

80TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 17, 1977

1. PRESIDENT:

2. The hour of eleven o'clock having arrived, the Senate  
3. will please come to order. Prayer will be by Dr. Thomas  
4. Luke of the First Methodist Church in Springfield.  
5. Will our guests in the galleries please rise.

6. DR. THOMAS LUKE:

7. (Prayer by Dr. Thomas Luke)

8. PRESIDENT:

9. Reading of the Journal, Senator Johns.

10. SENATOR JOHNS:

11. Mr. President, I move that reading and approval of the  
12. Journals of Tuesday, May the 10th, 1977, Wednesday, May the  
13. 11th, 1977, Thursday, May the 12th, 1977, Friday, May the  
14. 13th, 1977 and Monday, May the 16th, 1977, be postponed  
15. pending arrival of the printed Journal.

16. PRESIDENT:

17. You've heard the motion by Senator Johns. Is there  
18. any discussion? If not, all those in favor signify by saying  
19. Aye. Opposed. The Ayes have it. The motion carries.  
20. Committee Reports.

21. SECRETARY:

22. Senator Donnewald, Chairman of the Committee on Assign-  
23. ment of Bills, reports that the following House Bills have  
24. been assigned to committee: Agriculture, Conservation and  
25. Energy - House Bill 818; Executive Appointments and Administra-  
26. tion - House Bill 379; Judiciary I - House Bill 192;  
27. Judiciary II - House Bill 302 and 303; Public Health,  
28. Welfare and Corrections - House Bill 1815.

29. PRESIDENT:

30. A Message from the House.

31. SECRETARY:

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

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

1. the House of Representatives has passed bills with the follow-  
2. ing titles and the passage of which I am instructed to ask  
3. the concurrence of the Senate, to-wit: House Bills 166, 495,  
4. 651, 859, 878, 880, 893, 902, 933, 975, 978, 1026, 1029,  
5. 1055, 1179, 1183, 1228, 1381, 1416, 1450, 1670, 1671, 1685,  
6. 1767, 1784, 1900, 1901, 1928, 1959, 1976, 1981, 1983, 1984,  
7. 1986, 1988, 2012, 2013, 2022, 2024, 2032, 2037, 2047, 2062,  
8. 2063, 2069, 2081, 2082, 2086, 2087, 2089, 2096, 2100, 2101,  
9. 2103, 2104, 2108, 2116, 2117, 2119, 2125, 2131, 2132, 2138,  
10. 2143, 2155, 2158, 2164, 2171, 2177, 2179, 2183, 2185, 2195,  
11. 2196, 2197, 2198, 2199, 2200, 2208, 2209, 2217, 2219, 2224,  
12. 2227, 2232, 2234, 2235, 2240, 2243, 2250, 2259, 2260, 2261,  
13. 2263, 2283, 2303, 2306, 2307, 2309, 2324, 2326, 2337, 2338,  
14. 2344 and 2345. And yesterday House Bill 1864 was read in  
15. error and it should have been 1964 or 46 rather.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. All right, if I might have the attention of the Senate,  
18. we're going to start on the assignment of sponsors on House  
19. Bills 1st reading. If you'll pay particular attention,  
20. we'll be able to move through this group of bills with ease.  
21. 64, Koskinski.

22. SECRETARY:

23. House Bill 64

24. (Secretary reads title of bill)

25. 1st reading of the bill.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. House Bill 132, Nimrod.

28. SECRETARY:

29. House Bill 132

30. (Secretary reads title of bill)

31. 1st reading of the bill.

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. House Bill 432, Rhoads.

1. SECRETARY:
2.           House Bill 432
3.                               (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6.           On the Order of 1st reading, House Bill 507, Senator
7. Knuppel.
8. SECRETARY:
9.           House Bill 507
10.                               (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13.           House Bill 508, Senator Rupp.
14. SECRETARY:
15.           House Bill 508
16.                               (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDING OFFICER: (SENATOR JOHNS)
19.           House Bill 548, Senator Knuppel.
20. SECRETARY:
21.           House Bill 548
22.                               (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25.           House Bill 621, Senator Rhoads.
26. SECRETARY:
27.           House Bill 621
28.                               (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31.           House Bill 646, Senator Grotberg.
32. SECRETARY:
33.           House Bill 646

1. (Secretary reads title of bill)  
2. 1st reading of the bill.  
3. PRESIDING OFFICER: (SENATOR JOHNS)  
4. House Bill 672, Senator Dawn Netsch.  
5. SECRETARY:  
6. House Bill 672  
7. (Secretary reads title of bill)  
8. 1st reading of the bill.  
9. PRESIDING OFFICER: (SENATOR JOHNS)  
10. 681, Senator Kosinski.  
11. SECRETARY:  
12. House Bill 681  
13. (Secretary reads title of bill)  
14. 1st reading of the bill.  
15. PRESIDING OFFICER: (SENATOR JOHNS)  
16. The next bill, Senate...House Bill 732. Pardon me,  
17. Senator Kosinski, why do you wish to be recognized? Just a  
18. moment, Mr. Secretary.  
19. SENATOR KOSINSKI:  
20. On Senate Bill...Mr. President and members of the  
21. Senate, on Senate Bill 681, Senator Rhoads has approached me  
22. and said that the sponsor from the House wishes him to take  
23. over the sponsorship, and I'm willing to do so...  
24. PRESIDING OFFICER: (SENATOR JOHNS)  
25. ...On House Bill...  
26. SENATOR KOSINSKI:  
27. ...to relinquish mine.  
28. PRESIDING OFFICER: (SENATOR JOHNS)  
29. ...on House Bill 681 do we have leave to remove Senator  
30. Kosinski and place Senator Rhoads as the principal sponsor.  
31. Leave is granted. So advised, Mr. Secretary. All right, we'll  
32. call 703, Senator Harber Hall. Read the bill, Mr. Secretary.  
33. SECRETARY:

1. House Bill 703

2. (Secretary reads title of bill)

3. 1st reading of the bill.

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. The Chair is going to deviate for just a second.

6. Senator Vadalabene wishes to be recognized at this time,

7. then Senator Graham, do you wish to be recognized also?

8. All right, you're next. Senator Vadalabene.

9. SENATOR VADALABENE:

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

11. On Senate Bill 621, I have just discussed it with Senator

12. Rhoads and that, and I would like to ask leave to have me as

13. the prime sponsor along with Senator Rhoads. In other words

14. Vadalabene and Rhoads. Yes, thank you.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Vadalabene - Rhoads on Senate Bill...on House Bill 621.

17. Do you have that, Mr. Secretary? Okay, now, let's see,

18. Senator Graham, the Chair recognizes you.

19. SENATOR GRAHAM:

20. Yes, thank you, Mr. President. I can help you get another

21. bill off the Calendar. I'll pick up Senate Bill...or House

22. Bill 737.

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. 737. All right, we haven't quite got to that, but we

25. will, Senator Graham.

26. SENATOR GRAHAM:

27. I wanted...I wanted to get it before you went by it.

28. PRESIDING OFFICER: (SENATOR JOHNS)

29. All right, so we're now back to Senate Bills 732, Mr.

30. Secretary. McMillan.

31. SECRETARY:

32. House Bill 732

33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR JOHNS)
3. Senate Bill 733, Senator Roe. Forgive me, Mr.
4. Secretary. House Bill 733.
5. SECRETARY:
6. House Bill 733
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. House Bill 737, Senator Graham.
11. SECRETARY:
12. House Bill 737
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. On the Order of 1st reading, House Bill 761, Senator
17. Roe. Misinterpretation of the writing, it's Senator Rock.
18. SECRETARY:
19. House Bill 761
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR JOHNS)
23. Page 47, House Bill 763, Senator Glass.
24. SECRETARY:
25. House Bill 763
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR JOHNS)
29. Does Senator Maragos wish to be recognized?
30. SENATOR MARAGOS:
31. Mr. President and members of the Senate, I rise on a point
32. of personal privilege. I'm glad to present this morning in
33. the rear gallery the students of the Eighth Grade...the graduating

1. grade of Burnham School in Burnham which is part of the 30th  
2. District and they are with their faculty members, Paul  
3. Connelly, the principal, and Dennis Susteck, plus the mothers  
4. Mrs. Harris, Mrs. Gammal, Mrs. Scheiver and Mrs. Parks, will  
5. you please rise.  
6. PRESIDING OFFICER: (SENATOR JOHNS)  
7.        Would you please rise...  
8. SENATOR MARAGOS:  
9.        Burnham School.  
10. PRESIDING OFFICER: (SENATOR JOHNS)  
11.        ...and be recognized by the Senate. Thank you, and  
12. glad to have you with us. Senate Bill...House Bill 766,  
13. Senator Leonard.  
14. SECRETARY:  
15.        House Bill 766  
16.        (Secretary reads title of bill)  
17. 1st reading of the bill.  
18. PRESIDING OFFICER: (SENATOR JOHNS)  
19.        House Bill 769, Senator Mitchler.  
20. SECRETARY:  
21.        House Bill 769  
22.        (Secretary reads title of bill)  
23. 1st reading of the bill.  
24. PRESIDING OFFICER: (SENATOR JOHNS)  
25.        House Bill 773, Senator Berman.  
26. SECRETARY:  
27.        House Bill 773  
28.        (Secretary reads title of bill)  
29. 1st reading of the bill.  
30. PRESIDING OFFICER: (SENATOR JOHNS)  
31.        House Bill 784, Senator Kenneth Hall.  
32. SECRETARY:  
33.        House Bill 784

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. House Bill 809, Senator Davidson.
5. SECRETARY:
6. House Bill 809
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. House Bill 813, Senator Maragos.
11. SECRETARY:
12. House Bill 813
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. House Bill 823, Senator Vadalabene. Is it 825? The
17. printing is terrible. Okay. Gotcha.
18. SECRETARY:
19. House Bill...House Bill 825
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR JOHNS)
23. House Bill 827, Senator Knuppel.
24. SECRETARY:
25. House Bill 827
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR JOHNS)
29. Okay, if we might continue on the...on the top of Page 48,
30. House Bills 1st reading, House Bill 868, Senator Netsch.
31. SECRETARY:
32. House Bill 868
33. (Secretary reads title of bill)



1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR JOHNS)
3. House Bill 872, Senator Berman.
4. SECRETARY:
5. House Bill 872
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. House Bill 876, Senator Netsch.
10. SECRETARY:
11. House Bill 876
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. House Bill 881, Senator Berning.
16. SECRETARY:
17. House Bill 881
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. House Bill 903, Senator Roe.
22. SECRETARY:
23. House Bill 903
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. Okay, we're on Page 49 of House Bills on 1st reading.
28. Did we finish...oh, we didn't finish 48, okay. 904, didn't
29. ...oh, yeah, Senator Hickey. Thank you, Mr. Secretary.
30. SECRETARY:
31. House Bill 904
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. Senate Bill...House Bill 908, Senator Regner.
3. SECRETARY:
4. House Bill 908
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. Now, we're on Page 49 at the top, House Bill 910, Glass.
9. Senator Glass.
10. SECRETARY:
11. House Bill 910
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. House Bill 927, Senator Kenneth Hall.
16. SECRETARY:
17. House Bill 927
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. House Bill 932, Senator D'Arco.
22. SECRETARY:
23. House Bill 932
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. House Bill 947, Senator Vadalabene.
28. SECRETARY:
29. House Bill 947
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. House Bill 948, Senator Netsch.

1. SECRETARY:
2.       House Bill 948
3.               (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6.       House Bill 968, Senator Hynes.
7. SECRETARY:
8.       House Bill 968
9.               (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12.       House Bill 969, Senator Hynes.
13. SECRETARY:
14.       House Bill 969
15.               (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18.       House Bill 970, Harber Hall.
19. SECRETARY:
20.       House Bill 970
21.               (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24.       House Bill 972, Kosinski. Senator...
25. SECRETARY:
26.       House Bill...
27. PRESIDING OFFICER: (SENATOR JOHNS)
28.       ...Kosinski.
29. SECRETARY:
30.       ...House Bill 972
31.               (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Okay now, let's see if we might continue. 992, House
2. Bill 992, Senator Ozinga.
3. SECRETARY:
4. House Bill 992
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. House Bill 995, Senator Lane.
9. SECRETARY:
10. House Bill 995
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR JOHNS)
14. On Page 50, House Bill 1002, Senator Coffey.
15. SECRETARY:
16. House Bill 1002
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR JOHNS)
20. House Bill 1010, Senator Dawn Netsch.
21. SECRETARY:
22. House Bill 1010
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR JOHNS)
26. House Bill 1016, joint sponsorship, Bloom and Joyce.
27. SECRETARY:
28. House Bill 1016
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR JOHNS)
32. House Bill 1027, Senator Clewis.
33. SECRETARY:

1. House Bill 1027
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDING OFFICER: (SENATOR JOHNS)
5. House Bill 1060, Senator Hynes.
6. SECRETARY:
7. House Bill 1060
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR JOHNS)
11. House Bill 1072 at the top of Page 51, Senator Shapiro.
12. SECRETARY:
13. House Bill 1072
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR JOHNS)
17. House Bill 1076, Vadalabene.
18. SECRETARY:
19. House Bill 1076
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR JOHNS)
23. House Bill 1077, Senator Vadalabene.
24. SECRETARY:
25. House Bill 1077
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR JOHNS)
29. House Bill 1109, Senator Rhoads.
30. SECRETARY:
31. House Bill 1109
32. (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. House Bill 1113, Bloom-Vadalabene.
3. SECRETARY:
4. House Bill 1113
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. House Bill 1145, Senator Weaver.
9. SECRETARY:
10. House Bill 1145
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER: (SENATOR JOHNS)
14. Page 52 on the Order of House Bills 1st reading, House
15. Bill 1177, Demuzio.
16. SECRETARY.
17. House Bill 1177
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. House Bills 1st reading, 1201, Senator Rupp.
22. SECRETARY:
23. House Bill 1201
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. House Bill 1202, Senator Rupp.
28. SECRETARY:
29. House Bill 1202
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. House Bill 1224, Senator Harber Hall.

1. SECRETARY:
2. House Bill 1224
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. House Bill 1241, Senator David Regner.
7. SECRETARY:
8. House Bill 1241
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. On Page 53, House Bill 1275, Senator Savickas.
13. SECRETARY:
14. House Bill 1275
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. House Bill 1279, Senator Knuppel.
19. SECRETARY:
20. House Bill 1279
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. House Bill 1327, Senator Rupp.
25. SECRETARY:
26. House Bill 1327
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR JOHNS)
30. We are now at the top of Page 54, House Bill 1332,
31. Senator Weaver.
32. SECRETARY:
33. House Bill 1332

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. House Bill 1356, Senator Weaver.
5. SECRETARY:
6. House Bill 1356
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. House Bill 1371, Senator Soper.
11. SECRETARY:
12. House Bill 1371
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. House Bill 1392, Senator Rhoads.
17. SECRETARY:
18. House Bill 1392
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR JOHNS)
22. House Bill 1456, Senator Clewis.
23. SECRETARY:
24. House Bill 1456
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR JOHNS)
28. House Bill 1457, Senator Merlo.
29. SECRETARY:
30. House Bill 1457
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDING OFFICER: (SENATOR JOHNS)



1. At the top of Page 55, House Bills 1st reading, House
2. Bill 1458, Senator Merlo.
3. SECRETARY:
4. House Bill 1458
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDING OFFICER: (SENATOR JOHNS)
8. Mr. Secretary, I'd like to go back to House Bill 1425 as
9. a courtesy to Senator Demuzio. He wishes to be the chief
10. sponsor.
11. SECRETARY:
12. House Bill 1425
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. House Bill 1467. Is that the correct letter there, Sir?
17. Okay, that's right. Senator Rupp.
18. SECRETARY:
19. House Bill 1467
20. (Secretary reads title of bill)
21. 1st reading of the bill.
22. PRESIDING OFFICER: (SENATOR JOHNS)
23. House Bill 1468, Senator Rupp.
24. SECRETARY:
25. House Bill 1468
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR JOHNS)
29. On the Order of House Bills on 1st reading, House Bill
30. 1469, Senator Rupp.
31. SECRETARY:
32. House Bill 1469
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR JOHNS)
3. On Page 56 at the top, House Bill 1509, Senator Rhoads.
4. Top of Page 56. Read the bill, Mr. Secretary. Oh, you got it...
5. okay.
6. SECRETARY:
7. House Bill 1509
8. (Secretary reads title of bill)
9. 1st reading of the bill.
10. PRESIDING OFFICER: (SENATOR JOHNS)
11. House Bill 1541, Senator Leonard.
12. SECRETARY:
13. House Bill 1541
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR JOHNS)
17. House Bill 1579, Senator Dawn Netsch. Did we skip one?
18. We did. I beg your pardon. Senate...House Bill 1557,
19. Senator Lane.
20. SECRETARY:
21. House Bill 1557
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. Now, we go to House Bill 1579, Senator Netsch.
26. SECRETARY:
27. House Bill 1579
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. The Chair recognizes Senator Daley.
32. SENATOR DALEY:
33. Mr. President and fellow Senators, I spoke to

1. the Senator Hynes and ask to leave be placed as Senate
2. sponsor of House Bill 1457 and 1458 in place of Senator
3. Merlo.
4. PRESIDING OFFICER: (SENATOR JOHNS)
5. Is leave granted for that request? Leave is granted.
6. Now, let's see if I'm right, Mr. Secretary. We're on House
7. Bill 1693, Senator Bowers, on Page 58, at the bottom. That's
8. the only one on that page that we have an assignment for.
9. Oh, pardon me, 1693 at the bottom of Page 58. It's about
10. the second one from the bottom. Okay, Senator Bowers, on House
11. Bill 1693. Read the bill, Mr. Secretary.
12. SECRETARY:
13. House Bill 1693
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. PRESIDING OFFICER: (SENATOR JOHNS)
17. We're on a good number now, 59, House Bill 1716, Senator
18. Demuzio.
19. SECRETARY:
20. House Bill 1716
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. Mr. Secretary, before you leave that bill, Senator Johns
25. requests that he be allowed to be a cosponsor. That would be
26. Demuzio-Johns. Leave granted? Leave granted. All right, the
27. ...House Bill 1727, Senator Roe.
28. SECRETARY:
29. House Bill 1727
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. House Bill 1729, Senator David Regner.

1. SECRETARY:
2. House Bill 1729
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. House Bill 1731, Senator Grotberg.
7. SECRETARY:
8. House Bill 1731
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. House Bill 1732, Senator Regner.
13. SECRETARY:
14. House Bill 1732
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. House Bill 1733, Senator Regner.
19. SECRETARY:
20. House Bill 1733
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. The...the Chair takes a privilege of recognizing Senator
25. Richard Guidice.
26. SENATOR GUIDICE:
27. Thank you, Mr. President. I'd ask leave to be placed as
28. principal on House Bill 1275 in place of Senator Savickas. I
29. talked to Senator Savickas, it's all right with him.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. Is leave granted? Leave is granted. So ordered.
32. Senator Maragos.
33. SENATOR MARAGOS:

1. Mr. President, I rise again on a point of personal  
2. privilege this morning because the 30th District is really  
3. richly endowed to have visitors from its area visit our  
4. State Senate, and it pleases me to present in the President's  
5. Gallery the various individuals of the labor...unions in  
6. my district, Local 1033 and Local 65, and there's  
7. Richard Dowdell, who is the financial secretary Local for  
8. 1033 and Dan Stazak, of the...the legislative man from Local  
9. 65 and their cohorts. Would you please in the President's  
10. gallery.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. The Chair now calls House Bill 1734, Senator  
13. Harber Hall. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 1734.

16. (Secretary reads title of bill)

17. 1st reading of the bill.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. House Bill 1739, Senator Mitchler.

20. SECRETARY:

21. House Bill 1739.

22. (Secretary reads title of bill)

23. 1st reading of the bill.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. On the Order of 1st reading, House Bills, House  
26. Bill 1821, Senator Daley.

27. SECRETARY:

28. House Bill 1821.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. House Bill 1827, Shapiro. Senator Shapiro.

33. SECRETARY:

34. House Bill 1827.

35. (Secretary reads title of bill)

1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. House Bill 1831, Senator Shapiro.

3. SECRETARY:

4. House Bill 1831

5. (Secretary reads title of bill)

6. 1st reading of the bill.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Now, that, Mr. Secretary, to the knowledge of the Chair,

9. are all the bills as requested. Senator Maragos, you're  
10. recognized.

11. SENATOR MARAGOS:

12. Has House Bill 2132 been assigned yet?

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. Not to my knowledge, but I don't see it on the Calendar  
15. either.

16. SENATOR MARAGOS:

17. All right...all right, well, then...

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. It's not on the Calendar.

20. SENATOR MARAGOS:

21. It's not on the Calendar.

22. SENATOR MARAGOS:

23. ...All right, there was another bill, too. All right,  
24. I have to check it out.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. On the Order of Resolutions, Mr. Secretary.

27. SECRETARY:

28. Senate Resolution 132 offered by Senator Demuzio.

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. Executive.

31. SECRETARY:

32. Senate Resolution 133 offered by Senators Mitchler,  
33. Vadalabene and all Senators.

1. PRESIDING OFFICER: (SENATOR JOHNS)  
2. Executive.  
3. SECRETARY:  
4. Senate Resolution 134 offered by Senator...Senators Lemke,  
5. Kosinski, Daley and others. It's congratulatory.  
6. Senate Resolution 135 offered by the same sponsors, and  
7. it's congratulatory.  
8. Senate Resolution 136 offered by the same sponsors, and  
9. it's congratulatory.  
10. Senate Resolution 137 offered by the same sponsors, and  
11. it's congratulatory.  
12. Senate Resolution 138 offered by Senator Maragos, and  
13. it's congratulatory.  
14. Senate Resolution 139 offered by Senator Carroll, and  
15. it's congratulatory.  
16. Senate Resolution 140 offered by Senator Daley, and  
17. it's congratulatory.  
18. PRESIDING OFFICER: (SENATOR JOHNS)  
19. Now, do we have permission to put these on the Consent  
20. Calendar. Leave granted? Leave is granted. Senator  
21. Vadalabene, you wish to be recognized?  
22. SENATOR VADALABENE:  
23. Yes, I would like to have leave, Mr. President, to be  
24. named as a cosponsor of Senate Bill 734.  
25. PRESIDING OFFICER: (SENATOR JOHNS)  
26. The Chair...Senator Vadalabene asks leave. Leave is  
27. granted. Cosponsor. What's the number, Senator Sam? What?  
28. 734. Okay. Now, we're going to go back to the House Bills  
29. on 1st reading and pick up several bills, because we would  
30. like to get these sponsors made known so we could start  
31. moving these bills. Do you have the list, Mr. Secretary?  
32. The Chair take a moment to admonish you to come down and get  
33. these bills assigned if you want them. Let's get them out of the way.

1. Okay, now we're going to go through House Bills on 1st reading  
2. and pick up some. We're going to start on Page 49 at the  
3. bottom, House Bill 658, Senator Netsch. Yeah, Page 45, thank  
4. you, Clem.  
5. SECRETARY:  
6. House Bill 658  
7. (Secretary reads title of bill)  
8. 1st reading of the bill.  
9. PRESIDING OFFICER: (SENATOR JOHNS)  
10. At the top of Page 46, House Bill 674, Senator Bower.  
11. SECRETARY:  
12. House Bill 674  
13. (Secretary reads title of bill)  
14. 1st reading of the bill.  
15. PRESIDING OFFICER: (SENATOR JOHNS)  
16. House Bill 733, Senator Roe. 733. Has that already been  
17. done? Then...is that Rock? Okay. 737, have you got that one?  
18. Well, okay, how about 764? Is that done? 64. 61 at the  
19. bottom. That's Rock. He's already got that? Okay. All  
20. right, now let's go over to...let's pick up on Page 51, House  
21. Bill 1083, Senator Weaver. House Bill 1083, on Page 51,  
22. Senator Weaver.  
23. SECRETARY:  
24. House Bill 1083  
25. (Secretary reads title of bill)  
26. 1st reading of the bill.  
27. PRESIDING OFFICER: (SENATOR JOHNS)  
28. House Bill 1148, Senator Buzbee.  
29. SECRETARY:  
30. House Bill 1148...House Bill 1148  
31. (Secretary reads title of bill)  
32. 1st reading of the bill.  
33. PRESIDING OFFICER: (SENATOR JOHNS)



1. All right, House Bill 1155, Senator Donnewald.
2. SECRETARY:
3. House Bill 1155
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. House Bill 1157, Donnewald.
8. SECRETARY:
9. House Bill 1157
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. House Bill 1165, Donnewald.
14. SECRETARY:
15. House Bill 1165
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDING OFFICER: (SENATOR JOHNS)
19. House Bill 1166, Donnewald.
20. SECRETARY:
21. House Bill 1166
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. House Bill 1167, Donnewald.
26. SECRETARY:
27. House Bill 1167
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. House Bill 1169, Donnewald.
32. SECRETARY:
33. House Bill 1169

1. (Secretary reads title of bill)  
2. 1st reading of the bill.  
3. PRESIDING OFFICER: (SENATOR JOHNS)  
4. The Chair wishes to pause to recognize Senator Harber  
5. Hall.  
6. SENATOR HARBER HALL:  
7. Mr. President and fellow Senators, seated in the gallery  
8. to my rear are a nice class of 7th and 8th graders from Beeson  
9. School and their teacher is Mrs. Dan Hanlon and Alan Demouth  
10. are with them, and I'd like to have them stand and be  
11. recognized. You're welcome here.  
12. PRESIDING OFFICER: (SENATOR JOHNS)  
13. Would you stand and be recognized by the Senate, please.  
14. House Bill 1230, Senator...the Chair wishes to recognize  
15. Senator Rock.  
16. SENATOR ROCK:  
17. Thank you, Mr. President. I just note with some interest  
18. that it is almost noon. The announcement was made yesterday  
19. that any member wishing to have bills considered for the  
20. second agreed bill list should submit same to Senator Donnewald  
21. by noon today, so if the members haven't done that, I wish  
22. they would.  
23. PRESIDING OFFICER: (SENATOR JOHNS)  
24. Senator Rock, I'm one of those people. If I get an  
25. opportunity, I'll present you with one. Just a moment.  
26. House Bill 1230, Senator Savickas.  
27. SECRETARY:  
28. House Bill 1230  
29. (Secretary reads title of bill)  
30. 1st reading of the bill.  
31. PRESIDING OFFICER: (SENATOR JOHNS)  
32. House Bill 1255, Senator Charles Chew.  
33. SECRETARY:

1. House Bill 1255  
2. (Secretary reads title of bill)  
3. 1st reading of the bill.  
4. PRESIDING OFFICER: (SENATOR JOHNS)  
5. Now, Mr. Secretary, I think we've run our course on that.  
6. Senator Hynes, we're pausing for instructions. We're going  
7. to start now...pay particular attention on Senate Bills on  
8. 3rd reading. On the bottom of Page 9 on the Order of 3rd  
9. reading...here we go.  
10. PRESIDENT:  
11. Senate Bills 3rd reading. Senate Bill 4, Senator Lane.  
12. Senate Bill 9, Senator Ozinga. Senator Ozinga.  
13. SENATOR OZINGA:  
14. Mr...  
15. PRESIDENT:  
16. Read the bill...read the bill, Mr. Secretary.  
17. SECRETARY:  
18. Senate Bill 9  
19. (Secretary reads title of bill)  
20. 3rd reading of the bill.  
21. PRESIDENT:  
22. Senator Ozinga.  
23. SENATOR OZINGA:  
24. Mr. President, Ladies and Gentlemen of the Senate, Senate  
25. Bill 9 is a very simple bill. All it does is restores the  
26. alcohol drinking age to twenty-one years of age or as it was  
27. before the reduction on October 1, 1973 when it was reduced to  
28. nineteen for the consumption of beer and wine only. Now, you  
29. may wonder why did I pre-file and introduce this bill. Let me  
30. just reiterate a few...a little bit of the history. Our  
31. southern end of Cook County was being plagued with newspaper  
32. articles, et cetera, accounting for local vandalism. Vandalism  
33. in the streets, property damage, burglaries, assaults, rapes...

1. PRESIDENT:

2. Excuse me, Senator Ozinga. May we have some order,  
3. please. Would the Sergeant-at-Arms please remove any un-  
4. authorized persons from the Floor of the Senate. Senator  
5. Ozinga.

6. SENATOR OZINGA:

7. ...They were referring to these acts as being a little  
8. bit irresponsible and wondering what they were...what they  
9. were all about. I received many letters from the local  
10. police departments showing that these things were connected  
11. with alcohol consumption. With that, I attempted to make a  
12. bit of a survey and I surveyed the traffic accidents that were  
13. had and the Illinois Safety Programs with regard thereto.  
14. The Secretary of State in a memo showed that the accident  
15. relation in a memo made on October 7th, 1976 showed that the  
16. accident ratio had increased from 17...in 1973 at fifteen  
17. percent to 1976 at twenty percent or an increase of an  
18. additional five percent just on that age bracket alone.  
19. In a survey made of seven hundred and thirty-four persons, eighty  
20. percent of the legal aged said that the legal age should  
21. be at least twenty-one. Articles in the Tribune by Kotulak  
22. shows the drinking age at twenty-three percent increase.  
23. Then also, in our territory around the south end of Cook  
24. County, we had various towns and cities that raised their  
25. drinking age. In fact, they were approximately seventeen  
26. communities that raised their drinking age back to twenty-one.  
27. Now, I'm now what might be termed a good...do-gooder or  
28. picked this up on the basis of alcoholism generally, but there  
29. have been numerous surveys. First by the Chicago Alcohol  
30. Treatment Center, by the Teenage Alcoholism by William  
31. Schwiker of Park Ridge with the Lutheran General Hospital.  
32. There have been all of these surveys...the Illinois Alcoholism  
33. and Drug Dependents Association by Garrett Denhartog,

1. Various other studies have been made regarding alcoholism,  
2. and there is a string as long as my arm as long as your arm  
3. that will show why we should we raise the liquor drinking  
4. age back to twenty-one. Now, these were all part of the  
5. original set up, but since the introduction of that bill,  
6. you would be surprised at the number of the various situations  
7. that have come to light. One of the greatest and...and may  
8. I just say in conjunction with that, that from January to  
9. September of '73, prior to the law change, arrests for  
10. vandalism in the...the eleven to twenty-one year age group  
11. in 1974 after the law changed, during these same months  
12. the number of arrests rose to two thousand seven hundred  
13. and nineteen. In 1973, there were a total of three thousand  
14. two hundred and twenty-two arrests, and in 1974, the arrests  
15. rose clear to three thousand six hundred and seven in this  
16. age group. Now, we have all of these reports. The Department  
17. of Transportation reports a thirty-three percent increase in  
18. the number of accidents involving drivers aged fifteen to  
19. nineteen. At the same time, the number of licensed drivers in  
20. this basic age group remained the same. Now, the Illinois  
21. State Police report shows that the number of drivers in the  
22. fifteen to twenty year age group were arrested for driving while under the  
23. ...influence of liquor rose 20.16 percent. While in '72 and  
24. '75, there was an increase of 7 point...fifteen percent in  
25. the number of the drivers. In the fifteen to nineteen year  
26. age who were killed in accidents, seventy-two from '72 to '75.  
27. However, the number of traffic deaths, all drivers fell 8.73  
28. percent during the same period. Now, these are a few  
29. statistics that arouse our attention as we go through and we  
30. wonder about them. Now, one of the biggest and basic  
31. reasons and one of the reasons that all of you, I am sure,  
32. are getting some results or some static from your people is  
33. that when we lowered the drinking age from 21 to 19,

1. we automatically lowered the illegal drinking age. Let's be  
2. real practical about the entire situation. When the late  
3. drinking age was twenty-one, sure the eighteen, nineteens  
4. and twenty year olders got their drinks. Legally or illegally,  
5. it now appears that the nineteen year old who is allowed to  
6. drink is now filtering it down into the fourteen and fifteen  
7. year olders. This is a little bit of an irresponsible reaction,  
8. however, let's just look at the record, let's look at the  
9. situation as it stands right now. When a child...when a  
10. person starts high school, he's approximately fourteen years  
11. old, and if he's a little bit of a slow learner or handi-  
12. capped or what will I say, a peck's bad boy where he is filtering  
13. around, why he is eligible to take this. The drinking age  
14. illegally now has lowered itself to fourteen and fifteen  
15. years of age. This is the real, real problem. Now, in  
16. our districts, your district, my district, we all want to  
17. protect ourselves, we all want to say that - no, no, not  
18. our kids, but the other ones we agree with you. Well, why  
19. don't you just look...take a second look at the other guy's  
20. district and you'll find that everywhere in the State of  
21. Illinois except your own district, it's a bad problem. Ask  
22. your seatmate to inspect your district and you'll find that  
23. you have a bad problem. When it gets so far as the big  
24. brother concept as I want to call it, shows that these  
25. teenagers that are in high school are bringing back the  
26. liquor and I can give you statistics from practically every  
27. school district...high school district in the State of  
28. Illinois that is having problems. I have before me a letter  
29. from the Superintendent of Public Instruction State...

30. PRESIDENT:

31.           Senator...Senator...

32. SENATOR OZINGA:

33.           ...of Illinois...

1. PRESIDENT:

2. ...Ozinga, your...your time has expired. Would you  
3. conclude your remarks, please.

4. SENATOR OZINGA:

5. ...I will try, but this is an awful long subject, Senator.  
6. I would try to wind it up. First of all, the Superintendent  
7. of Public Instruction has written a letter of endorsement of  
8. this bill saying that he has had all of the principals...the  
9. PTA's have endorsed the bill, the Chicago region of the PTA's  
10. have endorsed the bill, the Springfield public schools, the  
11. ...now, a lot of you fellows have said that the retail...liquor dealers  
12. are opposed to this bill. I can't find a bartender that is  
13. opposed to this bill, possibly only in the college campus towns.

14.

(end of reel)

15.

16.

17.

18.

19.

20.

21.

22.

23.

24.

25.

26.

27.

28.

29.

30.

31.

32.

33.

SENATOR OZINGA:

1. ...other than that one a nineteen year older is sitting along-  
2. side of a twenty-one year older and he passes the liquor to  
3. it, that bartender is subject to having his license revoked.  
4. Now I...

5. PRESIDENT:

6. Senator Ozinga, would you please conclude your remarks.

7. SENATOR OZINGA:

8. All right. Senators, if you will remember Senator  
9. Sours. I'm sure that a lot of you were here when Senator  
10. Sours was here. Senator Sours fought to keep the liquor  
11. drinking age at twenty-one and he predicted at that time that  
12. if we lowered the drinking age from twenty-one to nineteen  
13. that in four or five years it would be lowered to fourteen  
14. or fifteen by illegal...taking of liquor. We are not the  
15. only state that's involved in this. Michigan is involved  
16. where they say eight out of nine people want it raised back.  
17. I would plead with all of you to examine it yourselves. This  
18. is a bill that should be passed and I would plead for a favorable  
19. roll call.

