I...I am informed that with respect
21. to Senate Bill 1614, about which the controversy is brewing,
22. that the House just a moment ago refused to adopt that Conference
23. Committee Report, so our whole discussion may be moot. If we
24. could verify that point, then I think we can just get on with
25. a request for a second one.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Morris.
28. SENATOR MORRIS:
29. In light of information that I have from the House which
30. I believe to be accurate, I would move to nonconcur with the
31. Conference Committee Report and appoint a Second Conference
32. Committee on Senate Bill 1614.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Morris moves to nonconcur in House Amendment...in
2. the Conference Committee Report on Senate Bill 1614. All those
3. in...and requests that a Second Conference Committee Report be
4. ...be appointed. All those in favor say Aye. Those opposed
5. Nay. The Ayes have it. The motion carries. The Secretary
6. will so inform the House. Senator Carroll.

7. SENATOR CARROLL:

8. If we may, Mr. President, on the order of Conference
9. Committee Reports, 1934.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. We'll stand at ease. Senator Carroll.

12. SECRETARY:

13. First Conference Committee Report on Senate Bill 1934.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Carroll.

16. SENATOR CARROLL:

17. ...Thank you, Mr. President. I would move that the
18. Senate do adopt the First Conference Committee on Senate Bill
19. 1934. What this is, the report recommends...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Just a moment. Would...could we please have order?

22. Well, that's what it sounds like, no. Now proceed.

23. SENATOR CARROLL:

24. ...the Report recommends the House recede from its amend-
25. ments dealing with the Judicial Inquiry Board, the Court of
26. Claims reimbursement and a...the technical amendment that has
27. no dollar amount, and that we concur in the reduction to the
28. appellate defender program, the reduction for travel for the
29. prosecutorial advisory council, but that we re-fund the prosecutors
30. advisory council and that the House recedes from its amendmēt
31. which cuts that out. I would ask for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? All right, Senator Welsh, we will have some

1. order. Senator Harber Hall.

2. SENATOR HARBER HALL:

3. Would the sponsor yield for a question?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Indicates he will yield. Senator Hall.

6. SENATOR HARBER HALL:

7. Senator Carroll, what's the net effect of these amendments

8. to the total amount appropriated?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Carroll.

11. SENATOR CARROLL:

12. Well, Senator Hall, we have agreed to the cut of seventy-one

13. thousand six hundred thirty-six dollars to the appellate

14. defender. We have asked the House to recede from its cut of

15. three hundred fifty-nine thousand to the appellate defender.

16. We have agree to the House's cut of eighteen thousand to the

17. prosecutorial advisory council, and we have asked them to recede

18. of their cut of thirty-five hundred from the...the...excuse me,

19. the Court of Claims, and to recede from a reduction in travel

20. for the Judicial Inquiry Board of three thousand. So, it's

21. hard to figure on that effect. It depends on whether you're

22. coming from the House Bill or the Senate Bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Harber Hall.

25. SENATOR HARBER HALL:

26. Well, let's see. I...I made a mental calculation of...of

27. a net increase of fifty-two thousand seven hundred and sixty-six

28. three ninety. Is that about right?

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Carroll.

31. SENATOR CARROLL:

32. No, I would say more like a net decrease of about ninety

33. thousand from the way the bill left the Senate.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Harber Hall.
3. SENATOR HARBER HALL:
4. A net decrease from the way it left the Senate. You mean
5. the House net reductions were over and above the reductions
6. that the Senate made?
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Carroll.
9. SENATOR CARROLL:
10. Yes, that is correct.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Further discussion? All right, the question is, shall
13. the Senate adopt the Conference Committee Report on Senate
14. Bill 1934? Those in favor will vote Aye. Those opposed will
15. vote Nay. The voting is open. Have all voted who wish?
16. Take the record. On that question, the Ayes are 40, the Nays
17. are 2, 7 Voting Present. The Senate does adopt the Conference
18. Committee Report on Senate Bill 1934 and the bill having received
19. the required constitutional majority is declared passed.
20. Senator Partee, for what purpose do you arise?
21. SENATOR PARTEE:
22. Let the record show that I was reading what this does
23. and I got one impression, when I find now another impression
24. should have been gotten, and instead of Voting Present, I want
25. to let the record show that I would have voted Yes had I made
26. that discovery earlier.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. The record will so show. On page 5 of the Calendar on
29. the Secretary's Desk, on the order of concurrence is Senate
30. Bill 1603. Senator Bruce.
31. SENATOR BRUCE:
32. Thank you, Mr. President and members of the Senate. Senate
33. Bill 1603 is the ordinary appropriation to the Department of