20. PRESIDENT:

21. Senator Johns.

22. SENATOR JOHNS:

23. Mr. President, members of the Senate. I joined as  
24. cosponsor of this bill. I fought the lowering of this  
25. age when we did it. I knew that the real drinking age  
26. is always a year or two under the legal age, which to me  
27. is an indictment on our society. Other states, young  
28. people are crossing our state lines in order to consume  
29. alcohol. It adds to our police problems and needs. I  
30. causes destruction, it causes shabby joints to spring  
31. up, it causes allied problems of drugs, wrecks, fighting,  
32. destruction. Tavern owners have told me, it's bad  
33. business. But most of all, it causes the destruction of  
34. our most precious natural resource, our young people.  
35. I urge a Aye vote, Mr. President. Thank you.



1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, Ladies and Gentlemen of  
5. the Senate. A question of the sponsor if he'll yield.

6. PRESIDENT:

7. He indicates that he will yield.

8. SENATOR ROCK:

9. Senator, would you be willing to call this back...  
10. bill back to the Order of 2nd reading for the amendment  
11. that you and I discussed which would prohibit nineteen,  
12. twenty year olds from purchasing packaged goods. I think  
13. that's where the problem lies and I have an amendment  
14. that would proscribe that kind of activity.

15. PRESIDENT:

16. Senator Ozinga.

17. SENATOR OZINGA:

18. Senator, I would love to do that but at this stage of  
19. the game, I would much prefer to pass this bill out of  
20. the House, get the House sponsor to agree if he would, however,  
21. I believe that we should pass this bill out now as the situation  
22. stands. I...I just don't like to bring it back at this point.  
23. I'd like to get it out of the Senate.

24. PRESIDENT:

25. Senator Rock.

26. SENATOR ROCK:

27. Further question of the sponsor, if he'll yield, Mr.  
28. President.

29. PRESIDENT:

30. He indicates that he will yield.

31. SENATOR ROCK:

32. What, Senator, if any, is the affect on the municipality  
33. such as Urbana which has, in fact, lowered the age to eighteen

1. for its residents. Does this bill preempt that kind of  
2. an ordinance?

3. PRESIDENT:

4. Senator Ozinga.

5. SENATOR OZINGA:

6. Senator, that's a hard question. I don't think that it  
7. will, however, before the age was lowered, I think that there  
8. was just as much nineteen and twenty year old drinking going  
9. on in Urbana and Champaign or in the college campuses as  
10. what is actually going on. But we've got to weigh the  
11. entire package. The damage that is being done to the youngster  
12. that is getting it under the age of nineteen where I do  
13. believe that at the age of twenty-one, when it was twenty-one,  
14. these fellows in the dormitories were drinking it just as  
15. much before 1973 as they are after 1973.

16. PRESIDENT:

17. Senator Rock.

18. SENATOR ROCK:

19. Thank you, Mr. President, Ladies and Gentlemen of the  
20. Senate. I rise in opposition to Senate Bill 9 as it is  
21. now on the Calendar and I would point out to the Senator  
22. that the Illinois Legislative Council which is our research  
23. arm here in the Illinois General Assembly prepared a  
24. memorandum under date of January 28, 1977, which I would  
25. like for the purpose of the record at least, to share with  
26. the Senator. In summary form, it says "although there are  
27. some indications that the lowered drinking age for wine and  
28. beer in Illinois may have affected traffic accidents, there  
29. is," and I quote, "no firm evidence that the lowered drinking  
30. age contributes directly to an increase in traffic accidents or their  
31. severity among nineteen and twenty year olds. Information  
32. compiled and analyzed by the Illinois Department of Transportation  
33. indicates that the problem of alcohol abuse and traffic accidents

1. is widespread in Illinois, especially for persons between  
2. the ages of twenty and forty-four. It seems to me, Mr.  
3. President, and Ladies and Gentlemen of the Senate, as  
4. I said on this Floor some time ago when I sponsored the  
5. bill to lower the drinking age, that we should recognize  
6. the responsibility vested in these young people. We  
7. mandate, or used to mandate that they go to war at  
8. eighteen, that they have the right to vote at eighteen  
9. and to deny them a glass of beer at eighteen seems to  
10. me to be just plain silly and I stand in opposition  
11. to Senate Bill 9.

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, Mr. Chairman, to compare, to say that some-  
16. body has the right to drink just because he has the  
17. obligation as a citizen to serve his country or to do  
18. other things...these...these obligations start as soon  
19. as the child is six or seven or eight and can understand  
20. and I submit that you don't say that they should be able  
21. to drink. I know of no single thing that man enjoys that  
22. is improved by the use of alcohol and it is a contri-  
23. buting factor, not only to auto accidents, but many  
24. other types of crime, now I don't care, I've dealt  
25. as an attorney with people of all ages for over twenty-  
26. five years and at some time pass the age of twenty-two  
27. and when you draw a trust and there are many people  
28. that ask you to draw trust and wills, they ask you to  
29. use the ages of twenty-two to twenty-five before they'll  
30. allow their youngsters to manage substantial amounts  
31. of money. I submit that the children are better prepared  
32. to handle amounts of money than they are to handle  
33. alcoholic beverages. The way you can tell a man from

1. a boy when they're drinking, is the man will attempt to  
2. hide the fact that he is drinking, a boy will run around  
3. and blow his breath on everybody to let them know that  
4. he is drinking. Now, I submit to you that I have a conflict  
5. of interest. I have a fifteen year old boy and I assume  
6. that he is going to drink like most of them, he's going  
7. to try it. But, if I can make it harder for him to find  
8. that first drink, or that drink that may take him from  
9. me forever in an automobile accident then I'm going to  
10. make it just as hard as I can. So I'm going to be  
11. voting for this bill. He may get some alcoholic beverages  
12. but he won't get them with my approval and he won't  
13. get them legally.

14. PRESIDENT:

15. We have a request to film the proceedings from  
16. Channel 20. Is leave granted? Leave is granted. Sorry,  
17. Senator Rock, your...your time has expired. I received  
18. the request from Senator Harber Hall and he is the  
19. next speaker. Senator Hall.

20. SENATOR HARBER HALL:

21. I won't be giving Senator Rock's speech. In rising  
22. to approve and support this bill, Mr. President, I want  
23. the Body to know that I represent a district that contains  
24. four colleges...one large university. And so I have  
25. through the years been very interested in this type  
26. of legislation. I voted for lowering the drinking age  
27. and as I reflect on my few years in the General Assembly  
28. this is one vote that I really truly regret. Not from  
29. the political standpoint. I analyzed the question  
30. four years ago, I thought it over carefully. Initially  
31. I thought I would oppose it, the lowering, and I did  
32. eventually conclude that we should do this. For some  
33. of the same reasons that Senator Rock opposes this bill

1. now. I have concluded now that that was really a serious  
2. mistake on my part and that we should put the age at twenty-  
3. one where it belongs. And I want to give you an example  
4. of what I hear in my district and one that gave me encourage-  
5. ment in deliberation of this bill in this Session. I  
6. was getting a tank of gasoline at one of our gas stations  
7. the other evening and a young man came up and noticed my  
8. license plate and he said I just want to ask you one  
9. question. Are you favoring the raising of the drinking  
10. age, and I was prepared to get a lambasting when I would  
11. give him my answer, but I said, yes I am. He said, well  
12. good. He said I go to the university, Illinois State,  
13. and he said I see what happens out there. He says I'm  
14. twenty, but I see what happens to the seventeen and the  
15. eighteen year olds that come out there and begin without  
16. past experience, a life of drinking and I watch how  
17. they carry on, the troubles they get into and he said  
18. it should be raised, and coming from a student who is  
19. out working, helping to pay his way through college,  
20. he's got his head screwed on right, he's only twenty  
21. years old and he'll have to wait another year if this  
22. bill passes, but he still favors it as I do.

23. PRESIDENT:

24. Senator Glass.

25. SENATOR GLASS:

26. Thank you, Mr. President, Ladies and Gentlemen.  
27. I also was one of the sponsors of the bill which  
28. lowered the drinking age to its present figure of  
29. nineteen beer and wine. And I think having done  
30. that, those of us who voted in favor of that lowering,  
31. should ask ourselves whether there's anything that  
32. happened in the time that's elapsed since the lowering  
33. of age that would call for raising the age. I have

1. access to the same report that Senator Rock cited which  
2. does indicate that the lowering of the drinking age  
3. has not increased traffic accidents. In fact, research  
4. that I've been privy to has shown that the lowering of  
5. drinking age has not disturbed a long term trend of  
6. increasing involment of nineteen and twenty year olds  
7. in traffic accidents. In other words, this is  
8. happening, but it cannot be tied to alcohol and wine  
9. and I do recognize that we have a problem in the  
10. taverns and restaurants that serve liquor, distinguishing  
11. between those eligible for receiving beer and wine  
12. and other beverages. I recognize that is a problem,  
13. it...there are other ways of correcting it however, than  
14. this way. I think this would be a regressive step  
15. and I simply don't feel the evidence is in that ties  
16. the lowering of this age to increased traffic accidents  
17. and therefore I oppose the bill.

18. PRESIDENT:

19. Senator Nimrod.

20. SENATOR NIMROD:

21. Mr. President and fellow Senators. Last year I  
22. tried to put through a resolution which would have  
23. called for some statistical analysis and that resolution  
24. remained in the Executive Committee, for the Secretary  
25. of State to furnish that information to us based on  
26. accidents so that we could compare. I do know this  
27. however, from the knowledge that I've been able to  
28. gather together that instead of having eighteen and  
29. nineteen and twenty year olds drinking as they were  
30. before when the law was twenty-one, we now have fifteen,  
31. sixteen and seventeen year olds drinking and that's a  
32. fact. I think that what we're doing is providing for  
33. an encouragement. Certainly, we have created some very

1. serious problem within many of the taverns and drinking  
2. facilities within our States and around our campuses.  
3. All this bill does is says that the State is going to  
4. remove its jurisdiction and in providing that law  
5. which gave permission. Whatever the Home Rule Bodies  
6. or any of those ordinances and so forth want to do,  
7. this will allow them to do what they have, what authority  
8. they have to do it with. But, I think that it's very  
9. plain and very clear, the issue is very simple, If we  
10. want to contribute to additional deaths which have  
11. taken their toll, one in particular I know, in my own  
12. district, in fact two within my own district as a  
13. direct result of drinking in that age limit, maybe  
14. it wasn't the direct cause, but certainly it's a  
15. contributor and I think we would not be discouraging  
16. or discriminating in any way to remove the State  
17. jurisdiction. I certainly support this particular  
18. bill.

19. PRESIDENT:

20. Senator Hickey.

21. SENATOR HICKEY:

22. Thank you, Mr. President. This is something  
23. I've really agonized over and had a...I've had a  
24. hard time making a decision on it. I asked a local  
25. group in Rockford of...of various agencies that  
26. are combined in another agency for working on  
27. drug and alcohol abuse and that group could not  
28. come to a conclusion. The two problems in this  
29. seem to be the whole business of the fourteen and  
30. fifteen year olds drinking and drunken driving, which  
31. are certainly two very real problems and need to  
32. be met. I don't have eighteen year olds anymore,  
33. but I have had three boys who got through that period  
34. and it was very difficult at that time some ten years

1. ago when they came home from college where they could  
2. drink at eighteen and we had to say no you can't do  
3. it here and they really felt we were making babies  
4. of them at that point. I doubt that enforcement  
5. of this law is...is really possible and I really  
6. worry about trying to put these two problems all  
7. on the shoulders of the eighteen to twenty-one year  
8. olds and having them solve problems, which really  
9. they're not...not totally responsible for. I think  
10. we're simply trying by this to drive them back  
11. into adolescence and...and we'll have concomitant  
12. resentment from them because of this. I think  
13. the two problems which induced this must be met  
14. on their face. We must do something about the  
15. fourteen and fifteen year olds and we must do  
16. something about drunken driving. Not just for  
17. eighteen to twenty-one year olds, but for adults  
18. also, we need to work on getting rid of DWI's being  
19. fixed too easily and such things as that in order  
20. to solve these problems, but after a lot of agonizing  
21. I've decided I have to vote no.

22. PRESIDENT:

23. Senator Berning.

24. SENATOR BERNING:

25. Thank you, Mr. President, I don't want to belabor  
26. this either, however there were comments made by a  
27. previous speaker that there was little or no evidence  
28. of increased accidents and problems because of  
29. intoxication of the eighteen and nineteen year olds.  
30. And I don't presume to hold this out as gospel, however,  
31. for what it's worth to present the other side, I have  
32. a statement here from a church action council here in  
33. Springfield, by Harvey Wright, Director, indicating



1. several thorough studies that is, the Insurance Institute  
2. of Highway Safety, the Addiction Research Foundation of  
3. Ontario and the Highway Research Institute at the  
4. University of Michigan. All have concluded that lowering  
5. the drinking age has cost lives. One further point,  
6. the Division of Emergency Medical Services of the  
7. Illinois Department of Public Health shows that highway  
8. fatalities among intoxicated nineteen and twenty year  
9. olds killed on Illinois highways increased one hundred  
10. two per cent after the drinking age was lowered.

11. PRESIDENT:

12. Senator Netsch.

13. SENATOR NETSCH:

14. Thank you. There have been a number of statistics  
15. already reported to members of the Senate which I will  
16. not repeat. I think that one or two points need to be  
17. underscored. One, the studies that have been done in Illinois  
18. do not indicate an increase in accidents since the  
19. drinking age was lowered. The graphs that are based on  
20. all of the available statistics indicate that while  
21. the number of DUI convictions has increased slightly  
22. in the nineteen to twenty-one year old group. The  
23. number of DUI accidents has decreased in that same  
24. age group since lowering the drinking age. Now, no  
25. one, we can only speculate on the reason for that.  
26. Whether it means that what drinking is being done is  
27. being done indoors rather than in cars on the highways,  
28. we do not know. But the fact is that the accidents  
29. have not increased. They have in fact, decreased. In  
30. the Department of Transportation study which was prepared  
31. for us and for the Legislative Council, they concluded  
32. that if a legal measure is sought which would control  
33. alcohol and thereby reduce accidents, it would speak,

1. and this is a quote, it would speak more directly to  
2. this problem to raise the minimum age to as high as  
3. twenty-five, and their statistics show that the offending  
4. groups, that is the huge number of accidents and fatalities  
5. which have involved alcohol occur in the age groups in  
6. the twenties and the thirties. That is where the real  
7. problem is and I think we're kidding ourselves if we  
8. think that we are going to solve that problem by raising  
9. the drinking age to twenty-one. I would finally call  
10. your attention to the fact that the Illinois Alcoholism  
11. and Drug Dependence Association, which is one of the  
12. major umbrella groups in the state concerned with  
13. the problems brought about by alcoholism, concluded  
14. in testimony before our committee, the task force  
15. on, and I am quoting, "the task force on youth and  
16. substance abuse has been...begun consideration of  
17. the issues surrounding the legal drinking age in  
18. Illinois. From our initial discussion and findings,  
19. we can conclude only that the data necessary to arrive  
20. at a sound rational decision regarding the legal drinking  
21. age is not available at this time. The statistics which  
22. have been advanced are far from being complete, unequivocal  
23. and noncontroversial. More importantly, they suggest that  
24. a resolution by legal means avoids the real issue and in  
25. fact it may contribute to the problem." I don't think  
26. anybody questions that teenage drinking, as a matter of  
27. fact, adult drinking, is one of the most serious problems  
28. that we have in this country. The question is, will  
29. raising that age solve the problem, and the answer is  
30. clearly no.

31. PRESIDENT:

32. Senator Kenneth Hall.

33. SENATOR HALL:

34. Thank you, Mr. President and Ladies and Gentlemen

1. of the Senate. I'll be very brief, I just want to say  
2. that I supported this to go back to...I mean when we  
3. moved it to eighteen years, and I think we would be  
4. going backwards if we were to change that now. Haven't  
5. seen so many things happen, what is personally happened  
6. to me. When you tell people that they can not do a  
7. thing, all you make them do is want to do it more. I  
8. would think and there's been the statistics and all these  
9. things have been shown, but if you'll just stop and  
10. think when you tell an individual that he cannot do  
11. or she cannot do anything, they want to do it more. I  
12. think we would making a step backwards, so, therefore, I'm  
13. going to vote no.

14. PRESIDENT:

15. Senator Leonard.

16. SENATOR LEONARD:

17. Thank you, Mr. President. I was motivated by  
18. Senator Berning's statistics and I wanted to get some  
19. in here, especially for people who represent the northern  
20. part of Illinois. I spent some time this morning talking  
21. with a Sergeant Cook who heads up the Juvenile Division  
22. for the Lake County Sheriff's Office. It is his opinion,  
23. and he is one of the people that is literally on the  
24. road dealing with this problem. It is his opinion that  
25. young people are going to seek alcohol, they are going  
26. to seek beer and one thing or another and if you live  
27. near Wisconsin, you will go to Wisconsin and get it and  
28. raising the age will not result in fewer people on the  
29. roads who are intoxicated. It will simply mean there  
30. will be as many on the road and they will simply drive  
31. further. Thank you.

32. PRESIDENT:

33. (Machine cut-off) Ozinga may close the debate.

1. SENATOR OZINGA:

2. I'll try to be brief, however, listening to these traffic  
3. accidents, that's only one of the smaller parts. Just  
4. week before last in Sauk Village, a group of teenagers,  
5. seventeen, eighteen, nineteen and twenty years old had a  
6. rendezvous, mind you, in a cemetery. A seventeen year old  
7. is dead because of the alcohol spree that occurred there  
8. last, a week and a half ago, killed by a nineteen year  
9. older that had the pistol, but weren't able to handle  
10. the liquor. That is a realistic fact that has nothing  
11. to do with traffic accidents, however, the principals  
12. across the state have more incidental experience with  
13. teenage drinking than the police, since community  
14. expectations of their schools are more rigid than the  
15. community in general. The principals are asking for  
16. assistance in reducing problems related to adolescents  
17. which occur frequently in the schools. Drinking incidents  
18. are a part of what must be dealt with in the high schools.  
19. The farther we put this drinking age away from the teenager  
20. in the high school, the better this entire community will  
21. be off. The PTA's and I...I'm referring to the PTA's in  
22. the Western part of the State, analyze this problem rigidly  
23. and it was them that asked the PTA's of the State of  
24. Illinois, I believe they came from Senator Wooten's  
25. district, with a salute to them, that they endorse this  
26. bill heartily. And I'm sure that all of the PTA's across  
27. the entire State agree. One last statement saying that  
28. statistics concerning teenage drinking problems vary  
29. depending on source, all the way from two percent to  
30. fifty percent of the country's teen population regarding  
31. as having a problem with alcohol consumption. The pressures  
32. and family influence appear to have significant impact  
33. on decision for teenagers to drink and they have over the

1. years stated and Senator Berning has put his finger right  
2. on it, the fact that these statistics with nineteen and  
3. twenty year accidents are only incidental to it for the  
4. simple reason that it is the driver thats sixteen, seventeen  
5. and eighteen that carries with him a nineteen year older  
6. that are involved in these accidents, and that has  
7. increased tremendously. In 1972, the drinking law was  
8. changed in Illinois, the Department of Transportation  
9. listed ninety-four thousand, five hundred and ninety-  
10. one accidents involving teenagers from fifteen through  
11. nineteen. In 1975 the number of driver accidents in  
12. this age group climbed to a hundred and twenty-five  
13. thousand, six hundred and seventy-four. Or an increase  
14. of thirty-three percent. Now, we can look anywhere,  
15. everywhere, examine you own conscience. I think that  
16. the people in your district want this thing passed. I  
17. emplyore you, please, I would love to get this bill  
18. out of the Senate, it already has been a deterrent,  
19. and if we can further get it out of here and get this  
20. thing sincerely passed, I would appreciate your personal  
21. vote.

22. PRESIDENT:

23. The question is shall Senate Bill 9 pass. Those  
24. in favor will vote Aye. Those opposed will vote Nay.  
25. The voting is open. Have all voted who wish? Have  
26. all voted who wish? Take the record. Senator Ozinga.

27. SENATOR OZINGA:

28. Postponed Consideration.

29. PRESIDENT:

30. Senator Ozinga has moved to Postpone Consideration.  
31. Consideration will be postponed.

32. PRESIDENT:

33. (Machine cut-off)Bill 16, Senator Maragos. Senator  
34. Maragos.

1. SECRETARY:

2. Senate Bill 16.

3. PRESIDENT:

4. Senator Maragos.

5. SENATOR MARAGOS:

6. Mr. President, I would like to have leave to come  
7. back to this bill because some question has been raised  
8. regarding an amendment which I'm not aware of and if the  
9. leave of Senate that we come back to this later in the  
10. day.

11. PRESIDENT:

12. Is leave granted? Leave is granted. Senate Bill  
13. 19, Senator Wooten. Senate Bill 23, Senator Washington.  
14. Senate Bill 24, Senator Grotberg. By the way, for the  
15. information of the membership, the Secretary informs  
16. me that if we spend as much time on the remaining bills  
17. as we did on the last one, we will adjourn at 12:45 p.m.  
18. on August 29th. Senate Bill 29, Senator Berning. Senate  
19. Bill 24, Senator Grotberg. Read the bill.

20. SECRETARY:

21. Senate Bill No. 24.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Grotberg.

26. SENATOR GROTEBERG:

27. Mr. President, Ladies and Gentlemen of the Senate.  
28. Senate Bill 24 is the amendment essentially that was on  
29. House Bill 3650 last year that came through and failed  
30. on an Override Session...in the Override Session because  
31. of a technical error and was never called in the House...  
32. or in the Senate. And very briefly it does this, each  
33. of us have in our districts some smaller towns who  
34. would like to do something about their downtown renewal

1. programs. This bill addresses itself to the private  
2. sector for non...rather I would say that most of our  
3. legislation here has to do with State funding and the  
4. race track funding for exhibition halls and downtown  
5. malls, et cetera. This has to do with the private  
6. sector and if you follow my legislation over  
7. the next few years, we hope, that I am consistently  
8. saying that private enterprise can do it better.  
9. Senate Bill 24, therefore, exempts from the registra-  
10. tion portion of the Securities Act those corporations  
11. that are formed solely for the purpose of renewing  
12. a downtown property in cities under fifty thousand  
13. in the State of Illinois, provided that all the members  
14. of the board, of the directors of that corporation are  
15. local citizens, provided that all of the property in  
16. question is within that community, and it limits the  
17. investment of any one person to five thousand dollars  
18. or four percent of the issue at hand which is synonymous  
19. with the twenty-five persons and four percent that  
20. the Small Businessmen's Administration requires in  
21. similiar operations. Many of you may be familiar with  
22. this concept. I would ask for your support in this  
23. bill for every small town in the State of Illinois  
24. to take private enterprise and local citizens availing  
25. themselves of...of not going through the tremendous  
26. expense of the Securities and Exchange Commission and  
27. the full registration proceedings of the State of  
28. Illinois, Secretary of State Securities Division.  
29. The Securities Division assisted in drafting this  
30. amendment and they have no position on it. We've got  
31. the price up at two hundred and fifty dollars registra-  
32. tion fee and ten dollars per transaction, registration,  
33. so that it will pay for itself. I would ask for a favorable

1. vote or answer questions.

2. PRESIDENT:

3. Is there any discussion? If not, the question is

4. shall Senate Bill 24 pass. Those in favor will vote

5. Aye. Those opposed will vote Nay. The voting is open.

6. Have all voted who wish? Have all voted who wish? Take

7. the record. On that question, the Ayes are 49, the Nays

8. are none. None Voting Present. Senate Bill 24 having

9. received a constitutional majority is declared passed.

10. Senate Bill 29, Senator Berning. Read the bill.

11. SECRETARY:

12. Senate Bill 29.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Berning.

17. SENATOR BERNING:

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

19. The Calendar is inaccurate as it reflects the numbers of

20. days in the Senate Bill 29 description. By Amendment

21. which was agree to by the Chairman of the Elections

22. Committee, Senator Kosinski after a subcommittee headed

23. by Senator D'Arco and I and other interested people got

24. together. That date now should say thirty-five. The

25. bill does one thing only, establishes a uniform cut-

26. off date for registration. I know of no opposition

27. whatsoever at this point and I would appreciate a favorable

28. roll call.

29. PRESIDENT:

30. Is there any discussion? Senator Hall, Kenneth

31. Hall.

32. SENATOR KENNETH HALL:

33. Will the sponsor yield to a question?

34. PRESIDENT:



1. He will.

2. SENATOR KENNETH HALL:

3. Senator, I just want to get clear in my mind, now  
4. you're reducing the number of days to thirty-five rather  
5. that to the twenty-eight days that we have. Is that  
6. correct? I mean you're increasing them rather. In other  
7. words then, twenty, thirty-five days before the election that  
8. you can no longer register, right?

9. PRESIDENT:

10. Senator Kenneth Hall.

11. SENATOR KENNETH HALL:

12. Well, what's the purpose of it, Senator. Tell me,  
13. what is the seven days more going to accomplish?

14. PRESIDENT:

15. Senator Berning.

16. SENATOR BERNING:

17. Senator Hall, under the existing statutes, there  
18. are at least three dates when registration shall terminate.  
19. Twenty-eight, thirty-five, and in some cases forty-five  
20. days. This may not cause a problem in some areas but it  
21. does cause a serious problem in areas such as mine and  
22. North Cook County where the county line runs right through  
23. a municipality or a subdivision sometimes. People living  
24. on one side of the line are able to register as late as  
25. twenty-eight days before the election, those on the other  
26. side perhaps having had the impression that they could  
27. register up to the twenty-eighth day suddenly appear at  
28. the Clerk's Office and find out, oh no, you're on the  
29. wrong side of the line, you're registration termination  
30. date was thirty...was a week ago. To eliminate that  
31. confusion and to make the date, the termination date,  
32. absolutely uniform, I originally suggested twenty-  
33. eight days, which is what the minimum was prior or at

1. this time. But the Clerk of Cook County felt that this was  
2. not giving them the ample time that they needed to accommodate  
3. district registrations and accumulate the information. They  
4. suggested the thirty-five day cut-off period and I have  
5. no objection. I don't care what the date is as long as  
6. it's uniform and we did have the matter under deliberation  
7. in subcommittee. This then was the final determination  
8. and the...purpose is solely, I repeat, to establish uniformity.  
9. PRESIDENT:

10. Is there any further discussion? Senator Bruce.

11. SENATOR BRUCE:

12. Yes, to Senator Berning. Why didn't we stay with  
13. the twenty-eight day rather than going to thirty-five as  
14. the uniform date?

15. SENATOR BERNING:

16. As I explained a little earlier, perhaps I did not  
17. elucidate enough. Twenty-eight was what I originally  
18. suggested, but the Clerk of Cook County felt that this  
19. did not give him ample time to accomodate the registra-  
20. tions coming in from the outlaying areas and that  
21. thirty-five days would be more practical. And I have  
22. no objection to thirty-five, thirty, twenty-eight, as  
23. long as it's uniform and my clerk in Lake County agrees.  
24. Uniformity is the thing that will eliminate our confusion  
25. up there which confounds our citizens depending on which  
26. side of a line, an imaginary line that they live.

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

30. Well, I just rise in opposition of this bill. I  
31. have no...no Board of Election Commissioners in my district.  
32. Every county that I know of in downstate, except a few in  
33. the larger counties, have twenty-eight days. We have had

1. for many, many, many years. I think the people anticipate  
2. that up until four weeks before the election, they can  
3. come in and register to vote. I don't know who's  
4. decision it was to make it thirty-five. I think part  
5. of the thing we ought to do in Election Code is make  
6. those changes only when they're necessary and it  
7. certainly isn't required for the downstate districts.

8. PRESIDENT:

9. Senator Hickey.

10. SENATOR HICKEY:

11. May I ask the sponsor a question?

12. PRESIDENT:

13. He indicates that he will yield.

14. SENATOR HICKEY:

15. I wonder Senator Berning, if you don't get thirty  
16. votes on this now, would you think of holding it then,  
17. would you think of changing it back to twenty-eight? In  
18. spite of the problem in Cook County.

19. PRESIDENT:

20. Senator Berning.

21. SENATOR BERNING:

22. I am not inclined to speculate. I would much  
23. appreciate thirty votes now. I think uniformity not  
24. only will accommodate the people in the northeast part  
25. of the State, but is an...a change that will work no  
26. hardship on anybody. It would be a simple matter  
27. to announce that the closing date is thirty-five days  
28. prior to the election rather than twenty-eight. I  
29. can see no difficulty worked on any area, upstate or  
30. downstate.

31. PRESIDENT:

32. Senator Rhoads.

33. SENATOR RHOADS:

34. Mr. President, I rise of support of Senate Bill 29.

1. For the information of Senator Bruce, Senator Hickey and  
2. other downstate Senators, it's absolutely immaterial what  
3. the date is. The only constraints we're operating under  
4. was a 1972 U. S. Supreme Court Decision, Dunn verses  
5. Bloomstein which struck down all all alternational residency  
6. requirements. It was decided by the County Clerk's  
7. Association, the State Association of Election Adminis-  
8. trators Cook County, Lake County, every county we  
9. talked to, that this was the most uniform date that  
10. everyone could like with. The reason we need uniformity  
11. if because it creates tremendous confusion in the  
12. metropolitan area of Greater Chicago because the news  
13. organizations, the radio stations, the newspapers  
14. and other are giving out conflicting dates for the  
15. final day for registration. This is a good bill, there  
16. shouldn't be any confusion about the purpose of the bill.

17. PRESIDENT:

18. Senator Kosinski.

19. SENATOR KOSINSKI:

20. Mr. President, and members of the Senate. We had  
21. a thorough hearing on this bill in the committee, we  
22. had people come over from the entire State and from the  
23. Election Commissioner's Offices and have agreed that  
24. this is the logical thing to do and Senator Rhoads has  
25. explained it most clearly and I support the bill within  
26. all its thirty-five days is what we agreed to and I think  
27. it's a good bill.

28. PRESIDENT:

29. If there's no further discussion, the question is  
30. shall Senate Bill 29 pass. Those in favor will vote  
31. Aye. Those opposed will vote Nay. The voting is open.  
32. Have all voted who wish? Have all voted who wish? Take  
33. the record. On that question the Ayes are 40, the Nays

1. are 12, 1 Voting Present. Senate Bill 29 having received  
2. a constitutional majority is declared passed. For what  
3. purpose does Senator Rock arise?

4. SONTOR ROCK:

5. Thank you, Mr. President. On a point of personal  
6. privilege. While we have a lull, I would like to intro-  
7. duce a group that has just ascended to the gallery from  
8. the Lakeview Junior High School. They are accompanied  
9. by Becky Georgis, who is the wife of Peter Georgis who  
10. is an attorney in Chicago and in the office in which  
11. I sit sometimes when I get back there and Pete's  
12. daughter, Myra is with the group. I asked them to  
13. stand and be recognized by the Senate.

14. PRESIDENT:

15. Senate Bill 30, Senator Graham. Senator, could  
16. we pass that bill for just a moment. There is a  
17. question, with leave we'll come back to it. Senate  
18. Bill 32, Senator Carroll.

19. SECRETARY:

20. Senate Bill...

21. PRESIDENT:

22. Read the bill.

23. SECRETARY:

24. Senate Bill 32.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President and members of the Senate.  
31. Senate Bill 32 as amended is slightly different than it  
32. indicates on the Calendar. It provides that the Sanitary  
33. District may lease without public bidding, to institutions

1. of higher education when that land is to be used for  
2. educational purposes of that institution. This resolved  
3. from a change in the law many years ago of a private  
4. institution of higher education in my district who  
5. had used its physical ed facilities on leased Sanitary  
6. District land, they want to improve that land now  
7. and we had changed the law in the interim, where they  
8. could not get a long enough lease to amortize the cost  
9. of their needed improvements. I would answer any  
10. questions and ask for a favorable roll call.

11. PRESIDENT:

12. Is there any discussion? If not, the question  
13. is, Senator Glass?

14. SENATOR GLASS:

15. Thank you, Mr. President. I...Senator Carroll,  
16. I was distracted during the explanation of the bill and  
17. I apologize for that. Is it...does the amendment change  
18. from what the synopsis said, that competitive bidding  
19. may be waived were it not for private corporations  
20. involved.

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President. I accept your apologies,  
25. Senator Glass. Yes, the amendment does change that. The  
26. institutions of higher learning when the land is to be  
27. used for a higher learning, higher educational purpose.  
28. It took out not for profit and put in those...such...a way  
29. limited strick situation.

30. PRESIDENT:

31. Is there any further discussion? If not the question  
32. is shall Senate Bill 32 pass. Those in favor will vote  
33. Aye. Those opposed will vote Nay. The voting is open.

1. Have all voted who wish? Have all voted who wish? Take  
2. the record. On that question, the Ayes are 53, the Nays  
3. are none, none Voting Present. Senate Bill 32 having  
4. received a constitutional majority is declared passed.  
5. Senate Bill 35, Senator Johns. Senate Bill 36, Senator  
6. Johns. Senator Bill 38, Senator Merlo. Read the bill.  
7. SECRETARY:

8. Senate Bill 38.  
9. (Secretary reads title of bill)  
10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Merlo.

13. SENATOR MERLO:

14. Mr. President, and members of the Senate. A few  
15. years ago, legislation which I offered was passed into  
16. law which would require landlords to pay five percent  
17. annual interest to tenants on security deposits held.  
18. Interest would be computed from the date of the deposit  
19. and paid at the end of a twelve month period. The present  
20. law applies only to the City of Chicago and only to  
21. renters of apartment buildings with twenty-five units  
22. or more. Now, the reason why I introduced this bill  
23. was because of the number of letters that I received  
24. from people outside of Chicago. I want to make it  
25. known specifically that this bill does not help Chicago  
26. at all. We have the law. But, I have received hundreds  
27. of letters stating the unfairness. That this law should  
28. apply only to one particular area in the State of Illinois.  
29. And as a result, I did introduce this bill. What Senate  
30. Bill 38 will do will make the Act applicable to the entire  
31. State of Illinois and I do ask you favorable consideration.