1. Personnel and there were three amendments attached in the House.
2. I am going to move that the Senate concur in Amendment No. 1,
3. which restored or added one hundred and fifty-two thousand
4. eight hundred dollars which is for the central payroll services
5. which...over which I believe there's no controversy. This
6. item was removed from the budget of the Department of Finance
7. and was reinserted in the Department of Personnel. And I will
8. then move that we concur in Amendment No. 1 and nonconcur in
9. 2 and 3.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Is there any discussion? All right, the question is,
12. shall the Senate concur in Amendment No. 1 to Senate Bill 1603?
13. Those in favor will vote Aye. Those opposed will vote Nay.
14. The voting is open. Have all voted who wish? Take the record.
15. On that question, the Ayes are 48, the Nays are 1, none Voting
16. Present. The Senate does concur in Amendment No. 1 to Senate
17. Bill 1603. Senator Bruce.

18. SENATOR BRUCE:

19. I now move that the Senate...refuse to concur in Amendments
20. No. 2 and 3 to Senate Bill 1603.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Bruce moves to nonconcur in House Amendments 2 and
23. 3 to Senate Bill 1603. All those in favor signify by saying
24. Aye. All those opposed. The Ayes have it. The motion carries,
25. and the Secretary shall so inform the House. Any member have
26. a House Bill on 3rd reading he wishes to call? Senator Savickas.

27. SENATOR SAVICKAS:

28. Well, Mr. President, while we're having a little lapsed
29. time here, I would ask leave of the Senate to re-refer
30. Senate Bill 2014 back to the Committee on Labor and Commerce.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Savickas has moved to re-refer Senate Bill 2014
33. to the Committee on Labor and Commerce. Is leave granted?

1. So ordered. Senator Newhouse, for what purpose do you
2. arise?
3. SENATOR NEWHOUSE:
4. Mr. President, on...on consideration postponed, I've got a
5. little bill, if you...we could move to that order, I'd...
6. PRESIDING OFFICER: (SENATOR ROCK)
7. All right, is there leave to go to the order of considera-
8. tion postponed? Leave is granted. Senator Newhouse has 3912...
9. Senator Newhouse, is that the bill?
10. SENATOR NEWHOUSE:
11. That's correct, yeah.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. All right. On the order of consideration postponed is
14. House Bill 3912. Read the bill, Mr. Secretary. Read the bill,
15. Mr. Secretary.
16. SECRETARY:
17. House Bill 3912
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Newhouse.
22. SENATOR NEWHOUSE:
23. Thank you, Mr. President. The bill has been debated pre-
24. viously. I think it got 28-29 votes before. This is the bill
25. that would provide for...or would rather prevent the untoward
26. situation where a person in Illinois pays a hospital bill, gets
27. reimbursed the next year, and pays taxes on the reimbursement
28. as if it is income. My position is the State should not be
29. taking money to which it is not entitled, and therefore, I
30. think this bill ought to pass. I'd solicit your favorable roll
31. call.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Any discussion? Senator Bruce.

1. SENATOR BRUCE:

2. Well, as much as I hate to stand in opposition to one
3. of Senator Newhouse's bills, this bill makes a significant
4. change in the Illinois income tax, and it relates to Section 111
5. of the Internal Revenue Code, and in that section are the following
6. allowable deductions: alimony paid, charitable contributions,
7. taxes paid, interest paid, nonbusiness casual losses, medical
8. expenses, investors expenses, child care expenses, and union
9. dues, all of which are not deductible under the present
10. Illinois Statute. This bill, however, would probably, although
11. we do not have a definite answer, apply only to taxes paid, non-
12. business casualty loses and medical expenses. The Department
13. of Revenue's projection on medical expenses alone, ...the
14. State will lose approaching one million dollars. I think that
15. there has not been a calculation on nonbusiness casualty losses.
16. Anytime a person would lose a home by fire or by flood or
17. any other casualty, tornado, and we have several of those in
18. the State of Illinois, far, far exceeding medical expenses reimbursed,
19. you've...got to realize this only applies if the reimbursement comes
20. in a taxing year other than when the expenses were incurred.
21. We're talking about a significant loss in revenue approaching
22. somewhere near ten million dollars, I would guess, to the
23. State of Illinois. These...these deductions can be taken by
24. filing the requisite forms presently. All this does...mean is
25. that the State of Illinois is going to lose a significant
26. amount of revenue. I would rise in opposition to the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Any further discussion? Senator Knuppel.

29. SENATOR KNUPPEL:

30. This all sounds good. It's garbage so far as the taxpayer
31. is concerned, and it's a lot of legal talk...weasel talk. This
32. is a good bill. A person pays this and they don't get to deduct
33. it. They get it back in another year, they shouldn't have to

1. fill out fifty forms to get it. It isn't alimony. It isn't
2. charitable contributions. It isn't something else. I do five
3. hundred income tax returns a year. We do a thousand in our
4. office, and that's more than Bruce has done his whole life.
5. It's a lot of garbage.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Nudelman.

8. SENATOR NUDELMAN:

9. Thank you, Mr. President. I rise in support of this
10. legislation, and I am somewhat taken aback by Senator Bruce's
11. comments. On the one hand, he concedes that if the taxpayer
12. follows the proper procedures and fills out all of the proper
13. forms and goes from Form A to B and from B to C and D to E,
14. that he would get these deductions. All of which means to me
15. that he's entitled to these deductions, and if he's entitled
16. to these deductions, we should not make it difficult for him
17. to take them. We should have the simplest form possible. I
18. know that I consider myself a relatively sophisticated lawyer,
19. but when it comes income tax time, I have to get help from
20. an accountant, and...and I don't think that we should make it
21. difficult for the average guy to take deductions which...which
22. he is properly entitled to and I would most seriously urge
23. your support of this legislation. It's a good bill, and people
24. shouldn't be paying taxes on...on money that...that shouldn't
25. be included in income. It's...it's scandalous.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Partee.

28. SENATOR PARTEE:

29. I, with some hesitancy oppose a bill. Senator Newhouse
30. has approached this on a basis, I think, of reasonableness, but
31. I must suggest to you that historically all of the things
32. we're talking about here tonight have been discussed, and when
33. the Illinois State Income Tax Law was passed, and I voted for it,

1. one of the things that appealed to me and caused me to vote for
2. it was that there were no deductions, except standard percentage
3. deductions. There have been many attempts throughout the years
4. to bring the Illinois Income Tax into the same kind of posture
5. as the Federal Income Tax. I can remember just a couple of
6. years, Dr. Friedman at the University of Chicago saying, perhaps
7. it's about time that the Federal Income Tax laws were on the
8. same basis of the state tax laws in Illinois to prevent the
9. various kinds of loopholes. Now, let me just suggest to you
10. that once this door is open, this door will be ajar for many
11. years, and if you are concerned about the kind of money that
12. is going to be in the coffers of the State of Illinois, for the
13. funding of all of the glorious programs that we're voting against,
14. your concern will be heightened, because we will have fewer
15. and fewer collectable dollars in this State. I recognize the
16. problem of the person for whom Senator Newhouse seeks to pass
17. this bill, but the fact of the matter is and Senator Nudelman
18. said it, he is a sophisticated lawyer, and even he seeks advice
19. of tax people in terms of filing his income tax. The problem
20. that is suggested by this bill to cure, could have been cured
21. by a competent person filing the state income tax return. There
22. are firms which Senator Bruce has alluded to, which takes care
23. of this problem. You just don't open up the windows to solve
24. an individual problem, and at the same time bring the State into
25. the status of financial disincement, and that's exactly what
26. this bill would do. I have fought for the...the...the State Income
27. Tax bill remaining as passed as long as I have been here, and
28. I shall fight for it's remaining the same as long I am here.
29. Now, I've...just a minute, Senator, when you were talking, I
30. kept quiet. Could you give me that courtesy?...I don't any
31. income tax returns. I have accountants who do them for me,
32. but the fact of the matter is, whether you do them or not,
33. the fact is if you want to have some money in this State,

1. you can't open these loopholes, and I...that's...that's what...
2. that's really the bottom line.

3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Knuppel, you're out of order.

5. SENATOR PARTEE:
6. On a few occasions he is, Senator.

7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Partee.

9. SENATOR PARTEE:
10. Well, I have, I think, said what I wanted to say. You
11. tell them Wells Fargo, I can't express myself.

12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Terrell Clarke.

14. SENATOR CLARKE:
15. Mr. President and members of the Senate, I rise to support
16. the bill despite the fact that I have stood along with Senator
17. Partee and just what he has said. I think that our Income Tax
18. Law as it was passed and as we have maintained it over the last
19. five years without any deductions or exemptions, and we've beaten
20. them back everytime, is an excellent example for the Federal Government.
21. However, I had a conversation with Representative Beaupre this
22. afternoon and he was chairman of a subcommittee of the House
23. Revenue Committee that considered a whole slew of bills, and
24. this is the only bill that came out, and why, because it is
25. different. It's different because you're talking about the
26. people's money that the State has taken, that the people are
27. entitled to. And if you look on the back of the Illinois Income
28. Tax Form, you'll find a section that says, additions, and
29. you'll find section that says, deductions. And there are other
30. types of income that are reported on the 1040 that have to be
31. taken off or added in, and that is not a opening up a loophole
32. to a deduction or an exemption such as we're talking about in
33. the case of alimony or something new like that. We're talking

1. here about a vehicle for giving people in a special case where
2. it overlaps a year, their own money back to them. And I think
3. that's different and I think this is a good bill and should be
4. supported.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Glass.