32. PRESIDENT:

33. Is there any discussion? If not, the question is

1. shall Senate Bill 38 pass? Those in favor will vote Aye,  
2. those opposed will vote Nay. The voting is open. Have  
3. all voted who wish? Have all voted who wish? Take the  
4. record. On that question the Ayes are 40, the Nays are  
5. 10, 2 Voting Present. Senate Bill 38 having received  
6. a constitutional majority is declared passed. Senate  
7. Bill 39, Senator Johns. Read the bill, Mr. Secretary.  
8. SECRETARY:

9. Senate Bill 39.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Johns.

14. SENATOR JOHNS:

15. Mr. President, members of the Senate. It's been  
16. a long time for me in the preparation of this bill. Every  
17. Session I have sponsored this bill. It's probably one of  
18. the most important bills that I'll ever handle in my  
19. life time for my people and the people of Illinois. The  
20. pages are passing out a brochure that I prepared that  
21. the first page will show you that under eighty percent  
22. of the land of Illinois there is coal. We have better  
23. than one hundred and sixty billion tons of coal underground.  
24. In the last few days, God's been good to Illinois because  
25. a method of extracting energy and utility use from high  
26. sulfur coal was accidently found. It's called a term,  
27. and I'll see if I can determine it, metro magnetic dynamics.  
28. It's where they use a, I think it's potassium, mixed with  
29. sulfur and it eliminates...eliminates the prohibition of  
30. high sulfur coal in the production of electricity. Illinois  
31. produces fifty-nine million tons of coal a year. We have  
32. one fifth of the Nation's supply. Demands for coal will  
33. increase. The sky's the limit. We have a resource which



1. once expended and used as a natural resource is irretrievable.  
2. Other states tax us as we produce their coal. Commonwealth  
3. Edison in this state burns two thirds of its coal from  
4. Montana. The cost per ton in taxes, one dollar and seventy  
5. three cents to Illinoisians. This bill will not cause a  
6. utility rate increase in Illinois to electric consumers  
7. or users. I've amended the bill to make sure that all  
8. that I wish to receive for my counties, and that's all of  
9. them in Illinois that produce coal, that none of the coal severed  
10. and used within the State will be...have a severance tax.  
11. It's strictly one hundred percent on all coal, thirty-eight  
12. million tons per year sold outside the boundaries of this  
13. State. We have enough coal to last us in Illinois for over  
14. a hundred years. We import fourteen million tons of coal  
15. per year into Illinois. That basically disturbs me a  
16. great deal. You say, well why don't we burn Illinois coal  
17. here. It's not because it's not cheaper. It's because.  
18. as Senator Donnewald has pointed out in his bill, we  
19. need to lift the restrictions. And I'm cosponsor of  
20. that bill in Illinois on the Environmental Protection  
21. Agency's restrictions of high sulfur coal. The money  
22. that I wish to retrieve, fifty percent of that money,  
23. five percent of the gross value or thirty cents per  
24. ton, whichever is greater, goes to the county from  
25. which the coal is severed. Would you believe that the  
26. balance goes, twenty-five percent to the State of  
27. Illinois, Department of Revenue for administering  
28. the bill. Five percent goes for mine reclamation  
29. of abandoned mines, five percent, several million  
30. dollars will be there available for mine subsidence  
31. insurance to back up whichever bill comes through.  
32. You're going to need money. And let me point out  
33. under mine subsidence, that more and more mines are

1. planned in Illinois and more and more subsidence will  
2. occur as these mines honeycomb this earth, this State.  
3. And subsidence is on the increase right now. And  
4. we'll need money and this bill will protect the  
5. homeowner. The Homeowners Building Associations are  
6. in support of this bill. The Illinois Agricultural  
7. Association is in support of this bill. There are  
8. many elements of this bill that I like. Five percent,  
9. several million dollars, will go to black lung centers  
10. to be located in East St. Louis up through Decatur,  
11. wherever the coal mining communities are and exist.  
12. To take care of examinations of those that work in  
13. the most hazardous occupation in the world.

14. PRESIDENT:

15. Senator Johns, your time has expired, would you  
16. sum up, please.

17. SENATOR JOHNS:

18. Mr. President, I stand ready to answer questions,  
19. I'd just like to point this out, I would like to thank  
20. the press, they have been very good to me concerning  
21. the facts surrounding this bill. The Tribune has done  
22. wonderful work on disclosing that these mines today  
23. are not the small family ownership mines that used to  
24. be as I grew up, but these are conglomerates, and I  
25. want to leave this with you, remember this, coal  
26. companies per se are not coal companies period, but  
27. they're owned by oil companies like EXXON, Standard Oil,  
28. the big boys, EXXON, the big power companies are not  
29. solely power companies, but they are conglomerates, the  
30. American Electric Power Company, headquartered in New  
31. York, owns the coal in Montana, owns the railroad it  
32. ships to metropolis. One hundred and twenty-five million  
33. tons a day cross my state. Thank you, Senator Chew, I'll

1. wind up very shortly. I know it. One word. One...one small bit here.  
2. The coal companies are owned by oil companies. The oil companies  
3. own the coal, the railroads, the bargelines, Gentlemen, it's a big  
4. question before you. I ask your favorable vote on probably the most  
5. important bill I'll handle in my lifetime for this State.

6. PRESIDENT:

7. Senator McMillan.

8. SENATOR McMILLAN:

9. A question of the sponsor, please.

10. PRESIDENT:

11. He indicates he will yield.

12. SENATOR McMILLAN:

13. It's my understanding that this bill would apply  
14. to about seven or eight counties in...in southern Illinois  
15. and the southern part of the central portion of the State.  
16. Why...how were those counties designated and why, in fact,  
17. are not all counties that are coal producing counties  
18. brought under the jurisdiction of this Act?

19. PRESIDENT:

20. Senator Johns.

21. SENATOR JOHNS:

22. I'm terribly dismayed that you feel that way. It's  
23. from the counties from which the coal is severed. And if  
24. you have the map that I placed before you, eighty percent  
25. of Illinois has coal under it, when that coal is severed  
26. from that county, the proceeds go from this bill to that  
27. county. It does not designate seven or eight counties.

28. SENATOR McMILLAN:

29. But, am I correct that there are what, seven, eight  
30. or nine counties, but there are other counties that are  
31. coal producing counties that are not included, is that correct?

32. SENATOR JOHNS:

33. To be courteous enough to give me that question again.

1. SENATOR McMILLAN:

2. Not all coal producing counties are brought under  
3. this Act. Is that correct?

4. PRESIDENT:

5. Senator Johns.

6. SENATOR JOHNS:

7. The coal severed under that county will benefit from  
8. this bill. Now, all mines are not located in every county,  
9. but where ever that mine exists, the coal companies can tell  
10. you where that tonnage is derived. I...I've been a coal  
11. miner's son all my life, I grew up in the coal fields, I've  
12. studied maps, the honeycombs that run miles and miles of  
13. veins, you will get it from your county if you have coal  
14. underneath it.

15. PRESIDENT:

16. Senator McMillan.

17. SENATOR McMILLAN:

18. My question is, there are coal mines in Fulton, Knox  
19. Counties particularly, are those counties covered by this  
20. Act?

21. SENATOR JOHNS:

22. It covers every county in Illinois that has coal  
23. underneath it.

24. PRESIDENT:

25. Senator Glass.

26. SENATOR GLASS:

27. Thank you, Mr. President. A question of the sponsor.

28. PRESIDENT:

29. He indicates he will yield.

30. SENATOR GLASS:

31. Senator Johns, in committee hearing on this bill.  
32. Originally, of course, the bill applied to coal sold in  
33. Illinois and out of Illinois and the estimated revenue that

1. would be produced from that would be twenty-seven million  
2. of which 13.5 would...would go to those counties that...that  
3. have coal mine in them. What...with the amendment to the  
4. bill, how much money will be raised by this tax. What  
5. is your estimate?

6. PRESIDENT:

7. Senator Johns.

8. SENATOR JOHNS:

9. Well, multiply thirty-eight million tons of coal  
10. going outside of Illinois by five percent of the gross  
11. value or thirty cents a ton which ever is greater and that  
12. would be the figure you would derive. So if we said in  
13. committee, approximately twenty-seven million, we would  
14. obtain half of that, Brad, I mean Senator Glass, because  
15. you're cutting in half what I originally sought.

16. PRESIDENT:

17. Senator Glass.

18. SENATOR GLASS:

19. Well, thank you, Senator. That's the figure I was  
20. looking for. So, it would Ladies and Gentlemen of the  
21. Senate, mean an increase in tax of thirteen and a half  
22. million dollars in a year when we are, I think most  
23. of us pledged not to increase taxes. Half of that amount  
24. would go to counties, most of them in Southern Illinois. And,  
25. they...they may need this money, but let's face it, they  
26. have not been accessing their real estate at reasonable  
27. values in the past and this...this would give them a  
28. tremendous bonanza, and I think totally unwarranted.  
29. It also, I might add Senator Johns, make it difficult  
30. for our industries in Illinois to compete in the  
31. states where this coal is sold. You have correctly pointed  
32. out that much of our coal is sold out of states because  
33. of the more rigid environmental regulations here. You

1. would only, by the passage of this bill, make it more  
2. difficult for our industries to compete out of state.  
3. I think this is entirely inconsistent with our...the  
4. mood and the mode and the concern of most of us that  
5. taxes not be increased this year. It is a tax increase,  
6. it benefits a very few counties, most of them in Southern  
7. Illinois and I would urge its defeat.

8. PRESIDENT:

9. Senator Vadalabene.

10. SENATOR VADALABENE:

11. Thank you, Mr. President and members of the Senate.  
12. I rise in support of Senate Bill 39. As Senator Johns  
13. has stated, all of us sometimes here in the Senate, will  
14. have the most important bill of their life, come up.  
15. Senator Johns says this is the most important bill that  
16. he will probably ever introduce in the Illinois Senate.  
17. It's going to happen to you. It's already happened to  
18. me and I'm going to support this bill.

19. PRESIDENT:

20. Senator Walsh.

21. SENATOR WALSH:

22. Mr. President, and members of the Senate. I rise  
23. in opposition to this bill and I would like to call the  
24. membership's attention to the coal severance taxes form  
25. which Senator Johns has...has distributed to us. You  
26. will note on that form the states that impose a coal  
27. severance tax that this five percent tax would be the  
28. most excessive tax that in Illinois it would amount  
29. to approximately ninety cents per ton. Coal selling at  
30. an average of about eighteen dollars per ton in Illinois  
31. and furthermore that in all other states that levy such  
32. a tax, it is imposed on coal sold within the State as  
33. well as coal sold without the state. Now, that being

1. the case, if we imposed such a tax, it should be imposed  
2. uniformly within the state as well as without the state.  
3. To do otherwise would be in violation of the Federal Con-  
4. stitution, the Interstate Commerce Clause and I'm...I'm  
5. sure that everyone is familiar with the provisions that  
6. we can't tax products outside of the state unless we  
7. tax them within the state. I would hate to have this  
8. bill which is so important to Senator Johns declared  
9. unconstitutional so to keep the Supreme Court from doing  
10. that, I think we should defeat the bill right here. I  
11. urge a no vote.

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

END OF REEL #2

1. PRESIDENT:
2. Senator Knuppel.
3. SENATOR KNUPPEL:
4. If the sponsor will yield to a question.
5. PRESIDENT:
6. He indicates he will yield.
7. SENATOR KNUPPEL:
8. You say you're doing this for your people. Are
9. the United Mine Workers in favor of this legislation?
10. PRESIDENT:
11. Senator Johns.
12. SENATOR JOHNS:
13. I expected that question and from that person.
14. Let me say this, the utility companies before I amended
15. the bill, and the coal operators sent out scare tactics
16. to all the young coal miners that exist today. If
17. you were to take a poll today of the United Mine
18. Workers, you would find those in the younger categories
19. just starting in the mines, 21, 22, afraid that this
20. bill might. But the oldtimers know that with the
21. cost of production being twelve dollars and the sale
22. price seventeen to thirty-five, they know the profits
23. there, they know they need these black lung centers,
24. they know they need the mine subsidence, they know
25. they need the mine reclamation, they know the counties
26. need the money to rebuild the...roads, the bridges and
27. the streams. So, the oldtimers, yes, the United
28. Mine Workers are behind it.
29. PRESIDENT:
30. Senator Knuppel.
31. SENATOR KNUPPEL:
32. I want to continue. I...I hope I'm not charged for
33. that answer. It would have been answered Yes or No.



1. Then, secondly,...

2. PRESIDENT:

3. We'll face that problem when we come to it, Senator.

4. SENATOR KNUPPEL:

5. ...I want to know are the coal...

6. PRESIDENT:

7. But right now you are being charged...

8. SENATOR KNUPPEL:

9. Are the coal operators in favor of this legislation

10. in your area?

11. SENATOR JOHNS:

12. No.

13. SENATOR KNUPPEL:

14. Is any of the money from this going to go to Pope

15. County?

16. PRESIDENT:

17. Senator Johns.

18. SENATOR JOHNS:

19. Mr. President, Pope County has some high

20. metallurgical coal within its confines, yes. It does, but one

21. of the restrictions, he asked a question, one of the

22. restrictions on the mining of coal in Pope County, we have

23. found very stringent EPA requirements there because of the

24. Shawnee Forest. So, yes, Pope County will get it, John, and

25. once it's mine, Senator Knuppel. Begging your pardon.

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Well, I...I personally haven't really even made up my

30. mind yet how I'm going to vote on the bill. But, I do know

31. this, that we're in an energy crunch, that the richest asset

32. in the State of Illinois energy wise is coal. We've passed

33. a Coal Development Act in the State of Illinois to try to...

34. to try to encourage the use of coal and at the same time, here now, coal

35. production in Illinois has been diminishing at the rate

1. of about two million tons a year over the last several  
2. years. I know that Pope County is in trouble. We  
3. hear this every year and no reflection on Senator Johns,  
4. but he gives one of the best performances on the Floor  
5. when he's fighting for Pope County. He ought to carry  
6. that county unanimously. All I can say is is that  
7. I can't...it...as I understand it, it's only on coal  
8. that's going out of the State of Illinois. I can't  
9. see how it's going to encourage the production of coal  
10. or that it's going to encourage the use of Illinois  
11. coal. I think there's a need and probably a long time  
12. ago need, maybe there's still a need that lands be  
13. restored and maintained where they were and are.  
14. And the removal of coal, some of the purposes that this  
15. money is going to be used for, reclamation and other  
16. things are good. They're good purposes. But,  
17. the part that where this land,..this money goes to the  
18. counties, I want to ask one other question. Is this  
19. limited to Capital Development or is this...revenue...

20. PRESIDENT:

21. Senator Knuppel. This will be your last question,  
22. Senator Knuppel and then you can sum up.

23. SENATOR KNUPPEL:

24. Well, don't worry about the time. I haven't used  
25. very much time. Now, if we're going to get into a fight  
26. here, you can turn my mike off, I don't give a damn.  
27. I'll holler anyway. I asked him a question. The question  
28. is is this going to go for Capital Development or isn't  
29. it?

30. SENATOR JOHNS:

31. I'd like for my answer...I was waiting for the light,  
32. John. No, it's going to go for whatever the needs  
33. of county government will become through the use of this  
34. money. There's going to be no strings attached to county

1. government for the use of this money. May I answer,  
2. Mr. President.  
3. PRESIDENT:  
4. Senator Knuppel, you're time is expired.  
5. SENATOR KNUPPEL:  
6. Here...here...  
7. PRESIDENT:  
8. You have...  
9. SENATOR KNUPPEL:  
10. I don't give a damn if it's expired.  
11. PRESIDENT:  
12. Well, Senator Knuppel, you may not, but the rest  
13. of the Body does. Senator Knuppel, you can conclude  
14. this question. Senator Knuppel. Senator Knuppel,  
15. the Chair indicated that you could ask the question  
16. and then you'll conclude. Senator Knuppel, ask the...  
17. Senator...Senator Knuppel. Senator Knuppel. All right,  
18. Senator Knuppel, have you concluded? Senator Nimrod.  
19. SENATOR NIMROD:  
20. Mr. President, a question of the sponsor.  
21. PRESIDENT:  
22. He indicates he will yield.  
23. SENATOR NIMROD:  
24. Senator Johns, on this fifty percent of the money  
25. on this tax that goes to the counties, how much...  
26. compared to their present budgets, how much does this  
27. money amount to in comparison to their budgets?  
28. In other words, if this is thirteen and a half million,  
29. you took all those counties together, what are their  
30. present budgets?  
31. PRESIDENT:  
32. Senator Johns.  
33. SENATOR JOHNS:

1. Again, John, Senator Nimrod, you have to take the  
2. tonnage from each county and multiply it by five  
3. percent or thirty cents a ton, whichever is greater.  
4. That will give you the money. Divide that by fifty  
5. percent, that will give you the money for the county.  
6. Twenty-five percent for the State, five percent, five  
7. percent, so forth down the line for the different fees,  
8. John. It just depends on production tonnage.

9. PRESIDENT:

10. Senator Nimrod.

11. SENATOR NIMROD:

12. Yeah, Mr. President and fellow Senators. This is  
13. the thing that I'm a little bit concerned with. I think  
14. we have to face the issue of the severance tax  
15. question. It ought to come from energy that's being  
16. consumed and since Illinois is now going to be a leader  
17. along with the national plan on energy. I would think  
18. that we would be remiss if we were to take this kind  
19. of money and probably is what we're doing here. I think  
20. it's only a hundred and seventy-six thousand dollars  
21. is what these budgets are. Seems to me that this  
22. tax that we're creating, this thirteen and a half million,  
23. is going to be like a ten times the amount of money  
24. their present budgets are. Seems to me that this is  
25. the wrong kind of a amount that's going to those  
26. particular counties. I think we ought to do what's  
27. fair and seems to me that this particular tax that  
28. we've created is an unfair distribution of tax  
29. and disproportionate in going back to those counties.  
30. I would hope that we would look at this and face it  
31. properly rather than withdraw the bill and you might  
32. want to amend it or change it before you...you try to  
33. just take something that seems to be really unfair for the

1. State and unfair for those who are producing and certainly  
2. going to be a hindrance to coal production.

3. PRESIDENT:

4. Is there any further discussion? Senator Mitchler.

5. SENATOR MITCHLER:

6. Mr. President, I'd like to ask the sponsor a question.  
7. Senator Johns, do you have any projected amounts as to  
8. what amount of money from the coal severance tax each of the  
9. counties in the State of Illinois would receive?

10. PRESIDENT:

11. Senator Johns.

12. SENATOR JOHNS:

13. Well, I thought we'd gone through that several  
14. times with Senator Brad Glass. We're talking about seventeen  
15. to twenty million dollars, at least, for the State of Illinois,  
16. all counties utilizing the resources of coal for  
17. production.

18. PRESIDENT:

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. About seventeen to twenty million dollars would go  
22. back to the counties. I didn't quite get your answer  
23. there.

24. PRESIDENT:

25. Senator Johns.

26. SENATOR JOHNS:

27. Okay, now. Everybody seems to be confused about  
28. two things. And if I might, I might reiterate some  
29. of the things I've said. One, that only fifty percent  
30. of the tonnage receipts goes back to the county. Two,  
31. there is no tax whatsoever on the people of the  
32. State of Illinois. This is on other states and other  
33. nations and other countries that are buying Illinois coal  
34. today, while we pay for input from Montana, we're

1. letting our resource go free. Now, that I want to clear up.

2. See?

3. PRESIDENT:

4. Senator Mitchler.

5. SENATOR MITCHLER:

6. Well, let me ask you a specific question, then.

7. Looking at the chart, how about Franklin County? What  
8. do you estimate that Franklin County in the State of  
9. Illinois would receive as their one half share of the  
10. coal severance tax in a years time, projected?

11. PRESIDENT:

12. Senator Johns.

13. SENATOR JOHNS:

14. Now, Mr. President, before I tell the answer,  
15. I want to...I want to tell them something else. Since  
16. the '70 Constitution, that county with one of the largest  
17. reserves of coal within the State of Illinois, had a  
18. three hundred thousand dollar budget that is now  
19. in the red. The proceeds would be approximately  
20. two hundred and fifty thousand dollars per year, at least.  
21. At least.

22. PRESIDENT:

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. Could you tell me what their property tax  
26. produces in Franklin County in comparison to what the  
27. severance tax receipts would be, Senator Johns?

28. PRESIDENT:

29. Indicates that he cannot answer the question.

30. SENATOR MITCHLER:

31. Well, the question raised by Senator Nimrod  
32. and Senator Glass prompts me to wonder if the  
33. type of tax that this coal severance tax will produce

1. is going to be funnelled to the area that the severance  
2. tax should be designed to fund. Now, I know where  
3. it's going to be placed. In the original bill, it was  
4. going to be on all coal sold even in Illinois. And of  
5. course, the utilities objected to that very strenuously  
6. because by putting that tax on, they'd have to pass  
7. that on. That would be an increase in the utility rates.  
8. So, the amendment took that off and if it's  
9. just now on, for example, Wisconsin. But when Wisconsin  
10. has to pay that severance tax, I think that they may  
11. look to Montana, Wyoming and eastern Kentucky coal because  
12. of the increased cost to them. Now, I don't know how  
13. it will work out. Only time would tell. But, the  
14. point that you want to make is...

15. PRESIDENT:

16. Senator Mitchler, will you conclude your remarks?

17. SENATOR MITCHLER:

18. ...is that...I'll conclude it. Is that money  
19. necessary to go to those counties and as Senator  
20. McMillan pointed out, not all counties are going  
21. to be mining coal like a few counties that I think,  
22. you refer to, Senator Johns, that would really have a  
23. bonanza from this. I think they would have more money  
24. to do with then they would know what to do with it.  
25. And I believe that's what Senator Knuppel referred to when he  
26. said they'd be on like a drunken sailor on a spree.

27. PRESIDENT:

28. Senator Lemke.

29. SENATOR LEMKE:

30. I'd like to move the previous question. I think  
31. we've hassled long enough on this. We're repeating  
32. ourselves.

33. PRESIDENT:

1. Senator, the...the custom and procedure has been  
2. that when a request is given to the Chair to speak, that  
3. we allow those members to speak before that motion will  
4. be recognized and we have one additional request,  
5. and that is Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President, Ladies and Gentlemen  
8. of the Senate. I rise in support of Senate  
9. Bill 39 as amended. Senator Johns was gracious enough  
10. to accept my amendment in the Revenue Committee and  
11. that amendment, as Senator Mitchler pointed out,  
12. was to insure the fact that no Illinois resident  
13. would, in fact, have increased utility rates as a result  
14. of this tax which is to be of great benefit to certain  
15. counties downstate. I do not think there will be any  
16. coal mined in the County of Cook but we were concerned  
17. that our...our constituency would have an increase  
18. in utility rates. That problem has been obviated  
19. by virtue of Amendment No. 1. It is unfortunate, it seems  
20. to me, that this legislation which is admittedly  
21. in the best interest of certain southern Illinois counties,  
22. has become, it appears, a party issue. I, for one,  
23. as a member of the Senate on the Democratic side, hope  
24. that all Democrats will support Senate Bill 39.

25. PRESIDENT:

26. Is there any further discussion? Senator Johns  
27. may close the debate.

28. SENATOR JOHNS:

29. Mr. President and members of the Senate, I come from  
30. an area known as Little Egypt. For years you've  
31. chided me and my colleagues about having to come with our  
32. hands out to you. The northern regions of Illinois  
33. support the entire State in income, sales taxes, et cetera.



1. Don't you want us to be able to stand flat footed  
2. with no hands out, but carrying our own burdens?  
3. Here in this era of energy and the crisis that this  
4. world will have before it, with the CIA having predicted  
5. accurately the running out of oil and gas, and now  
6. other agencies are agreeing with them, that we stand  
7. on the threshold of the greatest prosperity of any  
8. state. We want to stand beside you. We don't want  
9. to trail like a puppy dog looking for whatever you  
10. are going to leave us. You say a bonanza. Hell,  
11. you don't know what it's like to have to come up  
12. here and beg you for money. We don't want to do it.  
13. This is my chance to let my counties and my section  
14. of the State stand tall. Thank you, Mr. President.

15. PRESIDENT:

16. The question is shall Senate Bill 39 pass. Those  
17. in favor will vote Aye. Those opposed will vote Nay.  
18. The voting is open. Have all voted who wish?  
19. Have all voted who wish? Take the record. On that  
20. question the Ayes are 35, the Nays are 14, 5 Voting  
21. Present. Senate Bill 39, having received a  
22. constitutional majority is declared passed.  
23. Senator Chew, for what purpose do you arise?

24. SENATOR CHEW:

25. To lock up the bill.

26. PRESIDENT:

27. Senator Chew moves to reconsider. Senator Vadalabene  
28. moves to Table. All those in favor signify by saying  
29. Aye. Opposed. The Ayes have it. ...you want to pass  
30. that series? Senator Merlo.

31. SENATOR MERLO:

32. Mr. President, I would like to keep the packets of  
33. condominium bills together and the only possible way  
34. that I could do that is at this time, ask leave of the

1. members of the Senate to return four bills back to the  
2. Order of 2nd reading for the purposes of an amendment.  
3. PRESIDENT:  
4.           Senator...  
5. SENATOR MERLO:  
6.           These have been agreed amendments...  
7. PRESIDENT:  
8.           ...that would cause some particular hardship for the  
9. Secretary at this very moment. Could we do that later  
10. in the day?  
11. SENATOR MERLO:  
12.           Today, fine.  
13. PRESIDENT:  
14.           We will...  
15. SENATOR MERLO:  
16.           That will be great.  
17. PRESIDENT:  
18.           Senate Bill 76, Senator Schaffer. Read the bill.  
19. SECRETARY:  
20.           Senate Bill 76.  
21.                    (Secretary reads title of bill)  
22. 3rd reading of the bill.  
23. PRESIDENT:  
24.           Senator Schaffer.  
25. SENATOR SCHAFFER:  
26.           Mr. President, Senate Bill 76 simply would allow  
27. a mortgager of a single family resident to request  
28. the mortgage holder to pay out his tax bill out of  
29. the escrow account early...at the earliest possible  
30. date. We have amended Cook County out of it at the  
31. request of representative...representatives of Cook  
32. County. We have put a couple of amendments on that  
33. I think have alleviated most of the opposition.

1. PRESIDENT:

2. Is there any discussion? If not...Senator Ozinga.

3. SENATOR OZINGA:

4. I realize that but I'm looking at more than just  
5. Cook County. Where...where a person establishes or  
6. asks for an escrow, we have had legislation floating  
7. all over the Senate here that would require interest  
8. to be paid on escrows. Would this affect the...this  
9. escrow?

10. PRESIDENT:

11. Senator Schaffer.

12. SENATOR SCHAFFER:

13. No, Senator Ozinga. This doesn't get into that  
14. particular issue. It's simply meant as a form of  
15. of relief in the case of an area where say, tax  
16. bills are very, very late and the tax buddies are  
17. ...anticipation warrants and they're looking for a way  
18. to get some money in early to avoid the tax anticipation  
19. warrants.

20. PRESIDENT:

21. Senator Ozinga.

22. SENATOR OZINGA:

23. I...I appreciate that, but this would be the request  
24. for a voluntary escrow. That's the point that I raised  
25. and the bills that have been floating around here  
26. say that it shall be mandatory on all types of  
27. escrows and this is the reason that I'm wondering if this  
28. shouldn't be some provision in here that would  
29. exempt this from that kind of a provision.

30. PRESIDENT:

31. Senator Schaffer.

32. SENATOR SCHAFFER:

33. Well, Senator, I haven't chose to involve myself in

1. that issue and I don't think the bill does.

2. PRESIDENT:

3. Any... is there any further discussion? If not,  
4. the question is shall Senate Bill 76 pass. Those in  
5. favor will vote Aye. Those opposed will vote Nay.  
6. The voting is open. Have all voted who wish?  
7. Have all voted who wish? Take the record. On  
8. that question, the Ayes are 45, the Nays are 5,  
9. 3 Voting Present. Senate Bill 76 having received  
10. a constitutional majority is declared passed.  
11. Senate Bill 82, Senator Regner. Read the bill.

12. ACTING SECRETARY: (MR. FERNANDES)

13. Senate Bill 82.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Regner.

18. SENATOR REGNER:

19. Mr. President and members of the Senate. What this  
20. bill does, it adds an offense...unlawful use of a firearm  
21. when a person carries or possesses a rifle, shotgun or  
22. other firearm on the grounds of or in a building  
23. or the campus of any institutions of higher learning.  
24. The bill is...I have letters in support of this bill  
25. from the College Security Association and from each one  
26. of the major state colleges and many of the junior colleges  
27. in support of this bill and I'd ask for a favorable roll  
28. call.

29. PRESIDENT:

30. Is there any discussion? If not, the question is  
31. shall Senate Bill 82 pass. Those in favor will vote  
32. Aye. Those opposed will vote Nay. The voting is open.  
33. Have all voted who wish? Have all voted who wish?

1. Take the record. On that question the Ayes are 51,  
2. the Nays are 1, 2 Voting Present. Senate Bill 82,  
3. having received a constitutional majority is declared  
4. passed. Senate Bill 86, Senator Demuzio. Senate  
5. Bill 149, Senator Regner. Senate Bill 152, Senator  
6. Carroll. Read the bill.

7. ACTING SECRETARY: (MR. FERNANDES)

8. Senate Bill 152.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. Thank you, Mr. President, members of the Senate.  
15. Last year during the appropriations process, we found  
16. it necessary to put a limitation on the spending  
17. of this particular agency of government who was seeking  
18. to move into an office that would create a...an  
19. extensive traffic problem to the students across  
20. the street. It was determined at that time and after  
21. many hearings since, that this type of traffic cross  
22. from a school created great problems for those  
23. who are responsible for the security of those children,  
24. namely the superintendents of education, principals,  
25. et.cetera. Additionally, we found that there were  
26. substantial problems in this agency in coming into  
27. communities or leaving communities without prior  
28. public hearings and some notice and input to those  
29. members of the community as to what type of service  
30. will be offered or fail to be offered to those  
31. particular people. It was decided, therefore, to put  
32. in this legislation, not only could they not be located  
33. where they would create that type of a traffic hazard,

1. but also to require that prior to moving into an office  
2. or opening an additional location, that they come into  
3. the community, hold hearings, and give us, the members  
4. of the Legislature, and especially those members from the  
5. districts affected, copies of the proceedings  
6. that took place to find out from the community whether  
7. or not those are the services needed or wanted, and  
8. whether or not those services are being adequately  
9. provided. I think this is a good concept. We had  
10. a good hearing in committee. It was unanimously approved  
11. by the committee with the hope that we extended this  
12. concept of public hearings to all areas of service  
13. government so that prior to a movement of an office,  
14. those people most directly affected, would have the  
15. availability of knowing about it, commenting on it,  
16. and letting us know their feelings. I would ask  
17. for a favorable roll call.

18. PRESIDENT:

19. Is there any discussion? Senator Washington.

20. SENATOR WASHINGTON:

21. Will the sponsor yield to a question?

22. PRESIDENT:

23. He indicates that he will yield.

24. SENATOR WASHINGTON:

25. Senator Carroll, I'm a little befuddled here. Just  
26. what is the danger you're concerned about in placing  
27. an unemployment insurance office near a school? Just  
28. what is the danger we're concerned about here?

29. SENATOR CARROLL:

30. Senator Washington, there might be several questions  
31. in your question and let me answer them as I hear them.  
32. The office in my particular district, happens be in the  
33. Supreme Court. I'm not concerned about that specific

1. one. We have limited their appropriation and that issue  
2. on the limitation happens to be before the State  
3. Supreme Court at this time. The Governor has also  
4. already cancelled the lease for other reasons, so  
5. that my district problem has been totally resolved.  
6. I might add that the existing office is in my district  
7. as well. It is not a problem of the district not  
8. wanting an unemployment office. The office is there  
9. and I'm sure will continue to be within the district  
10. that I happen to represent. We did find, however, in  
11. their attempt to move it across from a public  
12. school, that the principal of that school, the district  
13. superintendent and the downtown office were extremely  
14. concerned with the high number of cars that are used  
15. to come to and from these types of offices.  
16. There are literally multi-thousands of people a week  
17. who make use of this type of facility. The school is  
18. responsible for the safety of the children during  
19. the school hours including coming to and fro from  
20. those schools where there is traffic...increased traffic  
21. hazards in a residential area where kids are walking  
22. to and from school, this creates a burden on those  
23. responsible for their care and keeping both while  
24. coming to and going from those schools. They testified  
25. to this in court. They've sent us letters on this  
26. as it related to the problem in my district and they  
27. suggested that this be the type of prohibition that  
28. be put in statewide because this problem is existent  
29. wherever there is this type of vehicular traffic  
30. across from a school.

31. PRESIDENT:

32. Senator Washington.

33. SENATOR WASHINGTON:

1. You answered a question I didn't ask, but now  
2. I'm curious. Just what is the...what is the problem  
3. in your district or what was the problem and why is it...  
4. why is it in court now?

5. PRESIDENT:

6. Senator Carroll.

7. SENATOR CARROLL:

8. The problem in my district was one of a movement  
9. of an office from one location to another and as I say,  
10. that has been resolved by the Governor in cancelling  
11. the lease for other reasons, namely that they did not  
12. provide occupancy within six months of the stated time.  
13. That's not the issue. The issue in the court happens  
14. to be one on limitations on spendings and appropriation  
15. issue in which the General Assembly has joined in  
16. the litigation to determine what kind of language is  
17. usable in an appropriation bill to limit spending.  
18. That's also not directly related to this particular  
19. bill, but it is a cause that gave rise to the  
20. substantive legislation. That's the only reason  
21. I mentioned it.

22. PRESIDENT:

23. Senator Washington.

24. SENATOR WASHINGTON:

25. Well, I had never considered your answer...it  
26. seems appropriate the inordinate amount of traffic  
27. involved around a school is certainly something to  
28. contend with. But, I was of the opinion, that it might  
29. be an extremely educational thing for children to see  
30. unemployed people who were working who were out of jobs trying to get  
31. their insurance payments. It would seem to me  
32. they may raise some very serious questions about our  
33. economy and it might be a very educational experience for them  
34. to see them there. But, I think your first answer is



SB 160  
3rd Reading  
5-17-77

1. rather sufficient. Thank you.

2. PRESIDENT:

3. Senator Guidice.

4. SENATOR GUIDICE:

5. Will the sponsor yield to a question?

6. PRESIDENT:

7. He indicates he will yield.

8. SENATOR GUIDICE:

9. Senator Carroll, is this limited to State  
10. employment agencies not private employment agencies?

11. SENATOR CARROLL:

12. They're not involved at all.

13. SENATOR GUIDICE:

14. Thank you.

15. PRESIDENT:

16. Is there any further discussion? If not, the  
17. question is shall Senate Bill 152 pass. Those  
18. in favor will vote Aye. Those opposed will vote Nay.  
19. The voting is open. Have all voted who wish?