7. SENATOR GLASS:

8. Thank you, Mr. President. I think if the bill applied
9. only to the medical expenses, it would be all right, but as
10. Senator Bruce has pointed out, that is not what the bill does.
11. If an individual who is going to be reimbursed for medical
12. expenses through his insurance company simply did not take the
13. deduction of medical expenses wouldn't have the problem. But
14. this has as been pointed out includes all of Section 111 of the
15. Internal Revenue Code and goes far beyond what the sponsor
16. intends, and therefore, I would concur with the remarks of
17. Senator Partee. This is not a good bill, and I urge its defeat.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Nudelman.

20. SENATOR NUDELMAN:

21. Thank you, Mr...President. I...I appreciate the fact that
22. I am up a second time, and I don't think I've done that, but
23. I am...astonished by some of the comments by my colleagues, who
24. on the one hand admit that if the...if the taxpayer were sophisti-
25. cated and knew how to prepare the forms, he would not have paid
26. taxes on these monies, or he would be entitled to a refund on
27. taxes already paid, and on the other hand, they say, so be it.
28. This attitude to me is completely incomprehensible and unless
29. somebody explains it to me if this bill loses, I will never
30. understand it.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any further discussion? Senator Smith.

33. SENATOR SMITH:

1. Mr. ...I'm...I'm looking at my watch now, because I've
2. noticed that each time I get up, apparently go beyond the
3. limits of the rules. I'm not going to do that tonight. As
4. you know, I sit here time after time and I'm burning within
5. because of the fact that I want to get up and say something
6. about these various matters, and yet I suppress myself because
7. of my condition, my medical condition. I've had some little
8. experience this year with the Internal Revenue Department, and
9. whatever I have undergone has caused me to think that perhaps
10. those that my friend refers to here who are...whom you gentle-
11. men admit, you lawyers, and you seldom agree on anything
12. however...

13. PRESIDING OFFICER: (SENATOR ROCK)

14. State your point. Senator Partee,

15. SENATOR PARTEE:

16. I have never...never called a point of order on Senator Smith,
17. but now we are not talking about the Internal Revenue Service,
18. we're only talking about the State Department of Revenue of
19. Illinois, Senator.

20. SENATOR SMITH:

21. ...ask then of the sponsor...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Smith.

24. SENATOR SMITH:

25. ...Does your bill, Senator, refer to income tax...Internal
26. Revenue Tax?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Newhouse.

29. SENATOR NEWHOUSE:

30. Yes, it does, Senator, but it's State...

31. SENATOR SMITH:

32. All right...

33. SENATOR NEWHOUSE:

1. ...Income Tax.

2. SENATOR SMITH:

3. ...All right.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Smith.

6. SENATOR SMITH:

7. This is State Income Tax. I received a notice because of
8. certain contributions listed on my income tax and I was told to
9. send a certain sum of money in. I did not send it. I sent
10. a communication. Then they sent back notice to me to appear
11. in person. I appeared, as I...when I left, I left believing
12. that the explanation that I had offered together with a presenta-
13. tion of the checks showing that just what I had deducted...
14. and by the way like you, Senator Nudelman, I don't make out my
15. income tax, I pay to have them made out. And an accepted
16. accountant makes out our income tax forms each...fill them out
17. each year. Finally, they sent me a letter and I then made
18. reference to...to a given lawyer in the City of Chicago, and
19. he says, you're only recourse is to pay it, and pay it under
20. protest, and then make a request for a hearing, the most
21. ridiculous thing, I as a layman, can conceive of. Now, I know
22. that you lawyers can split hairs over various and sundry
23. things, and as I said a moment ago, you never agree on anything,
24. because each is overly interested in showing his or her
25. brilliancy, but as I see it, this is...there is a principal in-
26. volved here insofar as the little fellow who can't pay and
27. doesn't have the money for which to pay for the work of...of
28. accountants. If he's entitled to it, he's entitled to it, and
29. common sense would seem to suggest at least to this your humble
30. servant that if he has overpaid, then some redress should be
31. have. I don't care if...Newhouse, or whether it's medical
32. expense, or whether it's something you paid for potatoes or
33. whatever. If he's entitled to it, he's entitled to it, and if

1. we are more interested in the welfare, of the financial welfare
2. of the State, then we are in those who make out taxes and con-
3. tribute toward the upkeep of the tax...of the State. It's hard
4. and difficult for me to believe. I, for one, I never liked to go
5. against my leader, but as of this particular bill here tonight,
6. just as soon as you say that we have the right, the vote is now
7. open, I'm going to vote for the passage of this bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any further discussion? Senator Newhouse may close the
10. debate.