20. Have all voted who wish? Take the record. On that  
21. question the Ayes are 47, the Nays are none, 5 Voting

22. Present. Senate Bill 152 having received a constitutional  
23. majority is declared passed. Senate Bill 157, Senator

24. Harber Hall. Senate Bill 159, Senator Lemke.

25. Senate Bill 160, Senator Kosinski. Read the bill.

26. SECRETARY:

27. Senate Bill 160.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDENT:

31. Senator Kosinski.

32. SENATOR KOSINSKI:

33. Mr. President, members of the Senate. Senate  
34. Bill 160 is one means of coping with an extremely serious

1. statewide problem. That problem is the loss of life,  
2. injury and property damage due to the crime of arson.  
3. Each year, it is estimated that more than ten million  
4. dollars of property is damaged by arson in the City  
5. of Chicago alone. And another ten million outside  
6. of Chicago. Nearly...in 1976 forty-four persons  
7. died in fires set by arsonists, which is an enormous  
8. increase over 1975 when only two arson victims  
9. lost their lives. The recent tragic fire here  
10. in the capital city of Illinois where two individuals  
11. lost their lives in a fire, believed to be caused by  
12. arson, is dramatic evidence that the problem continues  
13. and is a statewide problem. In short, it is evident  
14. that the match, the torch and the explosives have  
15. become lethal weapons in this State and we have  
16. an obligation to look for a solution to this  
17. problem. One means to enable us to stem the growing  
18. tide of life endangering by arson, is to create the  
19. new criminal offense which will increase the penalty  
20. for this kind of vicious conduct. ...the existing arson  
21. statute makes this offense of arson a Class 2 felony  
22. which only carries a sentence from one to twenty years,  
23. with probation. Senate Bill 160 would establish an  
24. aggravated form of arson with the following key  
25. elements. First, there must be a willful of a firing  
26. of a building or structure. Second, the building  
27. must be inhabited or frequented by human beings.  
28. Third, a human being is within the building or  
29. structure at the time it is fired and his or her  
30. life is endangered by the fire. Fourth, if a  
31. fireman or a policeman present at the scene and acting  
32. in the line of duty is injured, then the offense of  
33. aggravated arson will occur as well as when persons  
34. within the building are injured by this arson.

1. This offense will be a Class 1 felony punishable by  
2. four years to...no maximum in prison and no probation  
3. will be permissible. The creation of this offense  
4. will serve two purposes. First, it will deter vicious  
5. arsons by announcing to one and all that those who  
6. commit it will be subjected to severe penalties.  
7. Fellow legislators, arson is not a crime committed  
8. without thought or in the flash of passion. In almost all  
9. situations, it is thought out and requires time  
10. for the acquisition of the means of the arson.  
11. One who knows he may spend time in jail, may well  
12. have second thoughts about his crime. Let me give  
13. you some statistics. In 1974, three hundred  
14. and forty-six founded arsons, this is in the City of  
15. Chicago alone, fifty-five attempted arsons, forty  
16. burglaries by arsons, twelve robbery arsons, sixty  
17. attempted robberies of currency exchanges by arson.  
18. In 1975, four hundred and forty-five arsons by fire,  
19. eight murders by arson, twenty arsons by bombing.  
20. In 1976, one thousand and sixteen arsons by fire,  
21. a hundred and fifty attempted arsons, one hundred  
22. and six incidents involving bombs or explosives,  
23. one hundred and twenty-seven death investigations  
24. by arsons. In 1977, up to April, twenty-five  
25. attempted arsons, a hundred and nineteen actual  
26. arsons, one hundred and sixty bomb threats, one  
27. bomb incident, thirty-one fire investigations  
28. and nine investigations in which there was a loss  
29. of human life. In the State of Illinois, I could  
30. name at least about seventy probably, counties that  
31. all have arsons, probably each one of you Senators  
32. had an arson in your county. Not only arsons, but  
33. the loss of life and a tremendous loss of property.

1. Finally, a punishment should fit the crime and in my  
2. judgment when one knowingly and intentionally kills  
3. or endangers the life of another by one of the most  
4. horrible of deaths, that of fire, the punishment  
5. should be severe and the punishment should not be less  
6. than a Class 1 felony. Taking arson out of the category  
7. of petty crime, is a step long overdue. Let's call  
8. arson what it is, a major crime. Mr. President  
9. and members of the Senate, I ask for a favorable roll  
10. call on Senate Bill 160 and let's stop these arsons,  
11. and save our people.

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPTEL:

15. Well, I don't know who is keeping the timer up  
16. there, but it looks like it makes a hell of a lot of  
17. difference who is talking. All I can say is...all I can  
18. say is we haven't passed a bill here today that  
19. amounts to a damn and God forgive us for what we do here  
20. today that will take the courts years to undo.

21. PRESIDENT:

22. Is there any further discussion? If not, the question  
23. is shall Senate Bill 160 pass. Those in favor will  
24. vote Aye. Those opposed will vote Nay. The voting is open.  
25. Have all voted who wish? Have all voted who wish?  
26. Take the record. On that question, the Ayes are 53, the  
27. Nays are none, none Voting Present. Senate Bill 160  
28. having received a constitutional majority is declared passed.  
29. Senate Bill 161, Senator Glass. Read the bill.

30. SECRETARY:

31. Senate Bill 161.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Glass,

3. SENATOR GLASS:

4. Thank you, Mr. President, Ladies and Gentlemen.

5. Senate Bill 161 which deals with special education  
6. would remove the eight year limitation on an  
7. existing two cent tax levy that's authorized for this  
8. purpose. It's currently authorized for building  
9. purposes only. But, the bill would broaden the purposes  
10. and allow the tax funds raised from this levy  
11. to be used for special education purposes generally  
12. and it...it would, as I say, remove the eight year  
13. limitation. There were a number of...there were  
14. four amendments added in committee as a result of which  
15. the committee approved it unanimously. We clarified...  
16. one of them was that we...clarification of the tax could  
17. not be used in computing the operating tax for general  
18. state aid purposes so that there would be no additional  
19. state aid granted as a result of this. I'll be happy  
20. to answer any questions. If there are none, I'd  
21. appreciate a favorable roll call.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President, Ladies and Gentlemen of the  
26. Senate. A question of the sponsor if he'll yield.

27. PRESIDENT:

28. He indicates he will yield.

29. SENATOR ROCK:

30. Senator Glass, when you placed Amendment No. 3 on the  
31. bill to remove that eight year limitation, does this not  
32. now virtually amount to a tax increase?

33. PRESIDENT:

1. Senator Glass.

2. SENATOR GLASS:

3. Senator Rock, the tax...I don't think Amendment  
4. No. 3 did that. Amendment No. 3 simply insured that  
5. even though the eight year period is removed, that  
6. bonds which had been authorized for special education  
7. purposes...for building purposes, that that purpose  
8. could not be enlarged and that the bonding could not be  
9. extended beyond that. It does take an existing tax  
10. which was due to expire and removes the expiration date.  
11. That's correct.

12. PRESIDENT:

13. Is there any ... Senator Wooten.

14. SENATOR WOOTEN:

15. Well, Senator Glass, it seems to me that we ought  
16. to look very carefully at this. I can understand why  
17. there would be a move to...to follow this action, but  
18. when we set this up, we told people we needed eight  
19. years for this tax for a special purpose, to build  
20. buildings. Now, we're taking off, as I understand the bill,  
21. and I've not seen all the amendments, we say that that  
22. tax will continue and that the money is to be used  
23. for buildings and other purposes. And somewhere on the  
24. Calendar, it seems to me there's a bill which says that  
25. rooms and buildings constructed for special education  
26. may be used for other purposes. I don't know, it looks  
27. to me as if we're kind of coming around a corner  
28. to get more money into special ed. I have no quarrel  
29. with that. But, if we proposed an eight year program  
30. to build buildings, if we've accomplished that purpose  
31. and we have so many buildings and rooms that we're  
32. now wanting to use them for other purposes, why not  
33. just bring this program to an end. I realize that taxes

1. never seem to fade away. But if the purpose for this  
2. tax is clearly gone, why don't we let the tax expire?

3. PRESIDENT:

4. Senator Glass.

5. SENATOR GLASS:

6. Senator Wooten, there's several answers to that.  
7. One of them, as you know, there's a Federal mandate,  
8. PA94-142 which is going to require that more special  
9. education services be provided to students regardless  
10. of handicap and that series of bills is yet to be  
11. addressed by the Legislature and will be coming up  
12. in the Senate later. But, this originally was for  
13. construction only there have been escalating costs of  
14. construction and many of the projects started, according  
15. to the testimony we heard, have not been completed.  
16. And districts, frankly, are asking for the flexibility  
17. to use these funds for their general special education purposes  
18. when the construction projects, themselves are not needed.  
19. It is, I will grant you, a way of helping special  
20. education and allowing them this flexibility. I, for  
21. one, would rather not have the tax then, but would allow...  
22. would like to see continue with this broader flexibility.

23. PRESIDENT:

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Well, if you argue on the one hand, that there are still  
27. buildings to be built, then a simple extension of the tax  
28. is perhaps in order. I'm sorry, I cannot site the number  
29. of another bill. I don't know if it's yours or someone  
30. elses, to permit rooms and buildings for special ed  
31. to be used for other purposes. It would appear on the  
32. surface that we have gone about as far as we need to  
33. go in this special program and I think we ought to

1. if we want to, place a special tax on to operate  
2. these buildings which we have built. That's one thing,  
3. but, I just don't believe we're keeping faith with  
4. the voters by taking this approach to a tax that was  
5. supposed to expire, the purpose for which appears to  
6. have been accomplished and it's a halfway measure,  
7. kind of a sliding in approach to get support and  
8. I don't think it's...it's quite direct. We probably  
9. ought to let this...this tax expire.

10. PRESIDENT:

11. Senator Maragos.

12. SENATOR MARAGOS:

13. Will the sponsor yield to a question?

14. Senator Glass, what is the source of this tax, General  
15. Revenue Funds or any bonding?

16. PRESIDENT:

17. Senator Glass.

18. SENATOR GLASS:

19. The...the tax rate is a two percent tax, it's a  
20. real estate tax. Or a two...excuse me, a two cent  
21. tax. .02 percent.

22. PRESIDENT:

23. Senator Maragos.

24. SENATOR MARAGOS:

25. Is the source of this tax only local or is...are state  
26. funds included in it?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Glass.

29. SENATOR GLASS:

30. Senator Maragos, only local funds and I...I mentioned  
31. in my explanation that one of the amendments provided that  
32. this tax cannot be used in the...in computing the school  
33. districts operating rate that is the rate that will qualify



1. them for state aid.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Maragos.

4. SENATOR MARAGOS:

5. I'm well aware of your explanation, Senator Glass,  
6. excepting that I am concerned that even though we have  
7. that prohibition, there might be additional other  
8. items that would come from state funds to foster  
9. and support this type of building and...and as Senator  
10. Wooten has stated, there is no safeguards for that  
11. purpose. ...especially when I read that Senate Amendment  
12. No. 4 confuses me a little bit because when you use  
13. the language, unless the entire tax authorizes Section...  
14. for such building purposes, my question is when do  
15. those building purposes cease?

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Glass.

18. SENATOR GLASS:

19. Senator Maragos, I now see the direction of your  
20. question. At the present time, the...there is a one  
21. thousand dollar state grant that...that is available  
22. for construction purposes. What Amendment No. 4  
23. provides is that if this rate is used for building  
24. purposes, that the full rate must be used for  
25. building purposes in order to get the one thousand  
26. dollar state grant. So, I suppose that to the extent  
27. buildings are continued to be used fully, the taxes  
28. used fully for buildings, that that one thousand dollar  
29. state grant would still be available.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Maragos.

32. SENATOR MARAGOS:

33. I see that this passed overwhelmingly from the Secondary...

1. Elementary and Education Committee, however, being involved  
2. in the Revenue Committee, which I thought this bill  
3. should really come through, but it did not, I would  
4. ask, what safeguards that we have that should be a  
5. cap or a limit to this spending if those purposes  
6. are already fulfilled? And it should...say not rebuilding,  
7. or remodeling or adding other purposes that are not  
8. provided for in the statutes?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Glass.

11. SENATOR GLASS:

12. Well, of course, what the bill does is to say  
13. that the tax rate is no longer limited for building  
14. purposes only. It may be used for general special  
15. education purposes. That...it is limited, of course.  
16. The limit on it is the rate itself.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Maragos.

19. SENATOR MARAGOS:

20. I always have fostered or supported special education  
21. programs and this would be a bad time to stop doing  
22. that on my part, even though I have some questions  
23. about the way this is being done. However, I will  
24. support the measure. Thank you.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Berman.

27. SENATOR BERMAN:

28. Thank you, Mr. President, Ladies and Gentlemen of  
29. the Senate. I rise in support of this bill. As indicated  
30. by the number of amendments and the scope of the amendments,  
31. this bill was worked over pretty well in the Committee  
32. on Elementary and Secondary Education. It is an extension  
33. of a tax that would otherwise be eliminated, but I think  
34. that we should recognize that there are mandates that

1. have come down from Washington which are going to impose  
2. substantial new burdens upon local school districts  
3. to provide special education services. This is  
4. probably the most painless way of assuring that the  
5. resources are there for providing these special  
6. education monies to local school boards. There's  
7. a flexibility built in here. Senator Wooten referred  
8. to the bill that would allow elimination of special  
9. ed classes and buildings. That's Senator Vadalabene's  
10. bill, I think it's 180, is the number. What we really  
11. find is throughout the State some districts need more  
12. special ed physical facilities, some districts  
13. require less. This bill and Senator Vadalabene's  
14. bill tie-in together to allow local districts the  
15. opportunity of addressing their local problems.  
16. We can't solve every problem from Springfield, this  
17. bill and others allow them the resources locally  
18. to address the needs of children that have handicaps  
19. and require special education. I think the bill  
20. addresses all the problems that we could anticipate  
21. in the committee and I intend to support it.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? Senator...oh,  
24. Senator Mitchler.

25. SENATOR MITCHLER:

26. I am a little delayed, Mr. President and members  
27. of the Senate, because I wanted to check my file to see if  
28. I had had any correspondence or interests from my  
29. district in the special education programs that they  
30. have up there. I think Senator Wooten, you alerted me  
31. to something when you said that if the building  
32. programs are completed and we don't need it any more,  
33. then we ought to remove it from the books and if we have

1. to get in a new type of program, let's institute  
2. a new program. But, this is what happens, I think,  
3. that once we get our foot in the door for a program,  
4. then we eliminate what the program was originally  
5. intended for and it just grows and grows and grows.  
6. Now, I'm very interested in special education in  
7. my district and I vote for legislation that will benefit  
8. them. But, I haven't had anything on this in my  
9. district that it's a great groundswell that they need  
10. this. This was originally put in for buildings  
11. and construction and now to use those bonds that  
12. are issued and for other than that, I think it's  
13. wrong.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Berning.

16. SENATOR BERNING:

17. One question of the sponsor.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Indicates he will yield.

20. SENATOR BERNING:

21. From the bill, I'm unable to determine whether  
22. this tax can be levied arbitrarily by the board  
23. or is there any provision for even a back door  
24. referendum? That's question one and question two, once  
25. the tax is levied, must it be reimposed by ordinance  
26. every year or is it a permanent imposition?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Glass.

29. SENATOR GLASS:

30. Senator Berning, it is...there is not a referendum  
31. provision on the tax. It is, as I say, in the law now  
32. and...and the bill would extend it. It would remove the  
33. expiration date. It must be levied by the district, of course,

1. every year that it votes to impose it.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Glass

4. may close the debate.

5. SENATOR GLASS:

6. Thank you, Mr. President, Ladies and Gentlemen.

7. I would just say that this is a tax that will keep

8. Illinois in the forefront of special education services.

9. It is a...an extension of an existing tax giving the

10. districts more flexibility in the use of the funds

11. and I would urge your support of Senate Bill 161.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. The question is shall Senate Bill 161 pass.

14. Those in favor vote Aye. Those opposed Nay.

15. The voting is open. Have all those voted who wish?

16. Have all those voted who wish? Take the record.

17. Senator Glass.

18. SENATOR GLASS:

19. Move for Postponed Consideration, Mr. President.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Motion is to postpone consideration. Consideration

22. is postponed. Senate Bill 163, Senator Hickey.

23. Read the bill.

24. SECRETARY:

25. Senate Bill 163.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Hickey.

30. SENATOR HICKEY:

31. Thank you, Mr. President. This bill simply

32. removes the necessity for two extra publications

33. of businesses operating under an assumed name. We're not

1. talking about large corporations, but small businesses.  
2. I was requested to introduce this bill by my county  
3. clerk and another county clerk from the State Association  
4. testified in the committee for it. At this point,  
5. small businesses are supposed to register with the  
6. county clerk so that anybody can go there and  
7. find out who really does own a business. Lots of  
8. people are turned off by the fact that they have to  
9. spend the money to publish three times in the newspaper.  
10. Now, these ads are put in the back of the paper  
11. among the legal notices and frankly, I doubt are read  
12. by...by very many people. These businesses are mostly  
13. just small ones with one or two owners operating  
14. out of modest offices, in their homes or beauty  
15. parlors or auto repair places or that sort of thing.  
16. The people do go to the county clerk's office to  
17. find out and too often, they're not able to find  
18. out because the people haven't registered. The county  
19. clerk feels more people would be encouraged to register  
20. if the publication was limited to once. I ask your  
21. favorable vote.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? The question is shall  
24. Senate Bill 163 pass. Those in favor vote Aye. Those  
25. opposed Nay. The voting is open. Have all those voted  
26. who wish? Have all those voted who wish? Take the  
27. record. On that question, the Ayes are 48, the Nays  
28. are none. Senate Bill 163, having received a  
29. constitutional majority is declared passed. Senate Bill  
30. 164, Senator Hickey. Read...read the bill.

31. SECRETARY:

32. Senate Bill 164.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Hickey.

4. SENATOR HICKEY:

5. Thank you, Mr. President. This bill affects only  
6. Rockford, Peoria, Decatur, and Springfield. It reduce...it adds two  
7. more members to the Sanitary District Boards in those  
8. areas since it refers only to municipalities...or to  
9. sanitary districts in areas...or having a population  
10. of ninety thousand to five hundred thousand. I was  
11. asked to introduce this by my local sanitary district  
12. whose business is increasing rapidly. They now  
13. have sixty million dollars to spend plus some...some  
14. Federal monies. And they don't feel that three people  
15. can handle that job very well. They can't give  
16. any of the work, any of the study to committees and  
17. I think all of the three Senators from those other  
18. districts support this and I would ask the support  
19. of the rest of you. Thank you.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further discussion? The question is shall  
22. Senate Bill 164 pass. Those in favor vote Aye. Those  
23. opposed Nay. The voting is open. Have all those  
24. voted who wish? Have all those voted who wish? Take  
25. the record. On that question the Ayes are 52, the Nays  
26. are none. Senate Bill 164, having received  
27. a constitutional majority is declared passed.

28. Senator Chew, for what purpose do you arise?

29. SENATOR CHEW:

30. Mr. President, there was a lull in the Senate  
31. business and I wanted to...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. There really wasn't but go ahead.

1. SENATOR CHEW:

2. I'd like to have House Bill 396 re-referred from  
3. the Committee on Health to the Committee on Transportation.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. We're not on that order of business and I don't  
6. think you've talked to the Chairman of the Assignment  
7. of Bills. I'm the Chairman. Do we have leave?

8. Leave is granted. Senate Bill 1...Senate Bill 168.

9. Senator Nimrod. Read the bill.

10. SECRETARY:

11. Senate Bill 168.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Nimrod.

16. SENATOR NIMROD:

17. Mr. President and fellow Senators. Senate Bill  
18. 168 addresses itself to the primary and election  
19. laws in Illinois which were struck down some years  
20. back and they've been found to be invalidated and we  
21. presently find ourselves in a position where there are  
22. no valid statutes governing the party enrollment as  
23. a prerequisite to candidacy either petition signing  
24. or voting, in the primary elections. We have had  
25. extensive discussion on these provisions and this  
26. particular situation of the close and open primary  
27. in Illinois and we find that the requirement of the  
28. declaration of party certainly has not been a deterrent  
29. when compared to other states in limiting or reducing  
30. the number of votes that were cast in the primary.  
31. What we...we need this bill in order to insure  
32. the survival of the two party system and of course,  
33. the party and the voter must be able to hold their



1. party candidates responsible for their party platform.  
2. Primary electors must be also safe in the knowledge  
3. they're voting for their candidates as distinguished  
4. from their respective parties and of course, we must  
5. know that each party must know its delegates and its  
6. party officials and its leaders are truly  
7. members of their own parties selected by their own  
8. people. Perhaps the most important abuse that we're  
9. all well aware of, of course, is the cross over or  
10. the rating which has has taken place and we have seen  
11. in several elections in the past. I would be happy to  
12. tell you that this particular bill does...is in its  
13. form which was a compromise from last Session which  
14. requires a registration declaration of party the  
15. same day as registration. So, if those days should  
16. change as we heard from the previous laws, it would  
17. not affect it. This day would change with it.  
18. So, the issue is that should we require a requirement of  
19. an individual to declare twenty-eight days before  
20. a...the election, his intention to vote in the primary  
21. and the party of his choice. The first one...the  
22. first election would take place is that everyone  
23. who is voted in the last primary, would automatically  
24. be listed in that particular party. This bill would  
25. not cause any fiscal impact. Since today, the county  
26. clerks are already by law required to indicate on the  
27. voting record the party affiliations and that is a  
28. matter of record as it is today and this would not  
29. require any additional prior registrations involved in  
30. the program. Be happy to answer any questions  
31. pertaining to this bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Buzbee.

1. SENATOR BUZBEE:
2. Yes, a question of the sponsor, Mr. President.
3. PRESIDING OFFICER: (SENATOR DONNEWALD)
4. Indicates he will yield.
5. SENATOR BUZBEE:
6. Is it my understanding that twenty-eight days
7. before the primary election, the...the potential
8. voter has to go in and declare the party with which
9. they intend to be affiliated and with which
10. the intend to vote in the following primary?
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
17. End of reel
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.
- 31.
- 32.
- 33.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. Senator Nimrod.  
3. SENATOR NIMROD:  
4. Senator Bruce, he...he does not have to...the voter  
5. does not have to go in in 28...  
6. PRESIDING OFFICER: (SENATOR DONNEWALD)  
7. ...That's...that's Senator Buzbee.  
8. SENATOR NIMROD  
9. ...yeah, Senator Buzbee, I'm sorry. Senator Buzbee,  
10. he does not have to go in in twenty-eight days beforehand.  
11. He may go in anytime up to twenty-eight days, so when  
12. registration would close, when you no longer could register  
13. to vote, you would also not be able to change your party  
14. affiliation at that time. So it would not create any hard-  
15. ship or anything additional...on...on part...on part of the  
16. voter. Now, the voter who might have indicated a party in one  
17. election, anytime before the twenty-eight days are up before  
18. that time may change that date. He also may change it on  
19. election day in the polling place.  
20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. Senator Buzbee.  
22. SENATOR BUZBEE:  
23. Thank you, Senator Glass. I wasn't quite sure now.  
24. You said that...that the person could change their party  
25. affiliation on election day, they could go in and ask for a  
26. Republican ballot vis-à-vis a Democratic ballot?  
27. PRESIDING OFFICER: (SENATOR DONNEWALD)  
28. Senator Nimrod.  
29. SENATOR NIMROD:  
30. They could go in on the General Election and change  
31. their party. No, on primary day, they cannot change their party.  
32. They are pre-empted at close from voting...changing their  
33. party affiliation on the last day of registration.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Well, party affiliation on General Election Day doesn't  
5. really mean anything anyhow, because nobody knows but...but  
6. the voter as to which party they vote for, if, in fact, they  
7. vote for a party at all. I...it seems to me that thing  
8. we've been trying to do in this country is to get more  
9. people to participate in the political process, and I don't  
10. care what you call it, this is a primary lock-out bill again  
11. because you are going to try to keep people from participating  
12. in the political process. Now, in my part of the State, we've  
13. tried everything we can to get people to participate and I just  
14. don't understand why you feel it's so necessary that...that  
15. a person has to declare their party affiliation to within  
16. twenty-eight days of the Primary Election. Who cares? I  
17. get Democrats to sign my petitions. They...it says at the  
18. top of the...of...of the petitions that you have to be  
19. affiliated with my party to sign my petition. I'm sure you  
20. get Republicans to sign yours. Once in awhile maybe somebody  
21. unknowingly signs one and then doesn't mean to be breaking  
22. the law, but I can't see any reason for us to make people to  
23. go in up to twenty-eight days before the Primary Election and  
24. tell them you've got to declare your...you've got to declare  
25. your party affiliation. It makes no sense to me at all. It's  
26. a bad bill as it was two years ago and as will continue to be.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Davidson.

29. SENATOR DAVIDSON:

30. Yes, Mr. President and members of the Senate, I would  
31. rise in opposition to this bill even as it is amended. We  
32. handled this little millstone around our neck in the Election  
33. Commission...Committee for the prior four years when I was on

1. it. This is another part. This is going to change the people  
2. if it would become law. The people could not go on election  
3. day, on a primary date, and change their party affiliation  
4. if they want to. Under the present law with the Supreme..  
5. Court decision you can go in and change from a Republican to Democrat,  
6. Democrat to Republican Party on that election day if you desire  
7. it. This bill would make you go in and change your party  
8. affiliation twenty-eight days prior to the election if you're  
9. going to change party affiliations on Primary Day. Now,  
10. this is going to do nothing but make more people stay away  
11. from the poll on Primary Day. I'm not in favor of the open  
12. primary bit either. I think we ought to...if you're going  
13. to vote in the primary, you've got to be affiliated with a party,  
14. but this denies the people an opportunity to change parties  
15. if they feel that way. This is a bad bill as far as good  
16. government is concerned. I urge its defeat.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Wooten.

19. SENATOR WOOTEN:

20. Well, thank you, Mr. President. I admire Senator  
21. Nimrod's tenacity on this subject. I believe this is the bill  
22. that we defeated in one manner or another, in one form or another four  
23. times last Session before it finally got caught up in a...  
24. no, the fifth time, I think it passed, because it got caught  
25. up in Collective Bargaining, but I would simply remind you  
26. that we have been through three elections, we have been through  
27. three elections and a situation where people can declare their  
28. party or ask for a party ballot at the primary. It seems to  
29. be working quite well. I suggest we leave it alone, because  
30. regardless of how eager we are to enforce a kind of political  
31. orthodoxy in one party or the other, the end result is going to  
32. be shutting people out of elections, and they simply aren't  
33. going to take kindly to that, so I suggest that we should once

1. again defeat this bill.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Netsch.

4. SENATOR NETSCH:

5. Thank you, Mr. President. It is beginning to sound like  
6. a broken record, and so I will keep the record short. I would  
7. suggest that it's...it was at least five times that we  
8. defeated the bill last time, Senator Wooten, not four and we expected...  
9. as a matter-of-fact, it was defeated once in committee this  
10. year also, and then...the bill does have an amazing life and  
11. vitality. It keeps emerging in different forms no matter  
12. how many times we beat it down. I suppose it probably will  
13. pass today, but it will eventually not see the light of day.  
14. I'm reasonably confident about that, and I hope it does not.  
15. It's a terrible idea. The reasons have been pretty well elaborated  
16. at a time when we are trying desperately to eliminate the  
17. barriers, the artificial barriers, to people voting. Here  
18. we are attempting to erect an additional barrier which is  
19. going to be designed not just to keep people out of the  
20. primary on election day, but if they come to the Primary...  
21. polling place and discover they cannot vote in the Primary  
22. in which they thought they could vote and want to vote,  
23. they're going to be turned off, they're going to be cynical.  
24. It's just...it's part of the entire process of making  
25. people believe that they are not really welcome in the  
26. electoral process when it involves political parties. I  
27. have said, and...and...and I'd...I'd expect the comment to  
28. come ad nauseam, and I will continue to say it, political  
29. parties are not private clubs. They are part of the entire  
30. electoral process. In most parts, even of this very intensely  
31. two party State...bi-partisan - two party State, the election  
32. is still decided in the primary. If we keep people  
33. out of the primaries, we are keeping them out of the

1. electoral process. This bill is a step absolutely in the  
2. wrong direction and it ought to be defeated.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. President, Ladies and Gentlemen of the  
7. Senate. I would point out to the doomsayer who spoken just  
8. preceding me that this legislation did, in fact, pass the  
9. Senate, an enlightened Senate last Session. I applauded it.  
10. then, and I applaud it now. This is not an attempt and...  
11. to characterize it as such is just unfair. It's not an  
12. attempt to keep people out of the process. What we are  
13. saying is that if you're going to vote in a Democratic  
14. Primary, be a Democrat and if you're going to vote in a  
15. Republican Primary, be a Republican, and I think it's just  
16. as simple as that. The Democratic National Committee has  
17. supported legislation and does support legislation of this kind.  
18. It will, in fact, strengthen the two major political  
19. parties, and for that reason I rise in support of Senate  
20. Bill 168.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Sommer.

23. SENATOR SOMMER:

24. First of all, Mr. President, a question for the sponsor.  
25. There's an amendment on this bill and it isn't in our books.  
26. What's it do?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. The...Senator Sommer, the amendment corrected some of  
31. the provisions of the bill which were not intended to be in  
32. there since they copied it from last time. It...it changed  
33. the provision of the notice and eliminated that notice provision,

1. and it also put it in line for the twenty-eight day require-  
2. ment rather than the three months that was listed there, and they...  
3. they made those changes in conformity what I had originally  
4. requested from the Reference Bureau.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Sommer.

7. SENATOR SOMMER:

8. How quickly do you think the Governor will veto  
9. this, one minute or one day?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Nimrod.

12. SENATOR NIMROD:

13. Well, I would say that he would probably have to make  
14. sure he declares his party twenty-eight days before the...the  
15. election. I do not believe that the Governor will veto this.  
16. I've no reason to believe that, Senator Sommer. This bill is  
17. supported by the regular Republican organization at the  
18. State level. It is supported by regular Democrat organiza-  
19. tion, editorials in the Chicago Tribune, Chicago Daily News,  
20. Peoria Journal, have all brought out the points and the  
21. problems that exist today of cross over and raiding, and  
22. we do have some serious problems notwithstanding. Some of  
23. the problems have been adjusted, so there really is...I  
24. do not expect him veto the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Washington.

27. SENATOR WASHINGTON:

28. Mr. President, very briefly, this bill or one similar to  
29. it did pass the Senate last Session and was resoundingly defeated  
30. in the House. I think it got about 48 votes. I don't know  
31. how it got that many. Unfortunately, I was not present that  
32. day and I couldn't vote. I never thought I would have the  
33. opportunity to vote against such a horrendous bill. I



1. welcome the opportunity, Mr. Nimrod, and I will vote No.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Bloom. Senator Schaffer.

4. SENATOR SCHAFFER:

5. Just for the record, Senator Nimrod, my Republican  
6. organization does not support this bill and neither do I.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Rhoads.

9. SENATOR RHOADS:

10. Well, I wish I could say I could support this bill with-  
11. out hesitation. I do have some doubts about it, but I support  
12. it...nonetheless. With all due respect to former or current  
13. law professors in the Chamber, I believe I was only the member  
14. of this Chamber who was present in United States Supreme Court the  
15. day that the Pontikes decision was heard on appeal, and if  
16. the Supreme Court Justices had any concept of what the  
17. Illinois Election Law was all about prior to the Pontikes  
18. decision, they certainly didn't display it that day. We  
19. had a good system in Illinois prior to 1972 and this bill  
20. is a partial attempt to restore that good system. Our  
21. county central committee does support, and I support it.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Bruce.

24. SENATOR BRUCE:

25. I unfortunately wasn't at the United States Supreme Court  
26. to hear the Pontikes decision, so I am reluctant to speak.  
27. I would just point out to Senator Rhoads that in a large  
28. majority of downstate Illinois, the twenty-three month rule had no  
29. effect at all, and all the horrible raiding that has supposedly  
30. occurred and has happened in Illinois has been going on  
31. for the last fifty years in most of downstate since we don't  
32. have a partisan election, it's all these horrible things that  
33. you say has occurred since that decision, in fact, have

1. occurred for a long time. I wonder if the sponsor would  
2. yield to a few questions.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Indicates he will.

5. SENATOR BRUCE:

6. Senator, you and others have indicated these large  
7. scientific studies indicating raiding of parties. Can you  
8. indicate to me whether the Survey Research Center at the  
9. University of Michigan has done a survey on...on raiding in  
10. Illinois politics and whether or not there is, in fact, a  
11. scientific study showing that raiding has occurred among  
12. voters in Illinois?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Nimrod.

15. SENATOR NIMROD:

16. Yes, Senator Bruce, if you...if you have a scientific  
17. report from the State of Michigan, I would like to see that.  
18. However, I can give you some statistics and some facts that have  
19. happened within Illinois beginning with Governor Ogilvie. We  
20. can certainly talk about the State's Attorney in...in Cook  
21. County where the Republicans selected the candidate for the  
22. Democrats. We certainly know that there was a direct  
23. attempt to in Senator Sours' race with Senator Bloom in those  
24. areas involved. We know that...we know that Governor Walker  
25. ...we know that Governor Walker that there was some efforts  
26. in...in that particular campaign. I can get right down to  
27. almost every district. What I think we're...we're trying to get  
28. across is that no one wants to preclude anyone from voting  
29. or taking part. I do have some...other statistics here for  
30. you that was...came out of the commentary from Waukegan, and  
31. it said the statistics show that in three of the last four  
32. Primary Elections...

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator...Senator Nimrod, was that...he just asked one  
2. question.

3. SENATOR NIMROD:

4. Well, I thought I'd get some more in. Oh.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Bruce.

7. SENATOR BRUCE:

8. ...The problem is that with all "we knows" I'm...still  
9. haven't found anybody that knows in a survey done using  
10. scientific data that there has been any rating and I wait...  
11. I await...that Survey Research Center from the University of  
12. Michigan has done some preliminary studies in Illinois to  
13. indicate, in fact, that rating has not occurred, but I await  
14. the final...now, Senator Nimrod, you go around the State of  
15. Illinois and as I campaigned, people tell me they're registered  
16. Democrat or registered Republican. Are they actually  
17. registered by party now?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Nimrod.

20. SENATOR NIMROD:

21. Yes, the...the present law requires...all the other  
22. laws were struck down as a result of these cases we're...  
23. but the only law that still is on the Books  
24. on the Primary is that the clerk must record the voting of  
25. the party and maintain a record of that.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Bruce.

28. SENATOR BRUCE:

29. Well, I think the...the answer is no. You don't have  
30. to register by party when you go in at age eighteen. You register  
31. as a voter and that is all. You make the requirements as set  
32. forth by statute. Would this bill require that when you go  
33. in to register as a new voter that you say I am a Republican or

1. Democrat if you plan to vote in the next election, in the  
2. Primary?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Nimrod.

5. SENATOR NIMROD:

6. The last answer was yes, and I would like to answer my  
7. own questions and I don't expect you to be saying no for me.  
8. I said that they...you are required to keep a record. How-  
9. ever, for as far as your next question is concerned, if you want to  
10. register to vote, you may do so. If you want to declare your party,  
11. you may do so. If you don't want to do it, you don't have  
12. to, but at the time of registration, you would also have an  
13. opportunity to declare your party. If you didn't want to  
14. vote in the Primary, you naturally wouldn't declare your party.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Bruce.

17. SENATOR BRUCE:

18. Well, may I ask the question again. Do you have to  
19. enroll by party in Illinois under the present law? Yes or  
20. no, Senator Nimrod....

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. ...Senator Nimrod.

23. SENATOR NIMROD:

24. In order to receive a ballot on Primary day, you have to  
25. declare your party.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. That's yes. Senator Bruce.