11. SENATOR NEWHOUSE:

12. Thank you, Mr. President. Mr. President, if this were a
13. bill that benefited people who could afford to pay accountants,
14. I would not have a nickels worth of interest in it. I have
15. before me a letter from one Walter Wendt from Crystal Lake,
16. Illinois, who writes that he paid a tax of thirty-four dollars and
17. two cents under protest. Under protest because the tax represented
18. the tax on one thousand three hundred and sixty dollars and
19. sixty-four cents which was a medicare reimbursement for medical
20. expenses. I think Mr. Wendt ought to have some relief. Now,
21. if there's a problem with this bill...I'm not quite sure what
22. it is. No one has yet said that these people are unfairly asking
23. the State of Illinois for money, or that on the other hand, the
24. State of Illinois is entitled to the money that they say we'll
25. lose. If there are areas of this bill which others don't like
26. and I'm persuaded that there are and there are other routes that
27. ...that we might go, no one has come to us with those routes.
28. In the absence of that, I would suggest to you that we ought to
29. give relief to people, ordinary people, who like me are frightened
30. to death by the Internal Revenue Service and overpay every year
31. to prevent the kind of difficulty that they all recognize that
32. they could get into. I ask your support.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The question is, shall House Bill 3912 pass? Those in
2. favor will vote Aye. Those opposed will vote Nay. The voting
3. is open. Have all voted who wish? Have all voted who wish?
4. Take the record. On that question, the Ayes are 33, the Nays
5. are 7, 2 Voting Present. House Bill 3912 having received a
6. constitutional majority is declared passed. Messages from
7. the House.

8. SECRETARY:

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

10. Mr. President - I am directed to inform the Senate
11. that the House of Representatives has refused to adopt the
12. First Conference Committee Report on Senate Bill 1621, and
13. request a Second Conference Committee to consider the difference
14. between the two Houses to the...to Amendment No. 1. I am
15. further directed to inform the Senate that the Speaker of the
16. House has appointed assuch committee onthe part of the House:
17. Representative Richmond, Barnes, Bradley, Ryan and Totten.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Totten. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Yes, Mr. President and members of the Senate, I move to
22. accede to appoint a Second Conference Committee on 1621.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. You've all heard the motion. All those in favor signify
25. by saying Aye. All those opposed. The Ayes have it. So
26. ordered.

27. SECRETARY:

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

29. Mr. President - I am directed to inform the Senate
30. that the House of Representatives has refused to recede from
31. their Amendments Numbers 2 and 4 to a bill with the following
32. title: Senate Bill 1640. I am further directed to inform the
33. Senate that the House...that the House of Representatives request

1. a First Committee of Conference to consist of five members
2. from each House to consider the difference between the two
3. Houses in regard to the amendments to the bill. The Speaker
4. of the House has appointed a such committee on the part of
5. the House: Representative Stone, Berman, Bradley, Totten
6. and Ryan. Senator Bruce is the sponsor of this bill, 1640...or
7. 1650 rather.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senate Bill 1650, Senator Bruce, the House has requested
10. the appointment of a Conference Committee. The question is,
11. shall the Senate accede to the request, if that is your motion?

12. SENATOR BRUCE:

13. Right...I would say...

14. PRESIDING OFFICER: (SENATOR ROCK)

15. The question is, shall the Senate accede to the request
16. of the House that a Conference Committee be appointed with
17. respect to Senate Bill 1650? All those in favor signify by
18. saying Aye. All those opposed. The Ayes have it. The motion
19. carries. The Senate accedes to the request to appoint a
20. Conference Committee.

21. SECRETARY:

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

23. Mr. President - I am directed to inform the Senate
24. that the House of Representatives has refused to concur with
25. the Senate in the adoption of their amendments to a bill with
26. the following title: House Bill 3952, with Senate Amendments
27. 1, 2 and 3. Senator Savickas is the...

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Secretary's Desk.

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...2736, with House...or Senate
3. Amendments 1, 2, 3, 4 and 5.

4. PRESIDING OFFICER: (SENATOR ROCK)
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. 1956, together with House Amendments 1 and 3.

12. PRESIDING OFFICER: (SENATOR ROCK)
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 concurred with the Senate
18. in the passage of a bill with the following title: Senate
19. Bill 1950, with House Amendments 3 and 4.

20. PRESIDING OFFICER: (SENATOR ROCK)
21. Secretary's Desk.

22. SECRETARY:
23. A Message from the House by Mr. O'Brien, Clerk.
24. Mr. President - I am directed to inform the Senate
25. the House of Representatives concurred with the Senate in the
26. passage of a bill with the following title: Senate Bill 1524,
27. together with House Amendments 3, 5 and 6.

28. PRESIDING OFFICER: (SENATOR ROCK)
29. Secretary's Desk. Senator Newhouse, for what purpose do
30. you arise?

31. SENATOR NEWHOUSE:
32. Thank you, Mr. President. Having voted on the prevailing
33. side, I now move that the vote by which House Bill...3912 was

1. passed be reconsidered.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Newhouse moves to reconsider the vote by which
4. 3912 was passed. Senator Vadalabene moves to lie that motion
5. upon the Table. All those in favor signify by saying Aye. All
6. those opposed. The Ayes have it. The motion carries. Senator
7. Latherow, for what purpose do you arise?

8. SENATOR LATHEROW:

9. Well, Mr. President, I don't know whether I voted right or
10. wrong. I want to wait until this Conference Committee is over
11. on that bill before I decide. Is that all right?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Oh, sure. You've...you've certainly got an expert there.
14. Senator Dougherty, for what purpose do you arise, Sir?

15. SENATOR DOUGHERTY:

16. Yes, I will move that the House...that the Senate concur
17. with the amendments to Senate Bill 1789.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. All right. We were on that order of business on the
20. order of Consideration Postponed. Senator Dougherty is in order.
21. On the order of Consideration Postponed is Senate Bill 1789.
22. Senator Dougherty has moved to concur in House Amendments No.
23. 1 and 2. Senator Dougherty.

24. SENATOR DOUGHERTY:

25. These...these two amendments merely provide that it puts
26. the bill in the same shape as House Bill 3036.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Is there any discussion? The question is, shall the Senate
29. concur in Amendments 1 and 2 to Senate Bill 1789? Those in
30. favor will vote Aye. Those opposed will vote Nay. The voting
31. is open. Have all voted who wish? Have all voted who wish?
32. Take the record. On that question, the Ayes are 38, the Nays
33. are 7, none Voting Present. The...the Senate does concur in

1. House Amendments 1 and 2 to Senate Bill 1789, and the bill
2. having received a constitutional majority is declared passed.
3. Senator Dougherty moves to reconsider the vote by which Senate
4. Bill 1789 has passed. Senator Carroll moves to Table. All
5. those in favor signify by saying Aye. All those opposed. The
6. Ayes have it. The motion carries. Any member have a House
7. Bill on 3rd reading? Anything further on Consideration Post-
8. poned? Senator Lane, for what purpose do you arise?
9. SENATOR LANE:

10. Consideration Postponed on House Bill 3721.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. That request is in order. On the order of Consideration
13. Postponed...you will find it on the...on your Calendar on the
14. order of House Bills 3rd, House Bill 3721, which was earlier
15. today placed on the order...order of Consideration Postponed.
16. We...we have to get the bill physically, Senator Lane, that
17. request is in order. All right, on the order of House Bills
18. on Consideration Postponed, House Bill 3721. Read the bill,
19. Mr. Secretary.

20. SECRETARY:

21. House Bill 3721

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Lane.

26. SENATOR LANE:

27. Thank you, Mr. President and members of the Senate. The
28. concept of House Bill 3721 is to offset revenue problems in
29. school districts where the local assessment base unexpectedly
30. increased for the '75-'76 school year. This bill affects about one
31. hundred school districts in the State of Illinois. It...it
32. helps out twenty-two school districts in Cook County. It does
33. have a...a cost impact of approximately six million dollars

1. with one...one million five going to Cook County and over one
2. million going to Kane County. I appreciate your favorable...
3. favorable consideration.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any discussion? Senator Nimrod.

6. SENATOR NIMROD:

7. Yeah, I have a question, Senator Lane.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Sponsor indicates he will yield. Senator Nimrod.

10. SENATOR NIMROD:

11. Yeah. Senator Lane, is this not a backdoor approach to
12. what 1516 was going to do, which was the bill that was in Revenue?
13. This providing again for the adjustment in the quadrants?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Lane.