28. SENATOR BRUCE:

29. Now, the question is do you have to register prior to  
30. voting as...Democrat or Republican? Doesn't this bill require,  
31. in fact, that once you become a registered voter if you plan  
32. to vote in a Primary, you have to declare a party well in  
33. advance of going into the polling place?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Nimrod.

3. SENATOR NIMROD:

4. The bill does provide for you at the same day that the  
5. registration closes that at time if you change your party  
6. affiliation you have up until that date to do so. On the  
7. day of the Primary Election, you cannot come in and vote if  
8. you have not previously declared a party.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. Well, Ladies and Gentlemen of this Senate Body, I'm  
13. going to watch with interest all of those liberals who are  
14. ashamed to say that they are either a Democrat or Republican  
15. in the election coming up next year. I'm going to watch  
16. with interest how these people that held this Body here  
17. for seventeen days when they were organizing because they wouldn't  
18. come into the Democratic caucus are going to explain to the  
19. Democrats in their district that they ought to support them,  
20. and when a few of you get your rear ends blistered, I'm  
21. going to laugh.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Walsh.

24. SENATOR WALSH:

25. Will the Gentleman yield for a question?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Indicates he will.

28. SENATOR WALSH:

29. John, am I understanding now under this bill, there would  
30. be a...a new question asked at the time a person registers,  
31. and that is Democrat, Republican or...or you would leave it blank...

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. May we have order?

1. SENATOR WALSH:  
2. ...Is that right?  
3. PRESIDING OFFICER: (SENATOR DONNEWALD)  
4. ...Just a moment, Senator. Proceed.  
5. SENATOR WALSH:  
6. Now, if...if for a new person to go in and register,  
7. would he be asked by the county clerk if he was a Republican,  
8. Democrat, or if he declines to answer?  
9. PRESIDING OFFICER: (SENATOR DONNEWALD)  
10. Senator Nimrod.  
11. SENATOR NIMROD:  
12. At the time of registration, he may or may not indicate  
13. his party preference. He will register...if he goes in to  
14. register to vote, he...he may also at that time he has his  
15. opportunity to declare his party, and there will not be  
16. those questions asked of him. He will be told that he has  
17. a right to do it, and he may do anything he pleases. He  
18. may either indicate or not.  
19. PRESIDING OFFICER: (SENATOR DONNEWALD)  
20. Senator Walsh.  
21. SENATOR WALSH:  
22. If...if he...if he does not opt for either party and wants  
23. to vote in the Primary, what does he do?  
24. PRESIDING OFFICER: (SENATOR DONNEWALD)  
25. Senator Nimrod.  
26. SENATOR NIMROD:  
27. If he has not indicated for either party at the time of  
28. registration and he has no record of having voted the last  
29. time, then he will not be able to vote on Primary Day.  
30. PRESIDING OFFICER: (SENATOR DONNEWALD)  
31. Senator Walsh.  
32. SENATOR WALSH:  
33. All right, now, then after having registered or if we

1. would say we have someone now who has been registered for a  
2. number of years and has not voted in a Primary, how does he  
3. get into the act, so to speak?

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Nimrod.

6. SENATOR NIMROD:

7. Senator Walsh, the first time around, the...since the  
8. county clerks already have all of our records on file as to how  
9. we voted in the Primaries or rather we voted or not, it...the  
10. bill states that the indication of your last party preference  
11. will be the party which you will be registered for the first  
12. time around, and then at any time...in fact, you can go in  
13. and change it up until twenty-eight days ahead of time, so  
14. you're really not locked into that particular party, but if  
15. you have not and you do not so that no one disenfranchised who  
16. has voted in the past, in the Primary, that party will be  
17. listed as your present party.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Walsh.

20. SENATOR WALSH:

21. Well, for someone who has not indicated a preference or  
22. has not voted but has been a registered voter for a number  
23. of years, what does he have to do in order to vote in a  
24. Primary.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. That person anytime between the time this bill becomes  
29. law and twenty-eight days before the...the Primary Election  
30. would have to indicate either in the township's clerk or at the  
31. municipal...the...the vilage clerk or city clerk or at the  
32. county clerk's office, at the normal places of registration  
33. his party preference.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Walsh.

3. SENATOR WALSH:

4. One more...one more question and...and the same thing  
5. would be true then for someone who wanted to change. He  
6. would have to go to the...the village clerk's office or  
7. the county clerk's office in Cook County. Is that right?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Nimrod.

10. SENATOR NIMROD:

11. Yes. He may do that or also...they also have a day...  
12. a precinct day, generally we have in Cook County, where they...  
13. prior to that day that they also may change within the  
14. polls, on the last day...on the last day for registration.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Is there further discussion? Senator Nimrod may close  
17. the debate.

18. SENATOR NIMROD:

19. I would just ask that you look to the history and  
20. certainly we are all...most of us are well aware of the  
21. facts that happen. This bill in no way inhibits or pro-  
22. hibits individuals from remaining in the independent of...  
23. of the parties or being able to run as Independent candidates.  
24. In fact, it encourages that. What it does do, however, it  
25. does say that the party should have the right to select  
26. its own candidates and hold them responsible and it also  
27. indicates that there will no longer be the crossover or  
28. the raiding which has been so destructive and caused so  
29. many problems within our area, and I would urge...certainly  
30. urge the support and...and your vote for this particular bill.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. The question is, shall Senate Bill 168 pass. Those in  
33. favor vote Aye. Those opposed Nay. The voting is open.



1. Have all those voted who wish? Have all those voted who wish?  
2. Take the record. On that question, the Ayes are 33, the  
3. Nays are 21. Senate Bill 168 having received a constitutional  
4. majority is declared passed. Senator Bruce, for what purpose  
5. do you arise?  
6. SENATOR BRUCE:

7. I request a verification of the roll call, Mr. President.  
8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Verification is requested. Will the members please be  
10. in their seats. You request the...the...the affirmative  
11. vote, I presume? The Secretary will call the affirmative  
12. vote.

13. SECRETARY:

14. The...following voted in the affirmative: Berning,  
15. Carroll, Chew, Clewis, Coffey, D'Arco, Daley, Donnewald, Egan,  
16. Graham, Grotberg, Guidice, Harber Hall, Kenneth Hall, Knuppel,  
17. Kosinski, Lane, Lemke, Maragos, Merlo, Mitchler, Moore, Nimrod,  
18. Ozinga, Regner, Rhoads, Rock, Rupp, Savickas, Smith, Soper,  
19. Weaver and Mr. President.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Roll has been verified. Motion is to reconsider the  
22. vote by which Senate Bill 168 passed. Senator Savickas moves  
23. it lie on the Table. Those in favor indicate by saying Aye.  
24. Those opposed Nay. The Ayes have it. Senate Bill 170...  
25. just a moment, Senator Hynes.

26. SENATOR HYNES:

27. Mr. President, if I may interrupt for the information of  
28. the membership. It is our intention to continue on 3rd reading  
29. until 7:00 p.m. today, to go straight through and then we will  
30. adjourn, so make your...your plans accordingly.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senate Bill 170, Senator Glass. Read the bill.

33. SECRETARY:

1. Senate Bill 170
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER: (SENATOR DONNEWALD)
5. Senator Glass.
6. SENATOR GLASS:
7. Thank you, Mr. President, Ladies and Gentlemen. 1975,
8. the Probate Act of Illinois was renumbered and there was
9. essentially a repositioning of a number of the sections.
10. There were, however, some minor technical changes that
11. needed to be made. That's essentially what this bill does.
12. It does not make substantive changes. I'd appreciate a
13. favorable roll call.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Is there further discussion? The question is, shall
16. Senate Bill 170 pass. Those in favor vote Aye. Those
17. opposed Nay. The voting is open. Have all those voted who
18. wish? Take the record. On that question, the Ayes are 49,
19. the Nays are none. Senate Bill 170 having received a
20. constitutional majority is declared passed. Senate Bill 180,
21. Senator Vadalabene. Read the bill.
22. SECRETARY:
23. Senate Bill 180
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR DONNEWALD)
27. Senator Vadalabene.
28. SENATOR VADALABENE:
29. Yes, thank you, Mr. President and members of the Senate.
30. Senate Bill 180 reduces the statutory restrictions concerning
31. the use of special education facilities. It gives school
32. districts discretion subject to the approval of the board of
33. education and a regional superintendent of schools to use

1. special education facilities for regular school purposes. It  
2. also provides that the district or cooperative districts  
3. through Amendment No. 1 to Senate Bill 180 shall make  
4. comparable facilities available to special education purposes  
5. at another attendance center which is more practical  
6. location due to the proximity of the students served and I  
7. would appreciate a favorable vote.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further discussion? Question is, shall  
10. Senate Bill 180 pass. Those in favor vote Aye. Those  
11. opposed NO. The voting is open. Have all those voted who  
12. wish? Take the record. On that question, the Ayes are 51,  
13. the Nays are none. Senate Bill 180 having received a con-  
14. stitutional majority is declared passed. Senate Bill 187,  
15. Senator Regner. Read the bill.

16. SECRETARY:

17. Senate Bill 187

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Regner.

22. SENATOR REGNER:

23. Mr. President and members of the Senate, what this bill  
24. provides that if through the deinstitutionalization program of  
25. the Department of Mental Health if they increase the population  
26. at the local community health centers by more than three  
27. percent per year, that the Department will pick up the cost  
28. of that amount of people over three percent. The program  
29. could severely hamper the operation of some of our local  
30. centers and therefore, it has been requested by the State  
31. Institution...Association of Mental Health that a bill such  
32. as this be introduced. And I'd urge its passage.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Question is, shall  
2. Senate Bill...just a moment, Senator Bruce.

3. SENATOR BRUCE:

4. I...I just want to know what the cost and the position  
5. of the Department of Mental Health?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Regner.

8. SENATOR REGNER:

9. Well, it was interesting regarding cost because the  
10. bill as was originally introduced, it provided that if the  
11. population goes up more than over one percent that the cost  
12. would be three hundred thousand dollars, and when I...we  
13. amended the bill in committee to over three percent instead  
14. of the cost prediction going down by the Department, it  
15. went up which they didn't fully explain to me, but that's  
16. what they did, so the original cost is three hundred  
17. thousand dollars, and then they...readjusted their cost  
18. estimate to about a million dollars is the way they estimated  
19. it, and I feel that the reason that they did indicate  
20. opposition to the bill is that they did not want interference  
21. with their bureaucratic decisions as to what they were going  
22. to do, and like I say, the local centers...community based  
23. centers are very much in favor of this bill.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Bruce. Is there further...Senator Bruce.

26. SENATOR BRUCE:

27. And the...the one million dollars is obviously not in  
28. the budget, but the Governor will approve it and you will  
29. sponsor the appropriation increase so that we can add it to  
30. the Republican increase in the budget, is that correct?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Regner.

33. SENATOR REGNER:

1. Well, actually if you...they discharge patients, their  
2. cost will go down and their appropriation bill does not estimate  
3. for discharge of patients. Their appropriation bill will  
4. contain sufficient monies for all of the population they have  
5. right now, so if they do, in fact, go ahead with the program  
6. of discharging patients, the monies will be in the appropriation  
7. bill.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Demuzio.

10. SENATOR DEMUZIO:

11. Will the Senator yield for a question? Senator Regner,  
12. it says that the...according to the synopsis of the Calendar  
13. here, it talks about a certain released persons. What it is  
14. a released person as...as you are referring to in this bill?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Regner.

17. SENATOR REGNER:

18. If they discharge a patient from the State Mental Health  
19. Center to either a nursing home, sheltered care home for the  
20. aged, the Department must assign that person to an existing  
21. community based not-for-profit organization, so it would be  
22. patients under the care of the Department of Mental Health.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there further...oh, Senator Demuzio.

25. SENATOR DEMUZIO:

26. What happens if the local community based program is...  
27. is full or will not accept a released person. According to  
28. the synopsis here, it mandates that...that the...these people  
29. from the released program be in local not-for-profit centers.  
30. Is that correct?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Regner.

33. SENATOR REGNER:

1. That was brought up in the committee, and the people from  
2. the Department did say that they did always in all cases  
3. approach the community based center if they did actually  
4. have room in the institution to handle that patient.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. What happens if they don't have room?

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Regner.

11. SENATOR REGNER:

12. Then the Department won't...won't assign them there.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there further discussion? Senator Regner may close  
15. the debate.

16. SENATOR REGNER:

17. As I said it's a...a very popular proposal with our  
18. local community based centers and I think it will help  
19. them a great deal due to the fact that it'll aid just in  
20. their revenues available for servicing the patients they  
21. do have in the institutions.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Question is, shall Senate Bill 187 pass. Those in  
24. favor vote Aye. Those opposed Nay. The voting is open.  
25. Have all those voted who wish? Take the record. On that  
26. question, the Ayes are 25, the Nays are 2...just a moment.

27. SENATOR REGNER:

28. ...absentees.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. It's not within the rules of the Senate. ...Is it  
31. your request that Consideration be postponed. Consideration  
32. is postponed. Senate Bill 189, Senator Roe. Read the bill.

33. SECRETARY:

1. Senate Bill 189...Senate Bill 189

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Roe. Senator, would you move to the microphone, one  
6. way or the other. I think you wore out your microphone.

7. Senator Roe requests a favorable roll call. Is there further  
8. debates? Senator Maragos.

9. SENATOR MARAGOS:

10. Will the sponsor please explain to me what you mean by  
11. county farm?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Roe. Senator, would you take Senator Glass'  
14. microphone. I think you wore yours out. Senator Roe.

15. SENATOR ROE:

16. Senator Maragos, a county farm is a farm that's  
17. ordinarily owned by a county in downstate Illinois. This  
18. practice arose many years ago back in the late 1800's and  
19. early 1900's. Many counties in downstate Illinois took  
20. title to a farm which might be used for agricultural purposes  
21. and later became used for the elderly in many downstate  
22. counties and later in the past decade or two, this has  
23. somewhat gone out of vogue, and they have been leased for the  
24. most part by downstate counties to farmers. I could go into  
25. the substance of the bill now that I have a microphone that  
26. works, but it only ratifies what many downstate counties  
27. have been doing namely leasing their county farms. There's  
28. no specific statutory authority for these leases and that's  
29. the purpose of the bill.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Maragos.

32. SENATOR MARAGOS:

33. The reason why I ask is not to be facetious. The reason

1. I thought at one time there also was a connotation of county  
2. farms for penal institutions and I was wondering if this  
3. was in that classification.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)  
5. Senator Roe.

6. SENATOR ROE:  
7. No, it wouldn't be, Senator Maragos.

8. SENATOR MARAGOS:  
9. All right, thank you very much.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)  
11. Senator Harber Hall.

12. SENATOR HARBER HALL:  
13. Now, that he has found a good microphone, I wonder if  
14. I could impose a question on him, too.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)  
16. Indicates he'll yield. By the way, Senator, your micro-  
17. phone is now operational. I didn't want you to sit on Senator  
18. Glass' lap.

19. SENATOR HARBER HALL:  
20. Senator, I see the routine need for this bill, but I  
21. have questions in respect to the need for counties to own  
22. farms any longer and McLean County sold their farm and  
23. thereby put a good solid tax base increase to the County.  
24. Now, it seems to me that the other counties ought to do that  
25. also. We have all this tax exempt county property that really  
26. doesn't have a real county value in terms of county govern-  
27. ment, and I think the counties ought to sell these farms, so  
28. if your bill is intended to encourage and strengthen the idea  
29. that counties should own farm land and operate it, leasing the  
30. farm ground or renting it or whatever, I would tend to be  
31. against the bill on that basis only.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)  
33. Senator Roe.



1. SENATOR ROE:

2. Mr. President, Senator Hall, the bill is not intended  
3. to in anyway strengthen the hands of the...of the counties  
4. and encourage them to keep farm lane. It's intended to...to  
5. ratify what many counties are presently doing and nothing  
6. more than that. Obviously, it's within the power of all  
7. counties or any counties in the State of Illinois to sell  
8. the county farms that they presently possess, and this  
9. bill in no way would restrict them from doing that.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Grotberg.

12. SENATOR GROTBORG:

13. Thank you, Mr. President and members of the Senate. I  
14. rise in support of this bill which came out of the Local  
15. Government Affairs Committee unanimously for the following  
16. reasons, that Illinois law presently makes no direct  
17. reference to the ability of counties to rent or lease farms  
18. which they own. The Attorney General has issued an opinion  
19. on the subject citing the County Home Act as restricting  
20. counties from the practice. Senate Bill 189 would correct  
21. that ambiguity so that they could proceed in whatever  
22. direction they want, and I urge the passage of it.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Ozinga.

25. SENATOR OZINGA:

26. I would merely ask the question following up with  
27. Senator Hall's request, does this bill in anyway limit the  
28. leasing so that the...the monies produced by the lease would  
29. be equal at least to the amount of taxes that might be  
30. collected?

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Roe.

33. SENATOR ROE:

1. No, I don't think it does that, Senator Ozinga. I don't  
2. think it would be legal if it did.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. ...Is there further debate? Senator Roe may close the  
5. debate. He requests a roll call. The question is, shall  
6. Senate Bill 189 pass. Those in favor vote Aye. Those  
7. opposed Nay. The voting is open. Have all those voted who  
8. wish? Take the record. On that question, the Ayes are 50,  
9. the Nays are 1, 1 Voting Present. Senate Bill 189 having  
10. received a constitutional majority is declared passed.  
11. Senate Bill 203, Senator Philip. Senate...Senate Bill 205,  
12. Senator Schaffer. Senate Bill 206, Senator Lemke. Senate  
13. Bill 207, Senator Lemke. Senate Bill 211, Senator Vadalabene.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. On the Order of Senate Bills 3rd reading, Senate Bill  
16. 211. Read the bill, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 211

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Vadalabene.

23. SENATOR VADALABENE:

24. Yes, thank you, Mr. President and members of the Senate.  
25. Senate Bill 211 is designed to prohibit the sale for profit  
26. any of the Secretary of State's publications. Certain publica-  
27. tions printed by the Secretary of State's office for free  
28. distribution are being obtained in quantity and sold to the  
29. public. It is intention of the Secretary to prohibit such  
30. practices. Amendment No. 1 to Senate Bill 211 clarifies the  
31. language as to the selling of Secretary of State's publications.  
32. This is an agreed amendment accepted by the committee. The  
33. amendment actually becomes the main part of the bill, and this

1. states that the sale of current Illinois publication or  
2. highway maps published by the Secretary of State is prohibited  
3. except where provided by law, and I would appreciate a  
4. favorable vote.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any discussion? Senator Grotberg.

7. SENATOR GROTBORG:

8. A question of the sponsor.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Indicates he will yield. Senator Grotberg.

11. SENATOR GROTBORG:

12. Senator Vadalabene, is there anything in this same Act  
13. or in this bill that says that when I go to the county fair  
14. and pick up a map or anyone of the many Secretary of State  
15. publications and I see some of my fellow legislators stamp  
16. them saying compliments of your friendly Representative or  
17. Senator? Is there restrictive language in this bill or...  
18. or in the law on that subject?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Vadalabene.

21. SENATOR VADALABENE:

22. Not that I'm aware of. I think they also state in a  
23. lot of areas, compliments of Senator Vadalabene or Senator  
24. Grotberg and...not that...I don't think that's in the bill,  
25. but I know it's abused that way also.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. That was my point. I think it's abused as much by...by  
30. people in public life as it is by...by the private enterprise  
31. and...and...it's a different bill, though. Thank you.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Further discussion? Senator Knuppel.

SB 216  
5/17/77

1. SENATOR KNUPPEL:

2. Like so many bills we've acted on here today, this is  
3. a lot to do about nothing. I don't know where you're going  
4. to find a State's Attorney that's going to handle a case  
5. at the county's expense to prosecute somebody who sold two  
6. or three dollars worth of road maps. This is another law  
7. that we don't need anymore than what we just passed.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any further discussion? Senator Vadalabene, do you wish  
10. to close the debate?

11. SENATOR VADALABENE:

12. Yes, Senator Knuppel opposed it in committee, opposed it  
13. on the Floor. I'll appreciate a favorable vote.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. All right, the question is, shall Senate Bill 211 pass.  
16. Those in favor will vote Aye. Those opposed will vote Nay.  
17. The voting is open. Have all voted who wish? Have all  
18. voted who wish? Take the record. On that question, the  
19. Ayes are 52, the Nays are 1, none Voting Present. Senate  
20. Bill 211 having received a constitutional majority is declared  
21. passed. 216, Senator Bowers. All right, on the Order of  
22. Senate Bills 3rd reading, Senate Bill 216. Read the bill,  
23. Mr. Secretary.

24. SECRETARY:

25. Senate Bill 216

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Bowers.

30. SENATOR BOWERS:

31. Thank you, Mr. President, and Ladies and Gentlemen of  
32. the Senate. This bill is designed to permit the Parole Board  
33. to continue an inmate who has been denied parole for more than

1. one year. Prior to 1970, when the Parole Board heard a  
2. particular inmate and they felt that he wasn't going to be  
3. ready for parole for a period of four or five or even ten  
4. years, he was continued for that period of time. At that  
5. time while I was on the Board, we were approached by the  
6. then director asking us to modify by rule...modify by rule  
7. the activities of the Board and to hear the inmates every  
8. year as an experiment. We did that and we started it in  
9. 1970 and then in 1971 it was codified in the Statute. It has  
10. not worked too well in some instances and I'm talking now  
11. about the serious crimes where the Parole Board knows that  
12. the man is not going to make parole in a year, the man knows  
13. he's not going to make parole in a year, but we have to  
14. conduct the hearings and it's quite a trauma as far as the  
15. families are concerned, they feel...the families of the  
16. victim. They feel they have to come down and testify against  
17. a particular case, so that under the circumstances it  
18. appears that...that the three years represents a good compromise  
19. from what happened prior to 1970 and what's happening today.  
20. I would be glad to answer any questions, but I think it's a  
21. good bill and I would appreciate the vote of the Senate.  
22. Thank you.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion? Senator Graham.

25. SENATOR GRAHAM:

26. In...in concurring, Mr. President and members of the  
27. Senate, with what Senator Bowers has said, the most ex-  
28. periented man on the Floor with regard to paroles, yes this  
29. is a good bill and should be passed, and there should be an  
30. additional provision sometime, Senator Bowers. I've tried to  
31. direct my questioning to members of the Parole Board when  
32. they're being confirmed that when they are ready to give some-  
33. one who's up for hearing a one year set, the least they can

1. do is inform that person the reason that they're delaying  
2. a consideration of their parole for another year. We haven't  
3. been able to do that. I think someday we should. I don't think  
4. there's anything more traumatic than to have a man prepare  
5. or a woman prepare themselves for an entire year to meet  
6. the Parole Board, have them go before the Board, have them to  
7. be rejected for parole for good reasons no doubt, but to have  
8. them not have...have it explained to them why they are being  
9. rejected, so Senator Bowers, let's try to get that done, too,  
10. and I'd like to join...with you in that effort and I urge  
11. the passage of this bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Further discussion? Senator Hickey.

14. SENATOR HICKEY:

15. I'd like to ask the sponsor a question.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Sponsor indicates he will yield. Senator Hickey.

18. SENATOR HICKEY:

19. Senator Bowers, what do you do about the ones that perhaps  
20. could be paroled in a year? That is you...you talked about  
21. and I understand that on the ones that are not going to be  
22. paroled, but what about somebody who really deserves it, how  
23. do you divide them and into...into one and three years, or  
24. will this mean that just anybody who once he's had one denied  
25. can only...has to go three years?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Bowers.

28. SENATOR BOWERS:

29. ...the Parole Board, Senator Hickey, has the power now  
30. to continue a case up to one year. They don't continue them  
31. all even a year. Sometimes they'll deny a man and continue  
32. him six months. He may be in the middle of a...of obtaining  
33. his G.E.D, for instance, and...and he would have to have another

1. three months to complete that course. A lot of times they  
2. will continue the man three months till he completes the  
3. course and then hear him again insofar as the parole is  
4. concerned. They will, I would...I would suspect continue  
5. to hear most inmates every year. This does not mandate  
6. that they go three years. It simply says that they can set  
7. him over for a period of time up to three years, and I'm  
8. speaking now and addressing myself to the...the really  
9. more serious crimes where the inmate such as a Richard  
10. Speck, if I may, it's rather ridiculous to hear him every  
11. year. He's knows he's not going to make parole and so does  
12. the Parole Board, and it's traumatic to these families to  
13. have to come down and oppose parole every...every year, and  
14. I might add that we do have within the system what we call  
15. institutional credits and most inmates get sixty days insti-  
16. tutional credits if they behave themselves. So, when we talk  
17. about a year, we are really only talking about ten months.  
18. In addition to that, I should point out, that if he gets a  
19. three year continuance and during that interim something  
20. happens that he feels he ought to be heard again, he has  
21. the right to petition for a...for a hearing and many of those  
22. are granted. I would suggest probably statistically, at  
23. least when I was around, about ten percent of those petitions  
24. were granted, so I...I think there is sufficient protection  
25. in that area.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Any further discussion? Senator D'Arco.

28. SENATOR D'ARCO:

29. I just want to rise in support of this bill. I think it  
30. is a good bill. If he does want to be heard by the Parole  
31. Board, he can, in fact, petition the Board for a hearing, and  
32. in most instances the Board would grant a hearing. It is a  
33. tragedy to see some of these families having to go back year

1. after year and very serious heinous crimes and suffer the endurance  
2. of having that particular person appear before the Parole  
3. Board, and I support the bill. Thank you.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further discussion? Senator Bowers, do you wish to  
6. close the debate? All right, the question is, shall Senate  
7. Bill 216 pass. Those in favor will vote Aye. Those opposed  
8. will vote Nay. The voting is open. Have all voted who  
9. wish? Have all voted who wish? Take the record. On that  
10. question, the Ayes are 52, the Nays are none, none Voting  
11. Present. Senate Bill 216 having received a constitutional  
12. majority is declared passed. 218, Senator Netsch. All right,  
13. on the Order of Senate Bills 3rd reading, Senate Bill 218.  
14. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 218

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Netsch.

21. SENATOR NETSCH:

22. Thank you, Mr. President. As the saying goes, this is  
23. a bill whose time has come. For reasons which I never under-  
24. stood, it was somewhat controversial last Session. This  
25. Session it doesn't seem to be because it is now in the form  
26. of being essentially a revisory bill. Congress has repealed  
27. the underpinnings of the Fair Trade legislation at the State  
28. level. There is no fair trading as a practical matter that  
29. can take place without violation of Federal law. The State  
30. law has no effect whatever any longer, at least none that  
31. anyone can discern. It is...superfluous and I think it's  
32. time to clean up the Statutes and the repeal of the Fair Trade Act.

33. PRESIDING OFFICER: (SENATOR ROCK)



1. Any discussion? Senator Bowers.
2. SENATOR BOWERS:
3. Would the sponsor yield to a question?
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Sponsor indicates she will yield. Senator Bowers.
6. SEANTOR BOWERS:
7. What's Section 10 of the Anti-Trust Act? I'm sorry I
8. don't know.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Netsch.
11. SENATOR NETSCH:
12. That is a section in the Anti-Trust Act which also
13. in effect authorizes fair trading.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Any further discussion? Question is, shall Senate Bill
16. 218 pass. Those in favor will vote Aye. Those opposed will
17. vote Nay. The voting is open. Have all voted who wish?
18. Have all voted who wish? Take the record. On that question,
19. the Ayes are 50, the Nays are none, 1 Voting Present. Senate
20. Bill 218 having received a constitutional majority is declared
21. passed. Senator Netsch, 221, do you want to push your luck?
22. Senator Netsch.
23. SENATOR NETSCH:
24. There is a saying - quit while you're ahead. I want
25. Senator Bowers and my friends over there to know that I did
26. pass another bill once. I can't quite remember when it was
27. or what it was, but I know that it happened once. Yeah, I'll
28. try 221.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. All right, on the Order of Senate Bills 3rd reading,
31. Senate Bill 221. Read the bill, Mr. Secretary.
32. SECRETARY:
33. Senate Bill 221

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Netsch.

5. SENATOR NETSCH:

6. Thank you, Mr. President. This bill also deals with the  
7. subject that is also relating to something else I had in with  
8. the subject of General Assembly scholarships, but it does not  
9. revoke them. Instead what it attempts to do is to make  
10. available for some members of the Legislature who would find  
11. it useful the right to use their General Assembly scholarship  
12. one of them, and only one of them at a community college.  
13. The...there are apparently are some members of the General  
14. Assembly who find that all of their scholarships are not  
15. used and would like to have the opportunity to do this as an  
16. alternative. I'm in that position. There are several others  
17. who have indicated to me that while they have enough applicants  
18. for their General Assembly scholarships, they would like to  
19. have this as an alternative, because in some cases perhaps  
20. special cases they find that the most deserving potential  
21. recipient is someone who is, in fact, attending a community  
22. college rather than one of the four year institutions. This  
23. does not increase the number of scholarships. It is offered  
24. only as an alternative to the one scholarship that is avail-  
25. able at all of the State institutions other than the University  
26. of Illinois. The cost is extremely modest. The...I recognize  
27. of course that because these are community colleges that the  
28. local districts will quote - bear some part of the burden of  
29. it, but the Junior College Board, which incidently was highly  
30. supportive of the bill has computed the maximum potential  
31. cost if every single member of the General Assembly awarded  
32. one of their annual scholarships at a community college. The  
33. maximum potential cost State-wide is seventy-seven thousand

1. five hundred and twenty-six dollars throughout the entire  
2. State of Illinois, and of that, of course, the State itself  
3. pays about one-fourth to one-third of the operating cost of  
4. the junior colleges so we would, in fact, be absorbing that  
5. amount. It is not a burden on the local districts. It  
6. would enable some people who have a hard time getting even  
7. the tuition for junior colleges together to be able to  
8. continue their schooling. A few of us would like to have  
9. this option available. I would solicit your support.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Discussion? Senator Egan.

12. SENATOR EGAN:

13. Would the sponsor yield?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Sponsor indicates she will yield. Senator Egan.

16. SENATOR EGAN:

17. Senator Netsch, would you be willing to do the same  
18. thing for the private colleges?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Netsch.

21. SENATOR NETSCH:

22. No.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Egan.

25. SENATOR EGAN:

26. Well, there are many of my constituents that don't like  
27. to hear that answer and...and nor do I. I have a bill that  
28. would do just that. It's in the subcommittee, and perhaps  
29. if this bill were to join that bill in the subcommittee, we  
30. could work something else out. Thank you.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any further discussion? Senator Maragos.

33. SENATOR MARAGOS:

1. I'd like to ask the sponsor a question.
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Sponsor indicates she will yield. Senator Maragos.
4. SENATOR MARAGOS:
5. I see that this bill follows Senate Bill 220 which had
6. a different fate and had a different approach that would
7. abolish all scholarships whatsoever, legislative scholarships.
8. I wonder why the Senator put this in conjunction with the
9. other when she felt that her purpose on the Senate Bill 220
10. was more valid and more valuable than 221?
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Netsch.
13. SENATOR NETSCH:
14. No, I would...I would have preferred to pass Senate Bill
15. 220, Senator Maragos, and I've made the argument then and I
16. lost. I also put this bill in because I recognized that the
17. prospects of passing the other bill were "ify" to put it
18. mildly and if the General Assembly Scholarship Program is
19. to continue, I, for one, and several other legislators have
20. expressed the same desire to me. Just simply wanted to have
21. the option of being able to use it most sensibly.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Maragos.
24. SENATOR MARAGOS:
25. One more question. What is the tuition in the community
26. colleges...you may have explained it, I couldn't hear it
27. because of the noise...whether...between this and the regular
28. four year universities? What are we talking about?
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Netsch.
31. SENATOR MARAGOS:
32. If you know.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Yes. The...the figures that the Community College  
4. Board supplied to me were that the average tuition is ten  
5. dollars and ninety-five cents times thirty credit hours per  
6. year, making a total of three hundred and twenty-eight dollars  
7. and fifty cents tuition per year per student. Now, this is  
8. an average of course which is the only figure you can deal  
9. with, and that times two hundred and thirty-six which would  
10. be the maximum number of scholarships is a total expenditure  
11. or a total waiver of tuition of seventy-seven thousand five  
12. hundred and twenty-six dollars State-wide.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Maragos.

15. SENATOR MARAGOS:

16. Now, I...meant to be my last. As compared to the four  
17. year universities, what are we talking about in tuitions now  
18. in most...if you have an average tuition between universities  
19. in a four year and the ones on the junior college...the  
20. community college level?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Netsch.

23. SENATOR NETSCH:

24. I'm sorry I do not have the figures here in front of me  
25. at the moment on the average four year tuition. It would be  
26. higher than three hundred and twenty-eight dollars. It does  
27. vary, of course, in each one of the schools, but it would be  
28. higher than three hundred and twenty-eight dollars.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. All right, Gentlemen, we have four or five additional  
31. members who have indicated they wish to speak on this legis-  
32. lation. Senator D'Arco, for what purpose do you arise?

33. SENATOR D'Arco:

1. Point of personal privilege...
2. PRESIDING OFFICER: (SENATOR ROCK)
3. State your point.
4. SENATOR D'ARCO:
5. ...Mr. President. I would like the Senate to recognize in
6. the East Gallery the students from the Pickert School at 2301
7. W. 21st Place. They're here with Lou Ignaz. Would the
8. students please rise and be recognized by the Senate.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Will our guests in the gallery please rise and be
11. recognized. Further discussion on Senate Bill 221? Senator
12. Daley.
13. SENATOR DALEY:
14. Mr. President and fellow Senators, would the sponsor
15. yield for a question?
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Senator Netsch indicates she will yield. Senator Daley.
18. SENATOR DALEY:
19. Senator, your...your expanding the scholarship awards.
20. Is it one to a community college? Is that it? You're allowing
21. a Legislator to use it for a community college?
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Netsch.
24. SENATOR NETSCH:
25. Yes, I am not expanding the number of scholarships
26. available to each member. I am simply offering as an alternate
27. that a member may use the one annual scholarship at a
28. community college rather than at one of the four year schools.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Daley.
31. SENATOR DALEY:
32. The members do not have to use their Senate scholarships?
33. Is that correct? If they see fit, they don't have to issue

1. their Senate scholarships?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Netsch.

4. SENATOR NETSCH:

5. I think that's correct. Yes.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Daley.

8. SENATOR DALEY:

9. It's not mandated by law?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Netsch.

12. SENATOR NETSCH:

13. No, it's not mandated by law, no. There...it's an

14. entitlement, and someone has to apply and then that name has

15. to be turned in, so it is not a mandate.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Daley.

18. SENATOR DALEY:

19. I would hope that all of the Senators are aware of

20. that especially those that voted for 220.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Further discussion? Senator Walsh.

23. SENATOR WALSH:

24. Mr. President and members of the Senate, I rise in

25. opposition to this bill. Like Senator Netsch I was one of

26. those who was favor of repealing the General Assembly scholar-

27. ships. For that reason, I am opposed to extending those

28. scholarships or broadening them and making them anymore

29. available than they are now. I think Senator Netsch is...is

30. a little low on the...on the figures she cited, indicating

31. that the maximum cost is only seventy-seven thousand dollars

32. per year. We can give, Mr. President, four...four one

33. year scholarships under the present law. That being the

1. case, we could give four one year scholarships to a community  
2. college, and in the second year, of course, it would be  
3. double that expense, so I think potentially we're talking  
4. about not seventy-seven thousand dollars but maybe eight  
5. times that figure. Now, Mr. President and members of the  
6. Senate, one other shortcoming of this bill is that I could  
7. send one of my candidates for a General Assembly Scholar-  
8. ship to a college in another district, thereby imposing a  
9. tax burden on the...on the citizens of another district,  
10. and that just is not fair. The General Assembly should  
11. not mandate costs on local government, and we would be doing  
12. so by passing this bill, and if we're going to do it, at  
13. least those costs should be borne for the benefit of citizens  
14. within that district and not citizens from without that  
15. district. Mr. President, I think this is a bad concept,  
16. and I urge its defeat.

17.

18.

19.

20.

(end of reel)

21.

22.

23.

24.

25.

26.

27.

28.

29.

30.

31.

32.

33.



1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? Senator Soper.

3. SENATOR SOPER:

4. Thank you, Mr. President. I was going to bring  
5. up the same question or the same...voice the same  
6. opinion that Senator Walsh had, but maybe Senator  
7. Netsch would answer a question for me.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Indicates she will yield. Senator Soper.

10. SENATOR SOPER:

11. And I don't...what Senator Walsh says that you  
12. could send a student to any...any junior college...  
13. I call them junior college...any community college  
14. in the State. Is that...is that what we're talking  
15. about, Senator Netsch?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Netsch.

18. SENATOR NETSCH:

19. Theoretically, I think that would be possible,  
20. Senator Soper. I think as a practical matter, it would  
21. not be, because the whole point of a junior college  
22. in its great usefulness, is that someone is able to  
23. attend it near their home and I think you would find...  
24. and I do not have those figures in front of me at the  
25. moment, I think you would find that the attendants  
26. at, if you will, out of state or out of district  
27. junior colleges is fairly modest so that for the most  
28. part, what we would be talking about...where it was  
29. used is a scholarship that would be used in the  
30. district of that legislator or immediately thereby.  
31. And I might add, incidently, that it is an option only  
32. to the legislator. It is not something that is required.  
33. It is not an extra scholarship.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Soper.

3. SENATOR SOPER:

4. That, I understand, but now, in other words, if  
5. there are certain requirements or certain limitations  
6. on scholarships...not on scholarships but on attendance  
7. in community colleges and...and the...and the  
8. junior colleges limit attendance at the junior  
9. college from members of their district. In other words,  
10. the student has to live in the district or pay  
11. certain tuition fees. Now, if you...and the only  
12. reason that they can go into another district is if...  
13. if that district teaches a course that is not taught in the  
14. district that the student lives in. Now, under your...  
15. under your scholarship, you could...you could  
16. mandate a scholarship into another district and  
17. avoid that...that requirement.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Netsch.

20. SENATOR NETSCH:

21. No, that would not be true, Senator Soper.  
22. The...the basic premise of the General Assembly  
23. Scholarship is that the student has to be fully  
24. admissible and admitted under all of the normal rules  
25. and regulations before the scholarship is  
26. even made available. It doesn't in any way, impinge  
27. on the...the other requirements for admission.  
28. The only thing that happens when there is a General  
29. Assembly scholarship available, is that when the student  
30. is admitted, there is subsequently a waiver of tuition  
31. for that student. But, it would not change any of those  
32. prior rules.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Soper.

2. SENATOR SOPER:

3. What surprises me the most is now you're against...  
4. you're against scholarships in general and that's what  
5. you said, as far as legislative scholarships are  
6. concerned. That's right. That's what I mean. But,  
7. now you want to extend this legislative scholarship  
8. because someone from your district wants to go to  
9. a community college, right? Well, I'm...I'm happy  
10. to see that you...that you bend to the will of your  
11. constituency.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any further discussion? Senator Netsch to close  
14. the debate.

15. SENATOR NETSCH:

16. Well, thank you for those kind words, Senator Soper.  
17. It is true that there are people in my district who  
18. probably would like to be able to continue their  
19. education at a community college who are very strapped  
20. for funds and who would be greatly aided if they had  
21. a waiver of tuition and I have had applicants. I'm  
22. not the only one. There have been other legislators  
23. who have indicated to me that they would be very  
24. pleased to have available this as an option. I think  
25. the important thing is that it is only an option. It is  
26. one that the legislator does not have to use. It is  
27. entirely within the legislator's descretion. My guess  
28. is that it would be used fairly and frequently, but  
29. for meritorious cases, it's...it's a nice option to have  
30. available so long as the General Assembly Program exists  
31. and I suspect it is going to continue for several periods  
32. of time. I would like, in closing, just to emphasize  
33. that this is something that the community colleges themselves

Bill 227  
3rd Reading  
3/17/57

1. have strongly supported. They testified in favor of  
2. the bill in committee. They would be very pleased to  
3. have this available as a possible option to them in  
4. helping to maintain some students who might not  
5. otherwise be able to attend community colleges at all  
6. without some of this kind of help so they would find  
7. it extremely helpful. They are not at all concerned  
8. about any cost at the local level. It would be minimal  
9. compared to the advantages of having the opportunity  
10. to bring some students onto the campus who might not  
11. otherwise be able to do so. Again, it is an option  
12. that some of us would find very helpful and it is on  
13. that basis, that I would seek your support.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Hall, for what purpose do you arise.  
16. Senator Netsch has just closed the debate.

17. SENATOR KENNETH HALL:

18. Yes, I...I just simply wanted to speak in behalf  
19. of the bill, but I'll...since it's...too late.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right. The question is shall Senate Bill  
22. 221 pass. Those in favor will vote Aye. Those  
23. opposed will vote Nay. The voting is open.  
24. Have all voted who wish? Have all voted who wish?  
25. Take the record. On that question the Ayes  
26. are 17, the Nays are 25, 4 Voting Present. Senate  
27. Bill 221 having failed to received a constitutional  
28. majority is declared lost. Senator Berman, 227.  
29. On the Order of Senate Bills, 3rd reading, is Senate  
30. Bill 227. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 227.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Berman.

4. SENATOR BERMAN:

5. Thank you, Mr. President, Ladies and Gentlemen of the  
6. Senate. Senate Bill 227 addresses itself to an area  
7. that is very necessary in the rules of civil practice  
8. for the state courts of Illinois that sets out the  
9. ground rules for the bringing and pursuing of class  
10. action litigation. For many years, the Federal courts  
11. were the focal point for this kind of lawsuits.

12. The Federal courts have effectively closed off  
13. their availability for class action suits. These...  
14. this bill sets out the guidelines for bringing class  
15. actions in Illinois. It is the product of much  
16. deliberation by the Bar Associations. In essence,  
17. it has been recommended by the Development of the  
18. Law Committee of the Chicago Bar Association. It leaves  
19. a good deal of discretion in the hearing judge  
20. as to the requirements for notice and determination of  
21. proper class and dismissals. I'd be glad to respond  
22. to any questions regarding the details of Senate Bill 227.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion? Senator Bloom.

25. SENATOR BLOOM:

26. Sponsor yield for a short question?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Sponsor indicates he will yield. Senator Bloom.

29. SENATOR BLOOM:

30. Does this proposed legislation have that tract  
31. after the Federal Act that necessary and indispensable  
32. terminology, I hope not?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Berman.

2. SENATOR BERMAN:

3. No.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Any further discussion? Senator Glass.

6. SENATOR GLASS:

7. Thank you, Mr. President, Ladies and Gentlemen.

8. I would rise in favor of this legislation. As Senator

9. Berman has stated, Illinois now does not have

10. procedures set forth in the statute for the

11. class action litigation and this bill which has had

12. review by the Bar Associations, is not perhaps a perfect

13. bill, but I think it is something that should be

14. codified in the Statutes and I rise in support of it

15. and would urge a favorable roll call.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Further discussion? Senator Egan.

18. SENATOR EGAN:

19. Yes, would Senator Berman yield, please, for a

20. question?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Indicates he will yield. Senator Egan.

23. SENATOR EGAN:

24. Is it, in fact, more restrictive than that...than

25. the current method or does it allow and broaden the

26. possibility?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Berman.

29. SENATOR BERMAN:

30. It is much more permissive than the Federal rules

31. and it follows to a great extent, the guidelines that have

32. been followed by the trial courts in Illinois. But, what it

33. does and I think necessarily so, is set down the ground

SB 228  
2nd Reading  
5-17-77

1. rules for these kind of actions. I think it is...it
2. opens the courts for these kind of actions, sets down
3. guidelines, allows the courts to rule on specific cases
4. as to whether there is justification or no justification
5. for class actions.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any further discussion? The question is shall Senate
8. Bill 227 pass. Those in favor will vote Aye. Those
9. opposed will vote Nay. The voting is open. Have all
10. voted who wish? Have all voted who wish? Take the
11. record. On that question the Ayes are 52, the Nays
12. are none, none Voting Present. Senate Bill 227,
13. having received a constitutional majority is declared
14. passed. Senator Guidice, 228. Senator D'Arco, for
15. what purpose do you arise?

16. SENATOR D'ARCO:

17. 228, Mr. Sponsor, I am...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Oh, are you the chief sponsor?

20. SENATOR D'ARCO:

21. I am the chief sponsor of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. I beg your pardon. All right. On the Order
24. of Senate Bills, 3rd reading, is Senate Bill
25. 228. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 228.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator D'Arco.

32. SENATOR D'ARCO:

33. ...and supervision dispositions at the present time
34. when a finding of guilty is entered and a judgement so

1. imposed, the person given the supervisory period  
2. has to wait until three years before he can expunge  
3. his arrest record which is contrary to the misdemeanor  
4. provisions of the statutes and all this bill would  
5. do would allow him to expunge his arrest record  
6. upon completion of the supervisory period, however  
7. long that period is. And I would move for the  
8. ...favorable roll call.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any discussion? Senator Berning.

11. SENATOR BERNING:

12. Just one quick question, not being that versed  
13. in this, I see what is stricken here, but where does  
14. it say that it has to be a year, then?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator D'Arco.

17. SENATOR D'ARCO:

18. It...it doesn't have to be a year, whatever  
19. the supervision period is. It could be six months, it  
20. could be a year, it could be up to two years.  
21. And when that period is terminated, then the defendant  
22. should be allowed to expunge his arrest record.  
23. Instead of waiting for a three year period after the  
24. completion of the supervision period, however long  
25. that will be.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Berning.

28. SENATOR BERNING:

29. I guess then, the question is, why?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator D'Arco.

32. SENATOR D'ARCO:

33. Because supervision generally is a slap on the wrist



1. type of a disposition by a judge and it really doesn't  
2. have the criminal intent behind it that most of the  
3. felony provisions in the statutes do and there could  
4. be...there is a problem with having a man who was  
5. given supervision for some very minor criminal offense  
6. wait three years after his period of supervision is  
7. terminated before he can expunge his record. He should  
8. be allowed to do it immediately upon termination of the  
9. period.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? Senator Berning.

12. SENATOR BERNING:

13. Am I, then, to understand that this is in the case  
14. of minor offenses?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator D'Arco.

17. SENATOR D'ARCO:

18. Yes, this is strictly for quasi-criminal and  
19. minor misdemeanor offenses.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Graham.

22. SENATOR GRAHAM:

23. I think you perhaps have answered the question, but  
24. this does not include penalties?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator D'Arco.

27. SENATOR D'ARCO:

28. Not at all, Senator. Not at all.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. All right. Any further discussion? The question is  
31. shall Senate Bill 228 pass. Those in favor will vote  
32. Aye. Those opposed will vote Nay. The voting is open.  
33. Have all voted who wish? Take the record. On that

1. question, the Ayes are 51, the Nays are none, none
2. Voting Present. Senate Bill 228, having received
3. a constitutional majority, is declared passed.
4. Senator Hickey, on 230. All right. On the Order of
5. Senate Bills, 3rd reading, is Senate Bill 230.
6. Read the bill, Mr. Secretary.
7. SECRETARY:
8. Senate Bill 230.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Senator Hickey.
13. SENATOR HICKEY:
14. Mr. President and fellow Senators. This bill
15. provides that any not-for-profit corporation, public
16. or private, which the court finds capable of providing
17. an effective program for the aged, may be appointed
18. conservator of the person or of the estate for aged
19. individuals judged to be incompetent, and nursing
20. homes are excluded. The reason for this is that
21. there are lots of aged people who are alone who have
22. no families, who have very little money and need to have
23. people look after them. But, it's very difficult
24. for the State's Attorney or the court to find people
25. willing to serve as conservators, because there's
26. nothing in it for them. People simply don't come
27. forward. But agencies would be willing to perform
28. this service and we've first based this proposition
29. on a model which has been operating for the retarded
30. so that there is a...there is a precedent for it.
31. I...the probate judge in Winnebago County called me.
32. He's retired after thirty years service. He said this is
33. very, very essential legislation. I've also had

1. communications from other places in this State  
2. urging this and I ask a favorable vote.  
3. PRESIDING OFFICER: (SENATOR ROCK)  
4. Any discussion? Senator Knuppel.  
5. SENATOR KNUPPEL:  
6. Would the sponsor please indicate what preference  
7. this person would have in relation to the public  
8. administrator or conservator who does have a position  
9. in the order of those entitled to serve a decedent's  
10. estate.  
11. PRESIDING OFFICER: (SENATOR ROCK)  
12. Senator Hickey.  
13. SENATOR HICKEY:  
14. You mean...oh, a decedent's estate? Well, this...  
15. this concerns people who are living.  
16. PRESIDING OFFICER: (SENATOR ROCK)  
17. Senator Knuppel.  
18. SENATOR KNUPPEL:  
19. Well, I think they also have...they also have some  
20. preferences on that. If a...if it's to be a conservator,  
21. the person isn't able to nominate and I...have you got it  
22. set up so that then, it's those people who would have  
23. preferences or what...what's the order of preference  
24. in other words?  
25. PRESIDING OFFICER: (SENATOR ROCK)  
26. Senator Hickey.  
27. SENATOR HICKEY:  
28. I'm sorry, Senator Knuppel. There is nothing about  
29. preference included in the legislation. If there should  
30. be, I'd be glad to take it from the record and try  
31. to work that out, if you think that's essential.  
32. PRESIDING OFFICER: (SENATOR ROCK)  
33. The...some have indicated that would be the better

1. choice at this point.

2. SENATOR HICKEY:

3. Very good. I'll be glad to do that. Thank you.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. All right. Take that...take that from the record,

6. Mr. Secretary. 234, Senator Lemke. 235, Senator Chew.

7. 239, Senator Lemke. 241, Senator Lemke. 244, Senator

8. Glass. 244. On the Order of Senate Bills, 3rd reading,

9. is Senate Bill 244. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 244.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Glass.

16. SENATOR GLASS:

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

18. the Senate. Senate Bill 244 seeks to provide some relief

19. to local school districts with regard to mandated programs.

20. It is not a major change in the present law but it is

21. a beginning step. What it does in effect, is to say

22. where we have mandated programs that must be provided

23. by local school districts and also have agreed to provide

24. funding for the programs, that the mandate may be

25. modified. The program may be modified where the funding

26. is not provided. I have removed from this legislation

27. both bilingual education and special education so that

28. they are not affected. But, I think even without them,

29. it is an indication to our school districts of our

30. intent to perform on our funding where we mandate

31. programs and agree to fund them or else allow local

32. districts to modify them. I'd be happy to answer any

33. questions.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. All right. We've got more than one who indicated  
3. they wish to speak. Senator Buzbee.

4. SENATOR BUZBEE:

5. Well, I'm not a lawyer, Senator Glass, but it seems  
6. to me there's a possible...there's a possible question  
7. here that could be brought up by the courts at some  
8. point in the future. If a school district, let's  
9. say we did not fully fund the General Distributive  
10. Formula and...and a school district would then say  
11. well, you tell us that we have to teach math, science,  
12. physical education and so forth. Since you did not  
13. fully fund it, those are the programs that are paid  
14. for out of...out of that money and therefore, we're  
15. not going to offer that. I'm wondering if you would  
16. address that.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Glass.

19. SENATOR GLASS:

20. Yes, Senator Buzbee. The question is a good one  
21. and we considered that and therefore, named the  
22. programs specifically that are affected and they are  
23. pupil transportation, school lunch programs, or breakfast  
24. programs and driver education. So those are the only  
25. programs covered.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. Well, I'm not so sure that we ought to at this  
30. point, say to schools, we're going to give you the option  
31. to have a school lunch program or a transportation program  
32. to get the children to school. The Governor of this State  
33. has appointed a commission on mandated programs. Half  
34. of that commission is devoted to the field of education.

1. I happen to be a member of that commission along with  
2. two or three others in this Body and it seems to me at  
3. this point that we probably ought not to pass this bill  
4. until that commission has had a chance to report back  
5. its findings to the Governor and the General Assembly  
6. as to what disposition we're going to make of any  
7. mandated programs as per schools in the future. I don't  
8. believe that we ought to be doing this at the present time.  
9. I'm afraid that the language would be such that  
10. ...that schools could automatically start opting out  
11. if we don't give them every dollar that they think  
12. they are entitled to.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Senator Wooten.

15. SENATOR WOOTEN:

16. Mr. President, I simply wanted to comment that when  
17. this bill started out, I was...I thought it was a fearless  
18. stroke on Senator Glass' part, but I see that those  
19. segments of the educational establishment with real  
20. clout have moved in and are exempted from the provisions  
21. of the bill. So, since it really is a rather weak  
22. gesture in this whole direction. I think we would be  
23. better advised to just see if we can't get some  
24. stronger recommendations from the Governor's Commission  
25. and not make any moves at this time because really,  
26. we're not...the bill, in its present form, doesn't  
27. address much at all. And so I think we'd be well  
28. advised just to wait and see what the commission has to say.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Grotberg.

31. SENATOR GROTBURG:

32. Thank you, Mr. President and members of the Senate.  
33. I rise in support of this bill and to the previous speaker

1. who said that this bill does only a little bit, I would  
2. suggest to you that the bill that I had that did a lot  
3. more did not get received very well at all. And I  
4. recommend to you that there are thousands or at least  
5. hundreds of local school boards out there that have  
6. been waiting for a crumb, a crumb of some kind to say  
7. that yes, they are a representative local unit of  
8. government and that they have some say about what  
9. goes on in their school district Even though this  
10. is not strong enough for me, I'm certainly  
11. sure that it is strong enough to give some hope  
12. to school boards all over the State of Illinois who  
13. are trying in some way to offset the thing that we do  
14. to them every year when we mandate programs and forget  
15. to send them the money. It gives them a little room  
16. to live and to expand on their self control at home and  
17. I recommend an Aye vote for this fine bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Berman.

20. SENATOR BERMAN:

21. Thank you, Mr. President, Ladies and Gentlemen  
22. of the Senate. I rise in opposition to Senate  
23. Bill 244. Sorry, John. I think that this is an  
24. area that has been greatly discussed and there are  
25. no simple answers. I would point out that the  
26. Governor has appointed a committee to study mandated  
27. programs. If you recall the Governor's Budget  
28. Message, he acknowledged the problems that local  
29. districts have regarding complying with programs  
30. that the Legislature has required them to provide  
31. and yet our fiscal restraints prevent us from being  
32. able to fully fund all of those programs. This bill  
33. may be a good bill, but I'm not sure that it has been

1. studied adequately in order for us to determine whether  
2. it is a good bill. I'm going to vote Present because  
3. I think that we ought to allow the Governor to do his  
4. thing through the committee and the commission that he  
5. has appointed, a bipartisan committee, made up of  
6. legislators, representatives of the Illinois Office  
7. of Education, the Governor's Office, local school  
8. boards and others and allow them to evaluate these  
9. programs in depth so that we know that whatever action  
10. is taken, is taken intelligently and with proper  
11. evaluation. I think otherwise, we may be doing  
12. a great disservice to programs that are needed. The  
13. school lunch program is one that could be jeopardized  
14. by this bill and I'm not sure that by the passage  
15. of this bill, we don't jeopardize an awful lot of  
16. Federal money that's tagged...that comes into Illinois  
17. for school lunch programs. I haven't gotten that answer  
18. yet. I think we're a little premature on this bill.  
19. I am not going to support it today.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any further discussion? Senator Hynes.

22. SENATOR HYNES:

23. Would...would the sponsor yield to a question?

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Indicates he will yield. Senator Hynes.

26. SENATOR HYNES:

27. Senator, the bill has now been changed to provide  
28. that the school board may simply modify a program  
29. rather than modify or discontinue. How...how do you  
30. define modify and would it be possible to modify something  
31. so substantially that it would be discontinued?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Glass.



1. SENATOR GLASS:

2. I would yield to your interpretation of the word  
3. "modify," Professor Hynes, but I...I think probably that  
4. is...that is correct. It...it does give the local  
5. district the power to make those modifications that  
6. it feels are appropriate by virtue of the lack of  
7. funding. But, I would say to you this, that if partial  
8. funding were provided by the State, it would be my  
9. opinion that the program could not be discontinued  
10. but only modified in accordance with the reduced  
11. funding.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Hynes.

14. SENATOR HYNES:

15. Mr. President, members of the Senate. It seems  
16. to me, and I believe that the purpose behind this bill  
17. is noble in that we are saying to the State of Illinois  
18. and to the Legislature and to the Governor, thou shalt  
19. not mandate programs, shall not require local school  
20. districts to institute programs without also making  
21. sure that the resources necessary to put those  
22. programs on are available. And that certainly is  
23. something that we ought to do. I think it...it has  
24. particular application for the future and any new  
25. programs that we may be considering in this General  
26. Assembly. But, it seems to me that this bill as...  
27. as amended, is premature and...and ought not to be passed.  
28. I think that there is a commission studying the matter.  
29. That report ought to be made and I think the fact that  
30. this has been now narrowed down to three...basically  
31. three programs, makes the bill in...in my mind anyway,  
32. something that ought to be simply held here until  
33. we can have a further look at it.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Hickey.

3. SENATOR HICKEY:

4. Mr. President, I'd like to say that when I had  
5. the Physical Education Bill to cut the mandate from  
6. four to two years, I was told that exceptions are very  
7. often granted from mandates by the Office of Education  
8. now. That, for instance, as I understand, Springfield  
9. High School never has had four years of mandated  
10. physical education so that it seems to me there must  
11. be, maybe I shouldn't say never has had, I see  
12. John Davidson going to his microphone, but apparently  
13. it is possible to have...to get variances granted  
14. without too much difficulty at this time. So,  
15. that in the light of the fact that we do have a task  
16. force working on this problem to bring us solutions  
17. for all time, I would think we should wait.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Davidson, do you  
20. wish to respond to that?

21. SENATOR DAVIDSON:

22. Yes, I do. May not be a mandated in the classroom  
23. but the only other way you can not do it in the classroom  
24. is a contract P.E. which you must prove you are taking  
25. five hours of that type of sport or education or competing  
26. in a ballet dance or a few other things to make the  
27. sufficient number of hours, Senator Hickey. There's  
28. no way they cannot do it.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any further discussion? Senator Glass may close  
31. the debate.

32. SENATOR GLASS:

33. Well, thank you, Mr. President, Ladies and Gentlemen.  
34. I think the comments in opposition to the bill have illustrated

1. for everyone the problem that we're facing. It is  
2. difficult to give local school districts some  
3. relief from the mandates we have imposed upon them.  
4. Now, following the course of this bill, and there were...  
5. there were quite a few that came in to the Legislature  
6. this Session, all of the special interests which  
7. are concerned with the different areas that have been  
8. mandated, come out in strong opposition to...to  
9. any change. We have been told that the Governor's  
10. Task Force is working on this problem and I know that's  
11. true and I hope that that work will bear some fruit,  
12. but in my district and with the educators and school  
13. boards and others that I've talked to around the State,  
14. this single problem is probably of more concern to them  
15. than any others. The imposition of requirements on  
16. local schools that are supposed to be funded at the  
17. State level, we, then, don't have the funds and do  
18. not appropriate them in full and yet expect the  
19. districts to pay for their programs. It's a beginning.  
20. It's a significant indication to the districts. As  
21. Senator Grotberg has so correctly said, that we mean  
22. to make some changes in this area. I don't think it's  
23. premature. I think it's a good indication by us that  
24. we...we mean what we say and that where we have mandated  
25. programs requiring our local schools to provide them,  
26. promised them money and then have not delivered on our  
27. promise, that they should have some discretion to  
28. modify them. Ladies and Gentlemen, let's give  
29. our local school districts credit for knowing what is good  
30. for them and give them at least this measure of relief.  
31. I urge an Aye vote.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. The question is shall Senate Bill 244 pass. Those

1. in favor will vote Aye. Those opposed will vote Nay.  
2. The voting is open. Have all voted who wish?  
3. Have all voted who wish? Take the record. Sponsor  
4. has requested that consideration be postponed. It will  
5. be so ordered. Senator Hickey, do you wish now to return  
6. to 230? Okay. On the Order of Senate Bills, 3rd reading,  
7. is Senate Bill 230. Read the bill again, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 230.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Hickey.

14. SENATOR HICKEY:

15. Thank you, Mr. President. I checked out the problem  
16. of preference with two legal eagles, Senator Knuppel  
17. and Senator Donnewald and this...now we're satisfied  
18. that this pertains not to procedures, that's a judicial matter,  
19. but simply to qualifications for people being...for  
20. conservators. Remember, this is a program which will make  
21. it possible for indigents, for confused people who have  
22. no families, to have agencies look after their affairs,  
23. but does preclude nursing homes from being appointed.  
24. And I ask for a favorable vote.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any discussion? The question is shall Senate Bill  
27. 230 pass. Those in favor will vote Aye. Those opposed  
28. will vote Nay. The voting is open. Have all voted who  
29. wish? Have all voted who wish? Take the record. On  
30. that question the Ayes are 48, the Nays are none,  
31. none Voting Present. Senate Bill 230, having received  
32. a constitutional majority is declared passed. Senator  
33. Maragos, for what purpose do you arise?

1. SENATOR MARAGOS:

2. I would like to state that if I...unfortunately  
3. was not on the Floor at the time that 230 was being  
4. voted on, I would have voted Aye...

5. PRESIDING OFFICER: (SENATOR ROCK)

6. The record will so reflect. Senator Graham,  
7. for what purpose do you arise?

8. SENATOR GRAHAM:

9. I just wanted to call the attention to the fact  
10. that some of the people who erroneously give me the  
11. wrong title now and then, for them to witness the  
12. fact that I was a cosponsor on Senator Hickey's bill.  
13. If you think that's a great transgression in my  
14. ability to do something good, it's not. I really  
15. think that was a good bill.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. 246, Senator Glass. 248, Senator Schaffer.  
18. On the Order of Senate Bills, 3rd reading, is Senate  
19. Bill 248. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 248.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Mr. President, this bill would simply allow  
28. the county board to determine the basis of compensation  
29. for board of reviews. Currently, they're locked into  
30. a per diem situation. Some of the bigger counties  
31. have opted or would like to opt to pay a monthly salary.  
32. Some of them can almost justify a full-time  
33. board of review.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any discussion? Senator Kenneth Hall.
3. SENATOR HALL:
4. Would the sponsor yield to a question?
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Indicates he will yield. Senator Hall.
7. SENATOR HALL:
8. Senator Schaffer, what about the board of assessors?
9. I have both in my area. What would apply to them?
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Schaffer.
12. SENATOR SCHAFFER:
13. This bill only applies to township counties. I'm
14. not familiar with that particular board. The bill
15. doesn't attempt to address itself to that.
16. I have no familiarity with that area.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Senator Kenneth Hall.
19. SENATOR HALL:
20. Well, I would like to...I would like to know. I mean,
21. I wouldn't like a bill to go out of there that was giving
22. one section...one purpose...one group of mine something
23. without the other. They're both on...of course, in my
24. district, I have them that they're...they're full
25. salaries now.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Schaffer.
28. SENATOR SCHAFFER:
29. I'm told that's a different section of the statute
30. and two unrelated areas.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Any further discussion? The question is shall
33. Senate Bill 248 pass. Those in favor will vote Aye.

1. Those opposed will vote Nay. The voting is open. Have  
2. all voted who wish? Have all voted who wish? Take  
3. the record. On that question the Ayes are 45, the Nays  
4. are none, 3 Voting Present. Senate Bill 248, having  
5. received a constitutional majority is declared  
6. passed. Senator Regner, for what purpose do you arise?  
7. SENATOR REGNER:

8. Point of personal privilege.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. State your point, Sir.

11. SENATOR REGNER:

12. Members of the Senate, we all have met and become...  
13. come to know our chief law enforcement official  
14. here in Illinois, Director of the Department of  
15. Law Enforcement, Ty Fahner, and I'd like you all to meet  
16. his boss, Mrs. Ann Fahner.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. 277, Senator Glass. 281, Senator Donnewald.  
19. All right. On the Order of Senate Bills, 3rd reading  
20. is Senate Bill 281. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 281.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Donnewald.

27. SENATOR DONNEWALD:

28. Yes, Mr. President. Senate Bill 281 requires that  
29. the sulfur dioxide emission regulations be no more  
30. restrictive than the necessary to meet the National  
31. Ambient Air Quality Standards. If sulfur dioxide...  
32. levels are allowed to reach these upper levels, why, that's...  
33. that's...that would be the same as the Federal...and  
34. the purpose of this particular legislation as stated, is

1. to further the development of coal fields in Illinois  
2. and I'm told by responsible sources that this  
3. will probably double the output of coal and also the  
4. employment in that field. After several weeks of  
5. negotiating between the coal industry and the EPA  
6. and the...the...the PCB, the Pollution Control Board,  
7. they did come to an agreement and the result is this  
8. particular piece of legislation. I would appreciate  
9. a favorable roll call.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any discussion? The question is...Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President and members of the Senate. Just  
14. a fast comment. I'm certainly going to support this  
15. bill of Senator Donnewald's but just a few years ago  
16. back in 1970, we were stopping all of this and tell  
17. them they couldn't burn Illinois coal and the flag  
18. was up and everybody was scared about what...they  
19. were going to happen and I...I just want...let's take  
20. a good look at this energy crisis that they're trying  
21. to get us all excited about now. You know, I don't...  
22. I don't fear this. I think that the future is good.  
23. It's a good outlook and we can resolve the problem  
24. just like we resolved the problem of burning Illinois  
25. coal. We're going to burn a lot of it. We're going  
26. to find new sources of energy. And I think that this is  
27. a step forward, not backward like we took before when  
28. we stopped burning leaves out in your back forty and  
29. you couldn't burn Illinois coal and all that. Let's  
30. solve the problem and not take a step back and cut down  
31. on the gas consumption and the goodies that we have  
32. in this country. Let's make use of our natural resources  
33. and...and get some good for our society. This is a good



1. bill, Senator.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further discussion? Senator Hickey.

4. SENATOR HICKEY:

5. I'd like to ask a question, please.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Sponsor indicates he'll yield. Senator Hickey.

8. SENATOR HICKEY:

9. Senator Donnewald, does this refer to only...

10. to new industries which do not now have the mechanisms

11. which do improve the air pollution...or which...which

12. help with air pollution, or does this mean that

13. restrictions would be taken off and some mechanisms

14. which were...are now in use, and would cost nobody anything

15. to keep using, would no longer be made use of.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Donnewald.

18. SENATOR DONNEWALD:

19. No. No, this would apply to all.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any further discussion? The question is shall

22. Senate Bill 281 pass. Those in favor will vote Aye.

23. Those opposed will vote Nay. The voting is open.

24. Have all voted who wish? Have all voted who wish?

25. Take the record. On that question, the Ayes are

26. 42, the Nays are 7, none Voting Present.

27. Senate Bill 281, having received a constitutional

28. majority is declared passed. Senator Berman, 284.

29. Middle of page fourteen. Okay. Senator Berning,

30. 287. On the Order of Senate Bills 3rd reading, is

31. Senate Bill 287. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 287.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Berning.

5. SENATOR BERNING:

6. Thank you, Mr. President. Senate Bill 287

7. as originally introduced, has been totally eliminated

8. and we now have before us a request from the Department

9. of Personnel for an amendment to the code which

10. grants further authority to the Civil Service Commission

11. to initiate investigations in the events of layoff

12. appeals. I know of no objections. I will, however,

13. be happy to try to answer questions, but would appreciate

14. a favorable roll call.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Is there any discussion? The question is shall Senate

17. Bill 287 pass. Those in favor will vote Aye. Those

18. opposed will vote Nay. The voting is open.

19. Have all voted who wish? Have all voted who wish?

20. Take the record. On that question the Ayes are 50,

21. the Nays are none, 1 Voting Present. Senate Bill 287

22. having received a constitutional majority is declared

23. passed. 289, Senator Wooten. 295. 297, Senator

24. Buzbee. On the Order of Senate Bills, 3rd reading, is

25. Senate Bill 297. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 297.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Thank you, Mr. President. Senate Bill 297 would

1. provide for a biennial financial audit by the Auditor  
2. General of school associations which receive membership  
3. dues or fees from public school district funds. It  
4. prohibits the payment of dues by public school districts  
5. and denies the use of public school and state universities  
6. facilities to school associations which do not comply  
7. with the Act. We have amended the bill to say that we're  
8. addressing those associations which conduct statewide  
9. tournaments and teams sports or athletics or other  
10. statewide competition for its member schools, or their  
11. students which receive membership dues or fees paid  
12. from public school district funds. This specifically  
13. addresses three associations. One of them is the Illinois  
14. High School Association, one of them is the association  
15. that deals with the junior high school competition  
16. and one of them is the association that deals with  
17. those schools which engage in competitions lower than the  
18. junior high school level. It's my understanding, as a  
19. matter-of-fact that the...the two latter named associations  
20. are really very small. So, we're specifically addressing  
21. them and the Illinois High School Association. All  
22. the bill does is say the Auditor General will audit them.  
23. They have, by their admission, a million and a half  
24. dollars of funds that have been accumulated from the use  
25. of public facilities and from public funds. They have  
26. a million and a half dollars in their treasury right  
27. now. All I want to do is to make them accountable  
28. through the Auditor General conducting a biennial  
29. audit, make them accountable for those funds. It's not  
30. aimed at anybody or anything. I know the opposition  
31. that has arisen from the Illinois High School Association  
32. which I, quite frankly, find humorous because it makes  
33. me think, I wonder why they're opposed to out looking  
34. at their books. And that's all we're doing. Look at

1. their books every two years. I have asked the Auditor  
2. General to...to give me a estimate as to the cost  
3. of doing this. He has said fifty thousand dollars,  
4. he thinks, every two years. I told him I thought that was  
5. a high figure. He agreed that possibly it was,  
6. and...but he said I would like that amount amended into  
7. my budget just in case but I probably won't spend quite  
8. that much. Now, the opposition that the High School  
9. Association...Illinois High School Association expressed  
10. in committee, was that you shouldn't do this because  
11. it costs money. Now, if you follow that line of  
12. reasoning, we shouldn't audit anybody in state government  
13. because it costs money. That way we could do away  
14. with the Auditor General and with all of his staff.  
15. In Washington, they could do away with...with GAO,  
16. the General Accounting Office and...and not spend the  
17. money that it takes for them to do their audits.  
18. So, I don't follow that line of reasoning. I want  
19. them to be accountable to us, the elected representatives  
20. of the people of this State and all I'm asking is that  
21. their funds be made...their books be made available  
22. for our audit and our perusal.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Any discussion? Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. Well, I stand in opposition  
27. to this bill. I think every year we get an accounting  
28. of all funds and the balances in the Illinois High  
29. School Association. The Board of Directors of this  
30. Association is made up of school people elected throughout  
31. the State of Illinois. Sure they have balances of a  
32. million dollars, but all their income comes from two or  
33. three events and so, I don't think we should criticize

1. somebody for having enough money to carry on a years  
2. operation. They're frugal, they're books are open.  
3. I see no need for this legislation and if there's  
4. some justification, and you talk about doing away  
5. with the Auditor General, we'd probably be money  
6. ahead if we did, Senator Buzbee, because we lost  
7. a million dollars once with a crooked Auditor General.  
8. Now, we're spending probably fifty million dollars  
9. to solve that problem. So, I think this is unneeded  
10. and I'd certainly hope you vote against it.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Davidson.