16. SENATOR LANE:

17. No, I don't believe it has anything to do with the quadrants,
18. Senator Nimrod. It...it's the operating tax rate that...it
19. gives the districts the option of reverting back to the '73
20. operating tax rate, rather than stay with the '74.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. Yeah. Well, what you're doing is applying the same
25. corrective action that was applied here on previous bills to
26. take care of the quadrennial thing, and you're doing this for
27. one year and you're going back to '73. Actually...you know...
28. what you're doing is starting a cycle over and then when the
29. minute you included a Chicago, you're...you're tampering with one
30. of the quadrant adjustments, and I...I think that causes us some
31. problems, because actually those tax bills are already out for
32. this year, and this is not going to be effective until next
33. year.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Lane.

3. SENATOR LANE:

4. I believe this was started last year when House Bill...
5. what was it, 2868, created larger operating tax rates than the
6. previous or past rate.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Yeah, but that was a quadrant adjustment, and it took
11. care of it because of Cook County having the quadrants and we
12. had unequal taxation and 1516 which was Senator Carroll's bill
13. this year was going to attempt to do the same thing and start
14. over on the cycle. But what you're doing, in fact, is selecting
15. a group of...of school districts that are going to have some
16. tax increases...have some impact, and you're trying to adjust
17. them back to a...a lower rate, and there really seems to be no
18. reason for us to go back to guarantee them that tax rate, and...and
19. once you start doing that, what's to prevent this from happening
20. in every district and all school districts? Actually you...
21. you're bringing across two or three multipliers here that affect
22. different school districts and the one, and I...I know you have
23. a problem, but I think the minute you start that, you're going
24. to start getting involved in the following years, and this...
25. this seems to me that this is not the right approach on this.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Is that a question or a statement? Senator Lane.

28. SENATOR LANE:

29. Senator, this originally, I understand was going to go in
30. with the School Aid Formula in 3518 and at the last minute was
31. left out, and we're trying to make amends.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Fawell.

1. SENATOR FAWELL:

2. Well, Mr. President and members of the Senate, I rise in
3. opposition as I did this afternoon. This bill is...is no
4. better now than it was then. What we have here is a cost of
5. six million dollars from the General Revenue Fund which obviously
6. we can't begin to afford, and obviously many school districts
7. have reasons why they believe they ought to get more State aid,
8. and by the way, this refers to the fiscal year which is now
9. ending, the '75-'76 fiscal year. And it's based...it...it...it is
10. based on a condition to the formula that would say that if you
11. have...if your '73 tax rates which when they add up become the
12. operating tax rate are higher than the true rates that you levied
13. in '74, which is the basis for the '75-'76 fiscal year. You can
14. go back and use the '73 tax rates as though you really had
15. those rates in effect in '74. Now, if we could give to all the
16. various park...all the various school districts that might want
17. more aid and recognize certain unique conditions that apply to
18. them...for instance, many school districts have suffered losses
19. of assessed evaluation and they could come in here just as
20. easily and make a request too. There are...there are countless
21. conditions that we could tact on to the School Formulate try
22. to satisfy everyone, and we just can't do it. I sympathize with
23. those districts. I am sure as I said this afternoon, there
24. are some districts that are in my Senatorial area that are also
25. suffering, but we just, Ladies and Gentlemen, cannot continue
26. to just try to be all things to all people, especially in this
27. area. This...this bill is not a good bill, and I would hope
28. that as we did this afternoon, that we will again turn it down.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Bell.

31. SENATOR BELL:

32. Well, thank you, Mr. President. As I...as I recall, I
33. believe this is the bill that...that didn't have the benefit of

1. being heard by the Senate Education Committee...

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Excuse me, Senator Bell. Senator Lane, for what purpose

4. do you arise? Sponsor requests that it be taken out of the

5. record. It will be taken out of the record. Senator Netsch,

6. do you wish to proceed on...she...thinks not. Okay. Further

7. business to come before the Senate? Senator Buzbee.

8. SENATOR BUZBEE:

9. Mr. President, would a...under the order of motions be

10. in order now?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. With leave of this Body, can we go to the order of motions?

13. Leave is granted. Senator Buzbee.

14. SENATOR BUZBEE:

15. Thank you, Mr. President. Mr. President, residing in the

16. Senate Rules Committee is House Bill 3491, a bill that has...is

17. properly called a coal export tax bill. It has nothing to do

18. with coal mined and consumed in the State of Illinois. It has

19. to do only with that coal that is mined in the State of Illinois

20. and it is exported outside of the borders of this State. It is

21. a one percent tax on the gross per...rather gross cost per ton

22. and that money would be refunded to the counties from which the

23. coal was mined. This bill was sponsored in the House by Representative

24. Dunn and...

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Buzbee, excuse me, will you give us the number so

27. the Secretary...

28. SENATOR BUZBEE:

29. Yes...

30. PRESIDING OFFICER: (SENATOR ROCK)

31. ...can put it on the board?