13. SENATOR DAVIDSON:

14. Yes, Mr. President and members of the Senate. I'd  
15. like to speak in opposition to this bill cause one of  
16. the points made was that taxpayers money goes to pay  
17. that organization. Well, included in the organization who  
18. is going be audited by this, there's no such thing  
19. such as the Illinois Association of School Boards which  
20. dues are paid by school boards from tax local real estate  
21. property tax. Also, the Illinois Education Association  
22. in a back handed way, their teachers are paid by a tax  
23. and they pay dues in their organization and...not asking  
24. to be audited. I think this is totally uncalled for.  
25. You and I as members of the Legislature, receive the  
26. CPA firm audit of this organization. So, they do have  
27. assets, maybe more than what the Senator doesn't want them  
28. to have, but I don't think it's our business. It's  
29. their...their organization. They pay into it. They  
30. raised their funds from what they sponsor. There's a good  
31. many things they sponsor that children participate  
32. in that don't make money that the funds they receive  
33. from other groups, organizations they sponsored, does

1. carry. This is a totally unnecessary bill of a cost  
2. of fifty thousand dollars to audit an outside firm.  
3. I urge the defeat of it.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Maragos. Senator Harber Hall.

6. SENATOR HALL:

7. Well, I just wanted to clarify in relation to  
8. a remark that was made by a previous Auditor General  
9. that that gentleman was not an Auditor General, he  
10. was Auditor of Public Accounts. The Auditor General  
11. right now is a functionary of this Body with the House  
12. and is appointed for ten years and he is given an  
13. independent CPA audit annually of his...of his operation.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Grotberg.

16. SENATOR GROTBURG:

17. Will the sponsor yield for a question?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Sponsor indicates he will yield. Senator  
20. Grotberg.

21. SENATOR GROTBURG:

22. Senator Buzbee, in reading the bill and the  
23. amendment, do we now include only the High School  
24. Association and the athletic or is it all other  
25. organizations as the first thrust of the bill.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Buzbee.

28. SENATOR BUZBEE:

29. The amendment makes it effective just on the  
30. Illinois High School Association and on that  
31. association which conducts junior high school tournaments  
32. and on the association which conducts the...the elementary  
33. school. The latter two, as a matter-of-fact, I think,

1. only have one or two employees. I was...I amended it  
2. to try to get it away to make it absolutely explicit  
3. that we were not addressing such things as the Illinois  
4. School Board Association, et cetera. We only want  
5. to address those organizations which take in public  
6. monies and conduct these kind of tournaments. And  
7. that is those three associations, but primarily,  
8. we're talking about the Illinois High School Association  
9. because they're the biggie.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Grotberg.

12. SENATOR GROTBURG:

13. Then, with a simple Yes or No, my wife's Fox  
14. Valley Music Teacher's Association with a three hundred  
15. dollar budget is not part of this bill?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. I believe you expressed the question in the  
20. negative, so my answer is Yes, you are correct.  
21. It is not included.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Further discussion? Senator Bruce.

24. SENATOR BRUCE:

25. I rise in support of this legislation. It seems  
26. to me that the Illinois High School Association has  
27. taken a relatively autocratic position relative to many  
28. events throughout the State of Illinois. I have had  
29. bands denied access to events simply on the say so of  
30. the Illinois High School Association. They tell you if  
31. you participate, you'll lose your certification. If  
32. you participate, your teams cannot be involved in  
33. tournaments. It seems to me that an agency that has  
34. that kind of authority, we ought to take a look at its

1. books or if we cannot do that, then we ought to transfer  
2. this entire function over into the Illinois Office  
3. of Education. Seems to me that they are providing a  
4. state function. They are involved with the State  
5. of Illinois. They get the school buildings free to  
6. operate tournaments which they charge admission  
7. prices to. They turn a pretty good buck and it's time  
8. for the citizens of the State of Illinois to know  
9. exactly what they're making and how it's being  
10. disbursed.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. Move over, Nixon, Erlichman and all the rest of you.  
15. If we're going to start running an audit on the same  
16. basis that the IPS run their check, if it's punitive,  
17. if it's vindictive, if we don't like them because  
18. they're autocratic, hell, there's a lot of people  
19. that don't like me, but I don't think they've got the  
20. right to audit everytime and I just think this, that  
21. when we talk about fifty thousand dollars to audit  
22. a million and a half dollar account every two years,  
23. we're talking about percentages. I don't know. Do  
24. they furnish an audit by their CPA's? That's a  
25. question to the sponsor.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Sponsor indicates he will yield. Senator Buzbee.

28. SENATOR BUZBEE:

29. There is an audit performed which they publish  
30. in their...in their monthly magazine performed by a  
31. company that they hire.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Knuppel.



1. SENATOR KNUPPEL:

2. And that's made available public and  
3. I don't care how you vote on this bill. Hell, we've  
4. passed about fifty bills that were useless as Senator  
5. Davidson said already today. This is just another one.  
6. But,...but, when you start giving reasons like Senator  
7. Bruce did, that you don't like the organization and  
8. that's why you're going to audit them, then that's  
9. a hell of a way to run a show.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? Senator Rhoads.

12. SENATOR RHOADS:

13. I have a question of the sponsor. Senator Buzbee,...

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Indicates he will yield. Senator Rhoads.

16. SENATOR RHOADS:

17. At...at first blush I was...I see nothing wrong  
18. with this bill. I think the...the goal is good. However,  
19. the justification is that tax money eventually finds  
20. its way into these private school associations. And  
21. there are other instances that I can think of where...  
22. where this happens. Sizable amounts of...of public  
23. tax money eventually winds up with a private  
24. association of some kind. For example, the National  
25. Conference of State Legislatures, other groups that  
26. exist...other organizations exist where tax money  
27. winds up. What would your be...what would be your  
28. philosophy on down the road? Would you want to  
29. apply this same type of legislation to other such  
30. organizations?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Buzbee.

33. SENATOR BUZBEE:

34. Well, Senator Rhoads, I...I really haven't even

1. thought of that, you know, and I might be amenable  
2. to that at some time in the future. My reason  
3. for addressing this at this time was they do,  
4. by their admission, have a million and a half dollars  
5. and...and it's not all...a good portion of it  
6. is in...is in securities and long term C D's,  
7. et cetera, because they don't have...make use of it  
8. every year, they don't have need of it every year.  
9. They are a profit making organization. They don't  
10. declare dividends, but they keep the money. And  
11. so, you know, as to whether the extension of this  
12. and philosophically on into other organizations, I  
13. haven't really thought of. I'd be glad to talk to you  
14. about it, but at this point, I'm strictly trying  
15. to address this particular type of organization.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Glass.

18. SENATOR GLASS:

19. Thank you, Mr. President, Ladies and Gentlemen.  
20. I rise in opposition to this bill even though  
21. I supported it in committee and I do plead somewhat  
22. to the same feelings that Senator Bruce expressed.  
23. Over the years since I've been in the General  
24. Assembly, we've had four or five pieces of legislation  
25. dealing with the IHSA or related to the IHSA.  
26. There have been a number of...of our constituents, I'm  
27. sure, who have...who have objected to the way this  
28. organization has handled certain specific instances.  
29. But, I really don't think this is the way to get at  
30. those kinds of problems and since the passage of  
31. bill out of committee, I've had occasion to talk to a  
32. number of people in that organization and I expect others  
33. have heard from them also. I think it's proper for us to

1. have an overview over what they're doing. They are a  
2. private organization. It's a voluntary membership  
3. organization, but at the same time, let's face it.  
4. In order for them...or in order for a high school  
5. to participate in...in interscholastic athletic  
6. program, it must be a member. I...I think there is,  
7. as I say, much to be discussed about the IHSA,  
8. the way it operates, et cetera. But, I don't  
9. think that is relevant to this bill. All this bill  
10. does, is Senator Buzbee, and I agreed with you at the  
11. outset, it...it requires an audit by our State  
12. Auditor but I don't think that will give us  
13. very much more than we get now from the audit that  
14. is done on the books of the IHSA and it will do so,  
15. however, at substantial cost to the State and for that  
16. reason, I'm going to oppose the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Further discussion? Senator Smith. Is your mike working,  
19. Senator Smith? It appears that the million dollar system  
20. has again broken down. Senator Smith, can you move over...  
21. thank you, Sir. Put...Senator Washington's microphone,  
22. please.

23. SENATOR SMITH:

24. Yes, you...my friend advises that I use his name.  
25. I don't believe in indulging in personalities more  
26. than is absolutely necessary at times in this  
27. game of politics. I'd like to discuss the issue.  
28. I suggested to the sponsor of this bill that I would do  
29. one of two things, that I would either make a talk for  
30. this...his bill or against it, whichever will be of the  
31. most use to him in securing probably, the...let me stand  
32. here. I'm going to sit down in just a minute. I think,  
33. Mr. President and Ladies and Gentlemen of the Senate,

1. that a...an honest, in depth study such as is suggested  
2. here by this bill, I didn't read the bill, frankly  
3. and I don't know whether it calls for an in depth  
4. study or not. But, if there is anything wrong, turn  
5. it over to the Auditor General, the present acting head  
6. of the Legislative Audit Commission is present here on  
7. the Floor. He indicated to me that he will take the  
8. position with regards to this bill that I assert myself  
9. as intending to do. Frankly, I'm going to support  
10. the Senator's bill. If, as Senator Glass, intimated,  
11. that there should be a view taken of this particular  
12. set up, that he referred to, by initials only and I  
13. know what the initials stand for, then if there's much  
14. that is right in what they are doing with regard to the  
15. funds that come into their control or under their possession  
16. or oversight, we will reveal it. And if there is anything  
17. wrong, be it big or little, whatever the facts are,  
18. it will be revealed. The Audit Commission, I don't know  
19. whether at times, you appreciate the work that it's  
20. done for the State of Illinois. We've gone into all  
21. facets of government. We have tried to find out  
22. what the facts are and to report them without fear  
23. or favor. The Auditor General himself and his particular  
24. staff has thus far seen fit to operate in a way and  
25. manner that is for the best interest, not of any  
26. particular group other than for the people of Illinois  
27. as a whole, if given the chance to go into this  
28. whatever the facts are, we will ascertain those facts.  
29. We will make the report and that report will be altogether  
30. unbiased and in keeping with the intent of the motive  
31. which I believe that prompted the introduction of this  
32. bill. I'm going to vote for it, so that suggests  
33. that there will be at least two votes for it, the Acting

1. Chairman of the...of the Audit...Legislative Advisory Audit  
2. Commission and myself. And two men in the right will  
3. finally become a majority, if not in this particular  
4. instance, certainly later. I'm going to vote for the  
5. bill.

6.  
7.  
8.  
9.  
10.  
11.  
12.  
13.  
14. End of reel.  
15.  
16.  
17.  
18.  
19.  
20.  
21.  
22.  
23.  
24.  
25.  
26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.

1. PRESIDING OFFICER: (SENATOR ROCK)  
2. Further discussion? You wish recognition, Senator  
3. Soper? Senator Soper was on the list. Senator Soper.  
4. SENATOR SOPER:  
5. Thank you, Mr. President. The sponsor would you  
6. yield to a few questions?  
7. PRESIDING OFFICER: (SENATOR ROCK)  
8. He indicates he will yield. Senator Soper.  
9. SENATOR SOPER:  
10. Now...you...you say you saw the audit report  
11. that was published by...by this organization.  
12. PRESIDING OFFICER: (SENATOR ROCK)  
13. Senator Buzbee.  
14. SENATOR BUZBEE:  
15. That is correct.  
16. PRESIDING OFFICER: (SENATOR ROCK)  
17. Senator Soper.  
18. SENATOR SOPER:  
19. Would you tell me whether or not the auditors that  
20. handed in the report are CPA's or regular...recognized  
21. auditors, would be classified as acceptable.  
22. PRESIDING OFFICER: (SENATOR ROCK)  
23. Senator Buzbee.  
24. SENATOR BUZBEE:  
25. I think that's a two part question, Senator Soper,  
26. as to whether they are CPA's, I do not have the name of  
27. the firm in front of me now, I can only assume they are.  
28. I think anybody that performs professional audits are  
29. ...are CPA's. The second part of your question is is  
30. that adequate, I believe, and...and my response is no,  
31. I don't think so. I think that because there is public  
32. monies involved here that they ought to be accountable  
33. to us, the elected representatives of the people who are

1. responsible for public monies and so through our servant, the  
2. Auditor General, I want him to audit them.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Soper.

5. SENATOR SOPER:

6. Well, understand that the, you're talking about tax  
7. money. Understand that membership is twenty-five dollars  
8. a year and most of their money is gained from the partici-  
9. pation of...of...of selling of tickets or whatever it is  
10. at the basketball games or whatever they run. Is that...  
11. is that true, there's a twenty-five dollar membership?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Buzbee.

14. SENATOR BUZBEE:

15. It's my understanding that the membership is twenty-  
16. five dollars per year from each high school that belongs,  
17. however they do use public buildings, the school buildings  
18. which we pay for...for the...for the massing of their  
19. profit which now is something like a million and a half  
20. dollars that they have and...so that's why I want them  
21. accountable to us.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Soper.

24. SENATOR SOPER:

25. Yeah, with all the expenses that are paid at the  
26. ...at the facilities that they use, they pay all the  
27. expenses, I understand that and they...they pay a rental and  
28. ...and that's why I think you're a little wrong here,  
29. Senator Buzbee. Now, if we're going to take...I  
30. want to finish up now, if we're going to take somebody  
31. that receives twenty-five dollars from our institutions  
32. and then we're going to spend fifty thousand dollars  
33. and maybe that's the minimum, to audit the books of this

1. organization, have to have a certified CPA send in  
2. an audit. If we feel that you want some more informa-  
3. tion. Anybody can go to this institution and get  
4. the...get their audit and look at their books, why  
5. should we spend fifty-thousand dollars to accommodate  
6. a few people who...who have a little, looks like they  
7. have a little bone to pick with somebody and I think  
8. with all due respect to Senator Smith, I'm usually  
9. on his side, but I don't think he would want us to  
10. spend fifty-thousand dollars for this nit-picking.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Further discussion. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Senator Buzbee, when I first saw this bill in  
15. committee, I thought that it was kind of a ridiculous unnecessary  
16. bill and far below your usual standard of expertise and  
17. knowledge, but frankly my reservations for this bill have  
18. faded based largely on the protests of the organization  
19. to be audited. If they're this anxious not to be  
20. audited, they ought to be audited. If they'd come in  
21. and said audit us, we don't care, I'd have been against  
22. the bill, but when somebody protests as hard as this  
23. organization has protested to keep the Auditor General  
24. out of their little bailiwick, I start to get suspicious.  
25. They've obviously worked very hard to see this bill  
26. into oblivion. I wonder why, I'm going to support  
27. it cause I want to find out why.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Any further discussion? Senator Buzbee, close  
30. the debate.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. I think that most of  
33. my closing, I've already used in response to other



1. questions. I like you, Senator Schaffer, have been very  
2. surprised, shocked and horrified at all of the opposition.  
3. I in fact at one point had even considered putting this  
4. bill on the agreed bill list and...and I...you know, I  
5. wonder too why it is they are so opposed to our...our  
6. employee, the Auditor General, from coming in and auditing  
7. them. He does that with every other State Agency for us  
8. and I think that...I think that they have a million and a half dollars  
9. about half of which is in Certificates of Deposit in  
10. securities, that they ought to be willing to let that  
11. money be audited. I will close by saying that I have  
12. the following cosponsors on this bill, Bruce, Netsch,  
13. Regner, Glass, Morris, Shapiro, Roe, Bloom, Schaffer,  
14. Berman, Hynes, Newhouse, Johns, Harber Hall, Vadalabene,  
15. Hickey, Demuzio, Wooten, Carroll, Rock and Egan. That's  
16. what I hope that they will. If they all vote for it, I've  
17. got almost enough to pass it there, but I think Senator  
18. Schaffer's summation was absolutely brilliant. It was  
19. the whole reason for the bill in the first place.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right. The question is shall Senate Bill 297  
22. pass. Those in favor will vote Aye. Those opposed will  
23. vote Nay. The voting is open. Have all voted who wish?  
24. Have all voted who wish? Have all voted who wish? Take  
25. the record. Sponsor has requested consideration postponed.

26. SENATOR BUZBEE:

27. Postpone.

28. PRESIDING OFFICER:

29. The sponsor has requested consideration postponed.  
30. So ordered. 298, Senator Glass. Oh, Senator Grotberg,  
31. for what purpose do you arise?

32. SENATOR GROTBORG:

33. Thank you, Mr. President. Thank you, Mr. President.  
34. I rise to introduce in the President's Gallery, the

1. distinguished ladies from DeKalb County. I will not  
2. go through the long list of personalized names that  
3. I did on my last introduction, Mr. President, except  
4. to say that the ladies from DeKalb are...are shared by  
5. Representative Ebbeson in the 37th District and  
6. Doctor Shapiro who is not here today and I have the  
7. 38th District next door, Annette Noren is my Legislative  
8. Aide in my district and the lady in yellow I want you  
9. to know is the lady who came down to sleep with her  
10. Representative this evening, Mrs. Jo Ebbeson, for  
11. whom I will give up my bed tonight. Jan, ladies.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Will our guests in the gallery please stand  
14. and be recognized. 304, Senator Graham. 304. Top  
15. of page 15. Okay. 305, I understand Senator Knuppel,  
16. there's an amendment. 313, Senator Merlo. On the  
17. Order of Senate Bills 3rd reading is Senate Bill 313.  
18. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 313.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: SENATOR DONNEWALD)

24. Senator Merlo.

25. SENATOR MERLO:

26. Mr. President and members of the Senate. Senate  
27. Bill 313 as amended is now an agreed bill between the  
28. Cook County Board and the Cook County Hospital Governing  
29. Committee. What it does is structures a procedure as to  
30. require payment of tax funds to the hospital to commence  
31. upon the receipt by the county of the proceeds from  
32. the sale of tax and participation notes and I ask your  
33. favorable consideration.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)
2. Is there further discussion? Senator Demuzio.
3. SENATOR DEMUZIO:
4. Yes, will the sponsor yield to a question?
5. PRESIDING OFFICER: (SENATOR DONNEWALD)
6. He indicates he will.
7. SENATOR DEMUZIO:
8. Senator Merlo, is this...does this still provide
9. for line item budget to be submitted to the County
10. Board, it does not. Is that...was that the agreement?
11. PRESIDING OFFICER: (SENATOR DONNEWALD)
12. Senator Merlo.
13. SENATOR MERLO:
14. No, it does not. That has been deleted by
15. the amendment, Senator Demuzio.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Is there further discussion? Senator Glass.
18. SENATOR GLASS:
19. Thank you, Mr. President. Senator Merlo, you
20. indicated that this is now approved by the Cook
21. County Board. You know how the Republican members
22. of the board stand on it?
23. PRESIDING OFFICER: (SENATOR DONNEWALD)
24. Senator Merlo.
25. SENATOR MERLO:
26. Yes, Senator Glass, they...they are in favor of
27. this as amended.
28. PRESIDING OFFICER: (SENATOR DONNEWALD)
29. Is there further discussion? Senator Merlo may
30. close the debate.
31. SENATOR MERLO:
32. I ask for a favorable roll call.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

SB 316  
3rd Reading  
5-17-77

1. The question is shall Senate Bill 313 pass. Those  
2. in favor indicate by voting Aye. Those opposed No. The  
3. voting is open. Have all those voted who wish? Take  
4. the record. On that question the Ayes are 50, the Nays  
5. are None, 2 Voting Present. Senate Bill 313 having  
6. received a constitutional majority is declared passed.  
7. As to Senate Bill 316, Senator Kosinski. Read the bill.

8. SECRETARY:

9. Senate Bill 316.  
10. (Secretary reads title of bill)  
11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator "Fire Chief" Kosinski.

14. SENATOR KOSINSKI:

15. Do you part in the middle or do you part to the  
16. side. Mr. President, before I go into the bill, I  
17. want to thank the colleague who presented me with this  
18. fine fireman hat. It reminds me of the days when I  
19. was a small guy, Mother bought a little fire wagon  
20. and a fire hat. I...I appreciate this and in my first  
21. order I appoint Howard Carroll who presented me this  
22. fine gift as Assistant Fire Marshall and Senator Daley  
23. as Deputy of the City of Chicago Fire Department and  
24. Senator Glass, the Suburban Chief. Thank you very  
25. much. Mr. President, and members of the Senate. Senate  
26. Bill 316 is designed to increase the fairness of the  
27. procedures for local referendums relating to the  
28. authority to allow or prohibit retail sales of alcoholic  
29. liquors. The bill provides for a ninety day period  
30. for discussion of the issues rather than the present  
31. sixty day period. It is felt that more time is needed  
32. for the public discussions and information on the issues.  
33. Also a plain description of the area to be affected as

1. well as a legal description that will be required. And  
2. only one petition on the subject may be considered at  
3. each election. These measures are designed to reduce  
4. the confusion for the voters. Finally a liquor license  
5. in the area may contest the validity of a petition in  
6. court which is only fair since his livelihood is being  
7. affected. The bill has been recommended by the  
8. Illinois Liquor Control Commission and Circuit Judge  
9. Harry Comerford, the City of Chicago who wrote the  
10. following letter. May I read the quote. In my  
11. opinion, the bill as it is being submitted would  
12. be one that would be credible to all parties con-  
13. cerned as a result of hearing many of the local  
14. option matters in the past ten years. I am of  
15. the opinion that there is a need for this type  
16. of legislation. I respectfully, at this time,  
17. ask for a favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? The question is shall Senate Bill 316 pass.  
20. Those in favor vote Aye. Those opposed vote Nay.  
21. The voting is open. Have all voted who wish? Take  
22. the record. On that question the Ayes are 52, the  
23. Nays are none, none Voting Present. Senate Bill  
24. 316 having received the constitutional majority is  
25. declared passed. Senate Bill 320, Senator Vadalabene.  
26. Read the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 320.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Vadalabene.

33. SENATOR VADALABENE:

1. Hello Dolly. Yeah, it's on. Yes, thank you, Mr.  
2. President and members of the Senate. I appreciate  
3. this hat Norby, I recall during World War II my  
4. occupation being a truck driver and they put me in  
5. the infantry. So, I...I, you spoke on a bill that  
6. didn't have anything to do with fire and you got  
7. a hat. Mr. President, I would request at this  
8. time if Senate Bill 320 and Senate Bill 1203, they  
9. are companion back...bills, and ask leave to be  
10. heard at the same time and have separate roll calls.  
11. Mr. President, Mr. President.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Yes, Senator Vadalabene.

14. SENATOR VADALABENE:

15. Mr. President, I would like to have leave to  
16. have Senate Bill 320 and Senate Bill 1203 heard  
17. at the same time. They are companion bills, one  
18. has...without passing one, you can't pass the  
19. other. I'll explain both of them and then have  
20. separate roll calls.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there leave? Leave is granted. Senator,  
23. on Senate Bill 320.

24. SENATOR VADALABENE:

25. Senate Bill 320 is...designed to allow fire  
26. protection districts to adopt by reference and  
27. enforce fire prevention codes parallel to national  
28. standards. This bill does not apply to municipalities  
29. in which codes have already been adopted. Senate  
30. Bill 1203 was introduced in connection with Senate  
31. Bill 320 to avoid a conflict with the present law.  
32. Senate Bill 1203 deletes the provision in the statute  
33. which prohibits the adoption by reference of national

1. standards, thereby permitting Senate Bill 320 to  
2. achieve its purpose without statutory conflict.  
3. This bill is a product of the Illinois Fire Pro-  
4. tection District Association and I appreciate  
5. a favorable vote.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? Senator Bowers.

8. SENATOR BOWERS:

9. Sponsor yield to a question, please.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Indicates that he will yield.

12. SENATOR BOWERS:

13. Now, if I understand this correctly, we have  
14. no exception in here as it relates to a County  
15. Building Code, is that correct?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, that's correct.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Bowers.

22. SENATOR BOWERS:

23. I come from DuPage County, the garden spot of  
24. the State, you understand, and we have a very  
25. good County Building Code, as a matter of fact  
26. it's much stronger than most municipal codes. Now,  
27. I'm not sure whether they've adopted the...the national  
28. code that you're talking to by reference. But, we  
29. also have a number of fire protection districts in  
30. the county and I'm not sure in the unincorporated areas  
31. just whose...whose ordinance is going to prevail here,  
32. if they are in conflict, and I...and I'm a little  
33. concerned about dragging in various local units of

1. government in the unincorporated areas and trying to  
2. coordinate those with the County Building Code and  
3. I'm wondering is there's any...any thought been  
4. given to that kind of a conflict that could develop.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. The statute is only permissive, so there would  
9. not be any conflict.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Bowers.

12. SENATOR BOWERS:

13. Permissive on whose part?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. On the part...on the part of the fire protection  
18. districts.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Bowers.

21. SENATOR BOWERS:

22. Well, then it would appear to me that there would  
23. definitely be a conflict if one or two or three of  
24. the local fire protection districts were to disagree  
25. with the County Building Code and adopt a separate  
26. and distinctly different code as it relates to...to  
27. fire so that when I went to the county and attempted  
28. to get a building permit, I...I'm just not sure  
29. whose code I'd have to...have to comply with. And  
30. secondly, since you do not apply for a building  
31. permit from the fire protection district, whose  
32. going to enforce their regulations.

33. PRESIDING OFFICER: (SENATOR BRUCE)



1. Senator Vadalabene. Could we have some order, gentlemen.  
2. Senator Vadalabene.  
3. SENATOR VADALABENE:  
4. It would appear that the individual fire protection  
5. districts would enforce the regulation.  
6. PRESIDING OFFICER: (SENATOR BRUCE)  
7. Senator Bowers.  
8. SENATOR BOWERS:  
9. Well if you don't have to apply to them to get a  
10. building permit, where...where are they going to  
11. exercise that jurisdiction?  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. Senator Vadalabene.  
14. SENATOR VADALABENE:  
15. This applies to the Board of Trustees of the  
16. fire protection district so it would apply to  
17. the Board of Trustees.  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19. Senator Bowers.  
20. SENATOR BOWERS:  
21. Well I...I...you know, I'd like to support the  
22. sponsor's bill, but I'm a little confused and I...and  
23. I think we're running into...into a definite serious  
24. conflict, particularly in some of the metropolitan  
25. counties. I'm thinking particularly, I don't know,  
26. is Cook County excluded from this?  
27. PRESIDING OFFICER: (SENATOR BRUCE)  
28. Senator Vadalabene.  
29. SENATOR VADALABENE:  
30. Yes, it does not apply to any counties of over five  
31. hundred thousand.  
32. PRESIDING OFFICER: (SENATOR BRUCE)  
33. Senator Bowers.

1. SENATOR BOWERS:

2. Well, I...I'm going to ask the sponsor if he would  
3. mind pulling it from the record for now, I'd like to  
4. sit down and talk to him because I think it does  
5. create a distinct problem in some of the counties  
6. that have a building code, particularly my county,  
7. because we do have a number of fire protection  
8. districts and I can see utter chaos when it comes  
9. to attempting to get a building permit, and I  
10. would like to talk to him about it if he doesn't  
11. mind.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. I would...be more than glad to hold the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. All right. Senator Vadalabene moves to ask  
18. that Senate Bill 320 be taken from the record. Also,  
19. the same motion as to Senate Bill 1203. All...is  
20. there leave? Leave is granted. Senate Bill 322.  
21. Senator Harber Hall. Senate Bill 345, Senator  
22. Buzbee. Read the bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 345.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Yes, Mr. President. This bill applies to the  
31. Teacher Pension System the Teacher Pension Code.  
32. What it does is, it strikes the requirement that  
33. evidence of credible service be established by the

1. member with the Board of Trustees of the Teachers  
2. Retirement System within a certain period of time.  
3. This applies to those teachers who have had previous  
4. teaching outside of the State of Illinois. I'll  
5. give you the specific gentleman that I have in mind.  
6. He taught for three years in Michigan, came back  
7. to Illinois, has been teaching here for twelve  
8. years now, decided he would try to buy into the  
9. Illinois Teacher Pension System, Downstate Teacher  
10. Pension System, for those three years of Michigan  
11. time, checked with the system only to find out  
12. that the deadline for this buying in period was  
13. already passed. It's been the contention of the  
14. Pension Laws Commission to remove all deadlines.  
15. Mr. Baker, of the Downstate Teachers Pension  
16. System testified that he thought there would  
17. probably be very very few individuals in the  
18. state that would be affected by this. It just  
19. simply allows him to buy in. Most teachers  
20. that have been...have already bought in that  
21. had out of state service, but there are a few  
22. who didn't, so we'll just remove the deadline  
23. and say they can buy in for that out of state  
24. service. They've got to continue to meet the  
25. rest of the rules and regulations as established  
26. by the system and by law.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? The question is shall...  
29. Senator Berning. Senator Berning.

30. SENATOR BERNING:

31. Just...just to point out that this bill, yes,  
32. did get the approval of the Pension Laws Commission  
33. and I would suggest that the members on this side

1. that it is a bill to be voted for.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? Senator Coffey.

4. SENATOR COFFEY:

5. I have a question of the sponsor.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Buzbee.

8. SENATOR COFFEY:

9. Senator Buzbee, if I understood you correctly

10. you say if a teacher come from another state that

11. worked there three years now and the State of

12. Illinois for twelve years, that there would be

13. no limit in...in time when that person could also

14. include, buy into the state for the other three

15. years, is that...is that correct?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. That's what my bill would do. Pardon me just

20. a minute, the pages there are blocking...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Knuppel and the two gentlemen cannot

23. see.

24. SENATOR BUZBEE:

25. A...a...Senator Coffey, the situation is that

26. under the present rules and laws they can buy in

27. time. It's just that there's always a cut off

28. date as to when they can buy in the time. This

29. would remove that cut off date. Now, they still...

30. they still can only, I've forgotten what the

31. formula is, but they can only still buy in only

32. X number of years for out of state service. I'm

33. not touching that at all, I'm not doing anything

34. except removing the deadline date as to when they'll

1. buy in.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Coffey.

4. SENATOR COFFEY:

5. What if this was in an opposite situation, someone

6. had been here three years and was going to that state,

7. is this consistent throughout all the states, the same

8. requirements, someone would been in L. A. three years

9. now they're in Wisconsin or Minnesota or so on.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Well that would...that of course be...he would

14. fall then into the laws of that state as to their

15. teacher pension system and I...I really don't know.

16. I just don't know.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? The question is shall

19. Senate Bill 345 pass. Those in favor vote Aye.

20. Those opposed vote Nay. The voting is open. Have

21. all voted who wish? Have all voted who wish? Take

22. the record. On that question the Ayes are 52, the

23. Nays are none, none Voting Present. Senate Bill

24. 345 having received the constitutional majority

25. is declared passed. Senate Bill 347. Read the bill,

26. Mr. Secretary.

27. SECRETARY:

28. Senate Bill 347.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Clewis.

33. SENATOR CLEWIS:

34. Mr. President, and members of the Senate. Senate

1. Bill 347 simply would provide that appeals from  
2. applicants or recipients of Public Aid would be  
3. heard by a Commissioner of Appeals rather than a  
4. a Commissioner of Appeals in Chicago and then outside  
5. of Chicago in Cook County by a welfare committee.  
6. It would make it uniform in Cook County. The bill  
7. applies only to Cook County.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there further discussion? Senator Moore.

10. SENATOR MOORE:

11. Yes, thank you very much, Mr. President. I'm  
12. in favor of Senate Bill 347. As was stated it  
13. applies only to the County of Cook. It will  
14. alleviate a lot of expense and nuisance types of cases  
15. that we do have up there. There's only about twenty  
16. two appeals a year and I would urge the members on  
17. this side of the aisle to vote for this bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further discussion? The question  
20. is shall Senate Bill 347 pass. Those in favor  
21. vote Aye. Those opposed vote Nay. The voting  
22. is open. (Machine cut-off) voted who wish? Take  
23. the record. On that question the Ayes are 53,  
24. the Nays are none, 1 Voting Present. Senate  
25. Bill 347 having received a constitutional  
26. majority is declared passed. For what purpose  
27. does Senator Hall arise, Harber Hall arise?

28. SENATOR HARBER HALL:

29. Well, Mr. President, fellow Senators, seated  
30. in the galleries and to my rear are the Illinois  
31. Federation of Republican Women who are here in  
32. the home town of Abraham Lincoln to hold their  
33. annual meeting. I would like Mary Jo Arndt and

1. her group to stand and be recognized by us.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Would they please stand and be recognized by  
4. the Senate. Senate Bill 350, Senator Berning. Read  
5. the bill, Mr. Secretary.

6. SECRETARY:

7. Senate Bill 350.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Berning.

12. SENATOR BERNING:

13. Thank you, Mr. President. Senate Bill 350 is  
14. an amendment to the existing Physician Assistant  
15. Act. It's primary purpose is to upgrade the  
16. requirements for physicians' assistants here in  
17. Illinois. In the Act now, in the amendment to  
18. the Act, Senate Bill 350, we provide for the  
19. national standards to be a part of our require-  
20. ments for a physician assistant in Illinois.  
21. The bill has been thoroughly reviewed by all  
22. persons interested in the problem. It had a  
23. complete and thorough hearing in committee.  
24. All differences so far as I know, have been  
25. worked out and I would appreciate a favorable  
26. roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? Senator Wooten.