32. SENATOR BUZBEE:

33. ...House Bill 3491.

34. PRESIDING OFFICER: (SENATOR ROCK)

1. ...3491.. Put that number on the...

2. SENATOR BUZBEE:

3. It's...

4. PRESIDING OFFICER: (SENATOR ROCK)

5. ...board, Mr. Secretary...

6. SENATOR BUZBEE:

7. ...cosponsored by Representative...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. ...It's a motion.

10. SENATOR BUZBEE:

11. ...Choate, McMaster, Frederick, Kent, Birchler, Richmond,

12. and Steele. This is a bill that has had a very thorough hearing

13. in the...in the House. It was amended many, many times, and

14. it didn't bomb there. It...it, in fact, passed that...that Body.

15. It started out to be a coal severence tax but then was...was

16. then changed to a coal export tax. I feel compelled to make

17. this move. I have presented the bill to the Rules Committee,

18. and I feel compelled to make the move to ask this Body's...to

19. join me in taking the bill out of the Rules Committee and be

20. placed on the Calendar on the order of...

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Be read a first time.

23. SENATOR BUZBEE:

24. ...be read a first time. At this time, I would so move.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any discussion? Senator Carroll, on this subject or

27. another? Okay. Any discussion on Senator Buzbee's motion. The

28. motion is to discharge the Committee on Rules from further con-

29. sideration of House Bill 3491, have it read a first time and

30. moved to the order of 2nd reading. Senator Bell, on that motion.

31. SENATOR BELL:

32. Well, thank you, Mr. President. I'm kind of interested in

33. Senator Partee's reaction on the removal of this bill from the

1. Senate Rules Committee. I think there's a lot of us that
2. have bills that are in Rules Committee. We'd like to make a
3. move like this regarding that. Senator, might you...Senator
4. Partee, do you have any particular comment in reference to
5. this?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Partee.

8. SENATOR PARTEE:

9. Well, I'm not the sponsor of the bill, but I think I can
10. see where you're going. You are saying that if I vote to
11. discharge Rules of this, that I ought to then in fairness vote
12. to discharge Rules or another committee of a certain resolution
13. that you have. Isn't that right, Senator? Is that what you're
14. suggesting? Well, I'm going to be consistent and stay against
15. the position on yours and against the position on...on this one
16. for that same reason.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Question is, the motion to discharge the Committee on
19. Rules with respect to House Bill 3491? All those in favor signify
20. by saying Aye. All those opposed. In the opinion of the Chair,
21. the Noes have it. The motion fails. Senator Carroll, for what
22. purpose do you arise?

23. SENATOR CARROLL:

24. Thank you, Mr. President. I...I do have a bill residing
25. on House Bill 2nd reading, that while there are some amendments
26. planned, I would like leave of the Body to move that to 3rd with
27. the understanding that it will be brought back for purposes of
28. amendment and that is House Bill 3831.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Is there leave to go to the order of House Bills on 2nd
31. reading? Leave is granted.

32. SENATOR CARROLL:

33. Unless someone has objections...

1. PRESIDING OFFICER: (SENATOR ROCK)
2. I think Senator Clarke...
3. SENATOR CARROLL:
4. ...Senator Clarke has...
5. PRESIDING OFFICER: (SENATOR ROCK)
6. ...is objecting strenuously.
7. SENATOR CARROLL:
8. Oh.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. On the order of House Bills 2nd reading is House Bill 3831.
11. Read the bill, Mr. Secretary.
12. SECRETARY:
13. House Bill 3831
14. (Secretary reads title of bill)
15. 2nd reading of the bill. The Committee on Revenue offers one
16. amendment.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Carroll.
19. SENATOR CARROLL:
20. Can we even hold that amendment and move...advance the bill
21. to 3rd with the understanding...can we withdraw that amendment
22. at this time?
23. PRESIDING OFFICER: (SENATOR ROCK)
24. No. Got to move to Table it or something or adopt it.
25. Why don't you move to adopt it and we'll move it, then you can
26. Table it tomorrow...
27. SENATOR CARROLL:
28. Okay.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. ...if you wish? Senator Daley.
31. SENATOR CARROLL:
32. I move to adopt...
33. SENATOR DALEY:

1. Mr. President, fellow Senators, I'd like to make a motion
2. to adjourn until nine o'clock in the morning.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. That motion is always in order. Question is, the motion
5. to adjourn until nine o'clock tomorrow morning? All those in
6. favor signify by saying Aye. All those opposed. The Ayes have
7. it. The Senate stands adjourned until 9:00 a.m. tomorrow
8. morning.

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