29. SENATOR WOOTEN:

30. Yes, I'm sorry Senator Berman, I don't have  
31. all the amendments at hand. I think I found one.  
32. Several concerns I have. According to the synopsis  
33. this enlarges the scope of responsibility. Do we

1. still have a one on one relationship between physicians'  
2. assistants and doctors?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Berning.

5. SENATOR BERNING:

6. Yes. The amendment which was distributed a  
7. week or so ago and I'm sorry if you have mislaid  
8. your copy, reaffirms the one on one. Strikes the  
9. paragraph which provided for independent judge-  
10. ment and...certain small sections, such as where  
11. it says, the services of the physicians, the  
12. assistants shall be considered as part of the  
13. overall services provided to a patient and shall  
14. be billed to the patient by the party or entity.  
15. This raised some questions, so that has been  
16. taken out. So far as I know, all points of  
17. dispute have been reconciled so that the bill  
18. now is essentially an upgrade of the Physician  
19. Assistant Act to be sure, as I pointed out  
20. before, that the requirements for licensing in  
21. Illinois is in conformity with the national  
22. standards. In fact we had participants in  
23. our hearings representing the National Association.  
24. A Mr. McCormick of the Illinois Academy, we had  
25. Dr. Rivera of the Edgewater Hospital...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Wooten.

28. SENATOR WOOTEN:

29. Just one specific question now. In the employ-  
30. ment of physicians assistants by the Department of  
31. Mental Health and Developmentally Disabled, are  
32. they...is the employment of PA's strictly limited  
33. to service under a doctor?



1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Berning.  
3. SENATOR BERNING:  
4. Yes, under the direct supervision.  
5. PRESIDING OFFICER: (SENATOR BRUCE)  
6. Senator Wooten.  
7. SENATOR WOOTEN:  
8. So, in all cases, the PA is employed and super-  
9. vised by a doctor. He is not employed by a hospital  
10. or not employed by the department, but employed  
11. and supervised by a doctor on a one to one relation-  
12. ship, you're certain of that now.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Senator Berning.  
15. SENATOR BERNING:  
16. The...Senator Wooten, in all cases where the  
17. doctor is operating as an independent practioner  
18. whether it's a hospital or health care facility  
19. or in his own office. The physicans' assistant is  
20. paid by him. If the physicians' assistant is  
21. employed by the Department of Mental Health,  
22. he is not paid. The doctor is paid by the Depart-  
23. ment of Mental Health, but the doctor is in  
24. direct supervision of that physician assistant.  
25. PRESIDING OFFICER: (SENATOR BRUCE)  
26. Senator Wooten.  
27. SENATOR WOOTEN:  
28. So, to be sure I have the correct distinction,  
29. PA's can be employed by hospitals or the department.  
30. No, they cannot. Okay, but, so they are...you're  
31. telling me they're only employed by physicians  
32. and supervised by physicians. I thought you  
33. perhaps had some allowance for them to be employed

1. by hospitals or the department, but under the super-  
2. vision of a doctor.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Berning.

5. SENATOR BERNING:

6. In no private hospital can the physician assistant  
7. be employed by other than the doctor. In the Depart-  
8. ment of Mental Health where the doctor is working  
9. for the department, there the physician assistant  
10. would be paid by the Department of Mental Health.  
11. That's the only exception.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Kenneth Hall.

14. SENATOR KENNETH HALL:

15. Yes, would the sponsor yield to a question?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. He indicates that he will yield.

18. SENATOR KENNETH HALL:

19. Senator what's the position of the AMA on this?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berning.

22. SENATOR BERNING:

23. The Medical Association supports this bill as  
24. amended and so does the Department of Registration  
25. and Education. I am pleased to report that Billy  
26. Page was a major witness before the committee and  
27. subcommittees as we worked out the amendments.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Kenneth Hall.

30. SENATOR KENNETH HALL:

31. What about the Nurse's Association?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Berning.

1. SENATOR BERNING:

2. I cannot speak for them. There was one witness  
3. there listening. The Nurses' Association, and there  
4. are two or three associations incidently. There is  
5. one Nurses' Association which may have some reser-  
6. vations, but their position is their own prerogative.  
7. There is no conflict between the physician assistant  
8. and the nurse.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Kenneth Hall.

11. SENATOR KENNETH HALL:

12. Well, my understanding Senator, is the Nurses'  
13. Association is opposed to this bill. Now, I want  
14. to know, you said you had an amendment. Now, at  
15. the time this bill was up that was in the Act that  
16. the...it was decided that physicians' assistant  
17. do not possess the level of medical knowledge  
18. necessary to integrate and interpret findings. Now,  
19. did you put an amendment on that to take that out?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berning.

22. SENATOR BERNING:

23. Senator, I believe you are referring to page 1,  
24. lines 21 through 26...25. Where it says physicians'  
25. assistants can exercise a degree of independence,  
26. synthesis and judgment. Yes, that has been taken  
27. out.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Hall.

30. SENATOR KENNETH HALL:

31. Now, why was that deleted? What justifies it?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Berning.

1. SENATOR BERNING:

2.           There was objection to what appeared to be  
3. authorizing physicians' assistant...a physicians'  
4. assistant to exercise the kind of judgment that  
5. ought to be reserved for the doctor. In fact,  
6. I think this is one of the sections that the  
7. nurses objected to the most.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9.           Senator Kenneth Hall.

10. SENATOR KENNETH HALL:

11.           I have just one other question, Senator. Now,  
12. you say that you have them where that the who  
13. would be legally liable for the PA when a temporary  
14. delegation...suppose there were two doctors and one  
15. doctor delegates the other, this PA over to another,  
16. now who's responsible for it? If there are two  
17. licensed physicians.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19.           Senator Berning.

20. SENATOR BERNING:

21.           The original hiring physician.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23.           Further discussion. Senator Schaffer.

24. SENATOR SCHAFFER:

25.           I'm not sure, Senator Hall, but it's my under-  
26. standing of the bill that you cannot, the doctor  
27. cannot delegate the responsibility in this area.  
28. I think Senator Berning has made a...a good  
29. effort and a successful effort to solve the problems  
30. in this bill. Admittedly, there are some nurses  
31. against it, they're not really against the bill,  
32. they're against the whole concept. I might add  
33. that some of the problems that Wooten alluded to

1. are not related to this bill, but are in fact related to  
2. another bill which Senator Carroll is sponsoring and  
3. it probably is dripping in merit, but this issue is  
4. not part of that...that issue is not part of this  
5. discussion. This is a good bill. I think it's a  
6. step forward and we should all support it.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion. Senator Rhoads.

9. SENATOR RHOADS:

10. Well, Senator Hall, I just want to echo the  
11. comments of Senator Schaffer. I served on the  
12. subcommittee with Senator Berman and Senator  
13. Collins. It had extensive hearings on this bill.  
14. Senator Berning put in an awful lot of work. He  
15. made every...attempt to incorporate the ideas of  
16. the Illinois Nurses' Association, the Med Society  
17. and so forth. When we reported the bill back  
18. to the full committee, the Illinois Nurses' Associa-  
19. tion representative, who is a temporary person,  
20. not their regular representative, came and testified  
21. on the wrong bill. It was not Senate Bill 350 she  
22. was testifying on, but in fact Senate Bill 433.  
23. So, this is a...a composite effort of a lot of  
24. people and I think represents a great many  
25. points of view and should be supported.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator McMillan. Further discussion? Senator  
28. Berning may close the debate.

29. SENATOR BERNING:

30. Thank you, Mr. President. Let me emphasize  
31. once more that the primary purpose of Senate Bill  
32. 350 is to upgrade the requirements for Illinois  
33. Physicans Assistants, so that those who are licensed

1. to practice here in Illinois will be qualified as  
2. are the rest of them through out the nation and  
3. make our Illinois Assistants able to move from  
4. Illinois if they want to do so. This is essentially  
5. what the bill is intended to do.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is shall Senate Bill 350 pass.  
8. Those in favor vote Aye. Those opposed vote Nay.  
9. The voting is open. (Machine cut-off) voted who  
10. wish? Take the record. On that question the  
11. Ayes are 42, the Nays are none, 8 Voting Present.  
12. Senate Bill 350 having received a constitutional  
13. majority is declared passed. Senate Bill 351,  
14. Senator Nimrod. Read the...read the bill, Mr.  
15. Secretary. For what purpose does Senator Knuppel  
16. arise?

17. SENATOR KNUPPEL:

18. I just want to call attention to the fact  
19. the Director of Agriculture, John Block, is on  
20. the Floor.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Happy to have the director with us.

23. SECRETARY:

24. Senate bill 35...excuse me, Senate Bill 351.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Yes, Mr. President and fellow Senators. This  
31. is the appropriation for the ordinary and contingent  
32. expenses for the Illinois Arts Council. I'd be  
33. glad to answer any questions, if not, we'd ask

1. for a favorable roll call. The amount of money is  
2. two million, two hundred and eighty seven thousand,  
3. five hundred. The amendments that were put on this  
4. bill, one amendment deleted nineteen thousand for  
5. two provisions...for two persons who were on the  
6. Federal Payroll and there was a seventy-five thousand  
7. dollars addition added for the ethnic culture and  
8. art in committee.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Regner.

11. SENATOR REGNER:

12. Well, not only is it the usual request of two  
13. plus million dollars for an absolute total wasted  
14. agency, does nothing except spend money and increase  
15. by leaps and bounds in each and every year, but it  
16. also is seventy-five thousand dollars over budget.  
17. And I'm not going to vote no on it just because of  
18. the seventy-five thousand, but I've never voted  
19. yes on this terrible, terrible, practice that's  
20. practiced by the Illinois Arts Council and I would  
21. urge defeat of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Berning.

24. SENATOR BERNING:

25. Thank you, Mr. President. I have in my hands  
26. here a newspaper, it's called the Arts in Illinois,  
27. official publication of the Illinois Arts Council.  
28. It's eight pages long directed to the dissemination  
29. of the arts. My purpose in bringing it up, fellow  
30. Senators, is simply this. The Arts Council's request  
31. for money keeps escalating year after year. They  
32. are...their purpose is ostensibly to promote art  
33. and here is an example of how their funds are diverted

1. to other uses and I think it's highly inappropriate  
2. that they be publishing a newspaper.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? The question...  
5. Senator Rhoads.

6. SENATOR RHOADS:

7. Well, just very briefly, I had to explain to  
8. my good friend Senator Hall that I made a campaign  
9. promise to vote against this agency so I vote no.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there further discussion? The question is  
12. shall Senate Bill 351 pass? Those in favor vote  
13. Aye. Those opposed vote Nay. The voting is open.  
14. Have all voted who wish? Take the record. On  
15. that question the Ayes are 46, the Nays are 4, 2  
16. Voting Present. Senate Bill 351 having received  
17. the constitutional majority is declared passed.  
18. For what purpose does Senator Berning arise?  
19. SENATOR BERNING:

20. On a point of personal privilege. I wonder  
21. if the Body is aware that we have on the Floor  
22. today visiting us a former Assistant Majority  
23. Leader, when the Republicans were in Majority,  
24. and one of the all time greats in this Body,  
25. Senator Robert Coulson.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. We all welcome Senator Coulson back. Senator  
28. Leonard.

29. SENATOR LEONARD:

30. Just...just one note of irony or note, the  
31. physicians' assistance bill, which passed this  
32. afternoon was introduced five, six years ago  
33. and the initial sponsor was Senator Coulson.



1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. That's right. And I...I hope to work on that  
3. myself. Senator Vadalabene.  
4. SENATOR VADALABENE:  
5. Yes, if I could attract the attention of  
6. Senator Coulson.  
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. Senator Coulson.  
9. SENATOR VADALABENE:  
10. Senator Coulson, I'm over here, Senator Vadalabene.  
11. In...in your good humor and one time when you didn't  
12. lose your temper, I remember you saying they ought  
13. to name the State of Illinois the State of Vadalabene.  
14. Nobody has come up with an amendment yet. I...I  
15. just want to let you know that I'm glad to see you  
16. on the Floor of the Senate and looking so good.  
17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. Senator Soper.  
19. SENATOR SOPER:  
20. Yes, thank you. But, Senator Vadalabene, you forgot  
21. to tell Senator Coulson, they named a horse after  
22. you and they haven't found the horse yet.  
23. PRESIDING OFFICER: (SENATOR BRUCE)  
24. Senate Bill 353, Senator Lane. Read the bill,  
25. Mr. Secretary.  
26. SECRETARY:  
27. Senate Bill 353.  
28. (Secretary reads title of bill)  
29. 3rd reading of the bill.  
30. PRESIDING OFFICER: (SENATOR BRUCE)  
31. Senator Lane.  
32. SENATOR LANE:  
33. Thank you, Mr. President and members of the Senate.

1. Senate Bill 353 is a bill designed to update the  
2. Retirement Systems Articles language so that it  
3. is in agreement with the language of the Illinois  
4. School Code. There is no new funding required to  
5. compensate for the more liberal policies on  
6. surviving spouses and sick leave. This bill has  
7. been amended to get the approval of the Pension  
8. Laws Study Commission. There's no discussion,  
9. I ask for a favorable roll call.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? The question is shall  
12. Senate Bill 353 pass. Those in favor vote Aye.  
13. Those opposed vote Nay. The voting is open. Have  
14. all voted who wish? Take the record. On that  
15. question the Ayes are 52, the Nays are none, none  
16. Voting Present. Senate Bill 353 having received  
17. the constitutional majority is declared passed.  
18. Senate Bill 354, Senator Kenneth Hall. Read the  
19. bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 354.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Kenneth Hall.

26. SENATOR KENNETH HALL:

27. Thank you, Mr. President, fellow members of the  
28. Senate. Senate Bill 354 as amended will permit one  
29. tenant of a housing authority to serve as a commiss-  
30. ioner of that authority. A Housing Authority Board  
31. of Commissioners consist of five members. The five  
32. commissioners are appointed by the chief executive  
33. of the local government unit which organizes the

1. authority. The person appointing the commission  
2. is usually a mayor or a county board chairman or  
3. a president. After being appointed and being able  
4. to serve, a commissioner has to be approved by  
5. the Department of Local Government Affairs. Recently,  
6. the Illinois Appellate Court held that there was  
7. no problem with the tenant serving as the commissioner  
8. of a housing authority in which he lived. The  
9. Illinois Supreme Court overruled the Appellate  
10. Court. Now, I am advised that the court did not  
11. say it was unconstitutional for a tenant to be  
12. a commissioner of an authority in which he lived,  
13. it merely said that there was no specific provision  
14. in the law for a tenant to be a commissioner and  
15. there might be a conflict of interest. Because  
16. of this decision, several hard working sensitive,  
17. articulate tenant commissioners were forced to  
18. resign from the boards of their local authorities.  
19. This happened in my district and it happened in  
20. Rockford and some other places I'm told. This  
21. bill will correct this situation. It will allow  
22. a mayor or a County Board Chairman the option  
23. of appointing one Housing Authority Tenant a  
24. commissioner if he wants to. It does not say  
25. he has to appoint a tenant. It merely say he  
26. may if he wishes. I should point out that as  
27. amended this bill will limit the number of a  
28. tenant of a housing authority that can serve  
29. as a commissioner to only one at any given time.  
30. The states of California and Connecticut found  
31. themselves in the same situation recently and  
32. to correct it they enacted a statute similiar  
33. to the bill here. Let's clear up this situation

1. here in Illinois. A mayor or a county board chairman  
2. should be allowed to appoint, if they wish, as a  
3. commissioner, someone who is a tenant. If the  
4. commissioner violates their duties, the present law,  
5. Section IV, provides that their removable by their  
6. Department of Local Government Affairs. The depart-  
7. ment said in committee that they had no trouble with  
8. this bill. I solicit your most favorable support.  
9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Soper.

11. SENATOR SOPER:

12. Thank you, Mr. President. You know, we put  
13. up safeguards for all kinds of things. Now, we're  
14. going to put the fox in the hen house and that's  
15. what this thing's going to do. We've got...we've  
16. got to have some control over the peoples' money.  
17. If you put people in a housing project and all  
18. of a sudden you put one on the board, then you  
19. put two on the board and who then is in charge  
20. of this thing. Are you going to have the people  
21. that get the money and were taken care of run  
22. the commissions. You know what happens when...  
23. when you have a...when you have an appointive  
24. body and then you take and you say that appointive  
25. body can do certain things, all the pressure that's  
26. put on...on that mayor or on the elected body  
27. to appoint a commissioner from...from...a housing...  
28. from a housing development. Go through that  
29. housing development and they put the pressure  
30. on that mayor or...or that councilmen or who  
31. ever does the appointing. They say if you don't  
32. put so and so on this board, we're...we're going  
33. to vote against you. Then they'll have two

1. members or three members and they divide. When you  
2. allow this, all you're going to do is cause a lot  
3. of trouble for the municipal authorities that are  
4. supposed to watch this and I...I doubt that you're  
5. going to solve or help anybody with this sort of  
6. thing cause you're not going to have one appointed,  
7. but they...there's going to be a division and then the...  
8. and then the municipal organization can't operate  
9. cause they are going to be put to a task that they  
10. can't solve because we gave them an impossible  
11. task to solve. Not against somebody having some-  
12. thing to say about what they're doing but...but  
13. if you're going to...if you're going to watch  
14. the banks, you can't...you can't put the people  
15. in the banks that are supposed to watch the  
16. banks. In other words, you can't give Jessie  
17. James a key.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Hall may close  
20. the debate.

21. SENATOR HALL:

22. Well, I made it expressly clear, I thought  
23. that we amended the bill and it definitely says  
24. that only one tenant can serve and that's what  
25. it says and you can't put more than one on because  
26. the law so states. So I would ask your most  
27. favorable support for this bill because who would  
28. know better than the people who are there, someone  
29. who is their representative would serve on the  
30. board. There are five members and that he would  
31. only or she would only be one of five. I'd ask  
32. your most favorable support.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. What purpose does Senator Davidson arise?

2. SENATOR DAVIDSON:

3. Well, if he's through, I want to ask the sponsor  
4. a question and I didn't think you were getting your  
5. attention when I went in that wig-wagging signal.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The Chair apologizes, Senator Davidson. I  
8. did not see you. Senator Hall, will you still  
9. yield? Senator Davidson.

10. SENATOR DAVIDSON:

11. Senator Hall, though it's limited to one person,  
12. is there anything to prevent the mayor or the  
13. official appointing this person to make that one  
14. person the chairman of this authority?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Kenneth Hall.

17. SENATOR KENNETH HALL:

18. No, it just simply says there must be one, there  
19. can only be one. And I'm quite sure that no one is  
20. going to allow the tenant to beat the chairman  
21. of...of five member board. I'm certain of that.  
22. There's never happen in any place, I think you  
23. had a member of your board here. He wasn't, or  
24. she wasn't chairman. I had one down in my area  
25. that wasn't. There's one in Rockford I know that  
26. wasn't. I don't think there's no possible way  
27. that the mayor would appoint a tenant out of five  
28. to be the chairman.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Newhouse.

31. SENATOR NEWHOUSE:

32. The sponsor yield to a question?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. He indicates he will yield.

2. SENATOR NEWHOUSE:

3. If the chief executive of a municipality had  
4. enough confidence in someone who happened to live  
5. in the public housing project to appoint him as  
6. the chairman, would this bill prohibit that.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Kenneth Hall.

9. SENATOR KENNETH HALL:

10. No, it would not prohibit that.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Newhouse.

13. SENATOR NEWHOUSE:

14. Thank you, Senator. As I understand it,  
15. this bill is going to codify a practice that already  
16. occurs in a number of different areas in the state.  
17. And if that's true, it's like any other bill that  
18. grandfathers in, a practice that we've already gone  
19. through. It seems to me that this is a sort of  
20. informational kind of thing that I would suspect  
21. that the persons who know most about what goes  
22. on in the projects are those people who live there.  
23. And if we have a limitation of one single person  
24. it seems to me they'd be a little controversy  
25. over whether or not this would go. I think this  
26. is a good bill and I certainly intend to support  
27. it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Wooten.

30. SENATOR WOOTEN:

31. Yes, just...just to make that point. The value  
32. of having a person on the board who is actually  
33. in the project is the reason why this practice

1. is being followed more and more throughout the  
2. State of Illinois and I guess the decision said  
3. that could not be done without this enabling  
4. legislation, that's the bill purposes to do and  
5. I think it's a good idea to keep this practice  
6. going.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further debate? The question is shall Senate  
9. Bill 354 pass. Those in favor vote Aye. Those  
10. opposed vote Nay. The voting is open. Have all  
11. voted who wish? Have all voted who wish? Take  
12. the record. On that question the Ayes are 31,  
13. the Nays are 10, 4 Voting Present. Senate Bill  
14. 354 having received the constitutional majority  
15. is declared passed. Senator Rhoads.

16. SENATOR RHOADS:

17. Mr. President, I have...rise on a point of  
18. personal privilege. I have an apology to make  
19. to Senator Hall and to every member of the  
20. Chamber. A few moments ago in the debate on  
21. Senate Bill 350, Senator Berning's bill, the  
22. Physician Assistant Act, I stated that I was  
23. under the impression that the Illinois Nurses'  
24. Association had dropped their opposition. I  
25. was mistaken. That mistake was made honestly,  
26. but the INA had not dropped their opposition,  
27. they believed that the bill was cleaned up  
28. considerably, but they still oppose the concept  
29. and therefore oppose the bill. So if anyone  
30. was making a judgment and reliance on that  
31. misrepresentation, I apologize and will be happy  
32. to talk to you about it personally.

33. PRESIDING OFFICER: (SENATOR BRUCE)



SB 357  
3rd Reading  
5/17/77

1. Senate Bill 355, Senator Regner. Read the bill,  
2. Mr. Secretary.

3. SECRETARY:

4. Senate Bill 355.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Regner.

9. SENATOR REGNER:

10. Mr. President, and members of the Senate. Senate  
11. Bill 355 creates the legislative information system  
12. statutorily. As you know, for the last six years,  
13. we've been doing it by joint resolution and...we  
14. feel that it's here to stay and as Senator Hynes  
15. said yesterday, they did a good job in getting the  
16. Agreed Bill list up to us very rapidly and I would  
17. urge the passage of this bill. Is there further  
18. discussion? The question is shall Senate Bill  
19. 355 pass. Those in favor vote Aye. Those opposed  
20. vote Nay. The voting is open. Have all voted  
21. who wish? Take the record. On that question  
22. the Ayes are 51, the Nays are none, none Voting  
23. Present. Senate Bill 355 having received the  
24. constitutional majority is declared passed.

25. Senate Bill 357, Senator Netsch. Read the bill,  
26. Mr. Secretary.

27. SECRETARY:

28. Senate Bill 357.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Netsch.

33. SENATOR NETSCH:

34. Thank you, Mr. President. The four bills  
35. that are coming up now, 357, 358, 359 and 360

1. are all bills that came out of a series of hearings  
2. and the work of a committee on the rights of minors  
3. of the Illinois Commission on Children. I'll  
4. take each of them separately, but they are all part  
5. of a package in a sense. I might say that at the  
6. outside that all four of the bills have been supported  
7. by the Illinois Council of Juvenile Court Justices,  
8. which has requested favorable approval of all of them.  
9. Senate Bill 357 does several things. The first is  
10. to help to guarantee the right of council that  
11. is indeed by court decision guaranteed and by  
12. statute also guaranteed to juveniles in this State.  
13. It has not been particularly effective at all  
14. times and the amendments to this bill which make  
15. it clear that the public defender must act when  
16. appointed by the court in the case of an indigent  
17. juvenile and also that no petition may proceed if  
18. this has not been taken care of or designed to  
19. try to make sure that that right of council will  
20. be guaranteed where it has not been totally  
21. effective before. The bill also provides for a  
22. group of minors who are dependent through no fault  
23. of the person who is in charge of them. It's a  
24. group that has tended as the saying goes, to fall  
25. through the cracks before, and this bill brings  
26. the protections of the act to their...to them also.  
27. The bill also requires that county boards have the  
28. authority to provide in their annual appropriation  
29. authorization for the council costs where there  
30. is no public defender available. That's something  
31. that has been lacking before. Those are the  
32. essential provisions of this bill.  
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Senator Schaffer.

2. SENATOR SCHAFFER:

3. Senator Netsch, I...I realize there is some  
4. potential for fiscal implications with the bill,  
5. but a couple of specific questions. Does anything  
6. in this act authorize the Juvenile Court Judge  
7. to prescribe specific case work plans for the  
8. children and specific institutions or specific  
9. administrative plans for the children under its  
10. authority.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Netsch.

13. SENATOR NETSCH:

14. No, Senator Schaffer. That is not the intent  
15. of the bill. The...what is intended is to provide  
16. authority to the Juvenile Court Judge to fix  
17. responsibility on where there are wards of the  
18. court between one of several agencies in the case  
19. of children who are being shuttled back and forth  
20. from one agency to the other and to insist that  
21. someone take responsibility for that child and  
22. provide services, but it is not intended to  
23. allow the court actually to get into the case work  
24. decisions.

25.

26. END OF REEL #6

27.

28.

29.

30.

31.

32.

33.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Schaffer.  
3. SENATOR SCHAFFER:  
4. Is there anything in the bill that would allow  
5. the judge to mandate services which the Department  
6. has no appropriation for or has no funds for?  
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. Senator Netsch.  
9. SENATOR NETSCH:  
10. No, the answer is a clear No. The...there is  
11. an expression in the bill within authorized appropriations.  
12. So, that nothing could be ordered that was outside of  
13. authorized appropriations available to the agency.  
14. PRESIDING OFFICER: (SENATOR BRUCE)  
15. Senator Schaffer.  
16. SENATOR SCHAFFER:  
17. In that case, I think it's a good bill and I intend  
18. to support it.  
19. PRESIDING OFFICER: (SENATOR BRUCE)  
20. Any further discussion? The question is shall  
21. Senate Bill 357 pass. Those in favor vote Aye.  
22. Those opposed vote Nay. The voting is open.  
23. Have all voted who wish? Take the record. On that  
24. question the Ayes are 53, the Nays are none,  
25. 2 Voting Present. Senate Bill 357 having received  
26. a constitutional majority is declared passed.  
27. Senate Bill 358, Senator Netsch. Read the bill,  
28. Mr. Secretary, please.  
29. SECRETARY:  
30. Senate Bill 358.  
31. (Secretary reads title of bill)  
32. 3rd reading of the bill.  
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Thank you, Mr. President. This is essentially  
4. a companion bill to Senate Bill 357. It amends the  
5. language dealing with the Office of Public Defender  
6. to require that the Public Defender when so appointed  
7. by the court, act as attorney for an indigent juvenile  
8. under the Juvenile Court Act. It carries out the  
9. original intent of Senate Bill 357 and of the existing  
10. law.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? The question is shall Senate  
13. Bill 358 pass. Those in favor vote Aye. Those opposed  
14. vote Nay. The voting is open. Have all voted who wish?  
15. Take the record. On that question the Ayes are 54, the  
16. Nays are none, none Voting Present. Senate Bill  
17. 358, having received a constitutional majority, is declared  
18. passed. Senate Bill 359. Read the bill, Mr. Secretary,  
19. please.

20. SECRETARY:

21. Senate Bill 359.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Netsch.

26. SENATOR NETSCH:

27. Thank you, Mr. President. Senate Bill 359 is  
28. an amendment to the Juvenile Court Act and deals with  
29. the question of the confidentiality of records of  
30. juveniles. Essentially what it does, is to make it  
31. clear that police contact records where there is no  
32. actual adjudication of any wrong doing or delinquency  
33. on the part of a juvenile, may be transmitted to other  
34. law enforcement agencies, but only on a statistical

1. basis. That is without individually identifiable  
2. information. This is essential for the protection of  
3. the...the juveniles involved because in many cases,  
4. the police contact records are...are left somewhat  
5. vague about the disposition and in many cases, they  
6. result in nothing at all that...that comes close to  
7. being a delinquency adjudication. On the other hand,  
8. where there are court adjudications of delinquency,  
9. the records can be transmitted to appropriate law  
10. enforcement agencies and youth services under the  
11. safeguards provided in the Act and there is an  
12. overall provision that at the age of 19, when  
13. the minors reach the age of 19, that those records  
14. will be in effect, expunged. This is really an  
15. attempt to provide for juveniles some of the same  
16. kinds of protections about arrest records and  
17. dispositional matters that are already provided  
18. in legislation we passed last year and again this  
19. year with respect to adults.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there further debate? The question is shall  
22. Senate Bill 359 pass. Those in favor vote Aye.  
23. Those opposed vote Nay. The voting is open.  
24. Have all voted who wish? Take the record. On that  
25. question the Ayes are 54, the Nays are none, none  
26. Voting Present. Senate Bill 359 having received  
27. a constitutional majority is declared passed.  
28. Senate Bill 360. Read the bill, Mr. Secretary, please.

29. SECRETARY:

30. Senate Bill 360.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Netsch.

2. SENATOR NETSCH:

3. This bill, which is an amendment to the Illinois  
4. Commission on Delinquency Prevention Act does essentially  
5. the same things with respect to the confidentiality  
6. of juvenile records as the preceding bill did in terms  
7. of an amendment to the Juvenile Court Act. It does  
8. authorize the Commission to maintain police contact  
9. records, a record of them, on a statistical basis,  
10. but without individually identifiable information.  
11. And it also provides that the Commission may develop  
12. rules that help to carry out the intent of the Act  
13. with respect to this and that its rules will be subject  
14. to the Administrative Procedure Act.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further discussion? Senator Berning.

17. SENATOR BERNING:

18. Just one question of the sponsor. When you talk  
19. about a statewide statistical police contact record  
20. keeping system, what kind of money are we talking about  
21. and whose responsibility is it to fund this?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Netsch.

24. SENATOR NETSCH:

25. This is part of the Commission's responsibility  
26. and if I can find it, we have discussed with them,  
27. what fiscal impact there might be, Senator Berning, and  
28. the Commission on Delinquency Provention has informed  
29. us that the proposed legislation can be handled without  
30. requiring any new appropriation. It is sufficiently  
31. within the framework of that which they already have  
32. a responsibility to do. So, there is no fiscal  
33. implication to this, according to the Commission.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Further debate? The question is shall Senate  
3. Bill...Senator Maragos.  
4. SENATOR MARAGOS:  
5. Will the sponsor yield to a question?  
6. PRESIDING OFFICER:(SENATOR BRUCE)  
7. Indicates that she will yield. Senator Maragos.  
8. SENATOR MARAGOS:  
9. How does the procedures established on this bill  
10. differ from the present procedures under the Commission?  
11. PRESIDING OFFICER: (SENATOR BRUCE)  
12. Senator Netsch.  
13. SENATOR MARAGOS:  
14. What does it do that's different?  
15. SENATOR NETSCH:  
16. Well, if I understand your question correctly,  
17. Senator Maragos. I think the primary thing that it  
18. does is to separate the police contact records  
19. which are to be transmitted without individual  
20. identification and to be maintained without  
21. individual identification from the actual adjudications  
22. of delinquency, which of course, are court proceedings  
23. Now, those are public records and they can be  
24. transmitted...pursuant to certain safeguards which  
25. are in the bill. But it...the main purpose, I think,  
26. really, is to make sure that the police contact  
27. records which are much more informal and often do not  
28. involve real wrong doing on the part of the  
29. person who has the police contact. It might be,  
30. for example, a policeman has stopped a young person  
31. to ask them about some other person. Well, the police  
32. contact record might show the fact that there was a  
33. contact with that young person, but may not...but there



1. was nothing wrong involved in it. Well, that sort of  
2. thing is not as formally maintained and so the feeling  
3. is that in order to protect the juveniles, that  
4. information should not be transmitted on an  
5. individually identifiable basis and that's the primary  
6. purpose.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Maragos.

9. SENATOR MARAGOS:

10. Is this the point that was raised an objection...original  
11. bills and 990 would establish this commission, is this  
12. the point that some of you had objected to? And now,  
13. has it been clarified for your purposes?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Netsch.

16. SENATOR NETSCH:

17. I think that is a fair statement. Correct.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further debate? The question is shall Senate  
20. Bill 360 pass. Those in favor vote Aye. Those opposed  
21. vote Nay. The voting is open. Have all voted who  
22. wish? Have all voted who wish? Take the record.  
23. On that question, the Ayes are 49, the Nays are 3,  
24. 1 Voting Present. Senate Bill 360 having received  
25. a constitutional majority is declared passed.

26. Senate Bill 364, Senator Berning. Senate Bill  
27. 366, Senator Maragos. Please read the bill, Mr.  
28. Secretary. Senator Maragos, for what purpose do you  
29. arise?

30. SENATOR MARAGOS:

31. Mr. President, 366, 7, 8, and 9 are a series of  
32. bills, but I...there's an amendment for 68. Until  
33. I put the amendment on 2nd reading, I will take these  
34. out of the record.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. All right. Senate Bill 370, Senator Collins.

3. Read the bill, Mr. Secretary, please.

4. SECRETARY:

5. Senate Bill 370.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Collins.

10. SENATOR COLLINS:

11. Mr. President, members of the Senate, Senate  
12. Bill 370 is a very simple bill. However, it is an  
13. important bill. The bill simply is an attempt to bring  
14. all employees of the State Board of Elections Commission  
15. in compliance with Section 1A-13 of the Election Code  
16. which prohibit all employees of the Board from  
17. participating in partisan politics. If the State  
18. Board of Elections is to maintain its status of being  
19. an impartial board and as a governing body, I feel  
20. that it's essential that all employees including temporary  
21. employees...employees, be brought under that provision.  
22. In addition, this bill would help to eliminate some  
23. of the appearance of improprieties on the part of the  
24. Board and also the question of conflict of interest in  
25. reference to employees of that board. Again, I think  
26. it's a good bill and I would ask for a favorable  
27. roll call.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President. If the sponsor will  
32. yield.

33. PRESIDING OFFICER:(SENATOR BRUCE)

1. Indicates that she will yield.

2. SENATOR ROCK:

3. Senator, as I read the bill, it just simply

4. says, no person employed by the State Board as a

5. consultant shall during the period of such employment,

6. or within six months after termination, represent

7. any person or matters pending before the State Board

8. of Elections. What's...I don't understand...I don't

9. understand the purpose.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Collins.

12. SENATOR COLLINS:

13. Senator Rock, all other employees of the Board

14. is already under the provision of 1A-13.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rock.

17. SENATOR ROCK:

18. Well, can you be a little more specific and

19. ...at whom is this aimed?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator...Senator Collins.

22. SENATOR COLLINS:

23. It is aimed at any employee or consultant

24. and particularly consultants which we've had the

25. experience with. Consultants who is employed by the

26. Board and then represent clients before the State

27. Board of Elections Commission or Boards under the

28. jurisdiction of that Board in election challenges.

29. And I feel it's a conflict of interest.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Rock.

32. SENATOR ROCK:

33. Well, at least now I know the personage to whom this

1. is apparently aimed and I, frankly, it doesn't say  
2. any employee, Senator. Your amendment says, no  
3. person employed by the Board as a consultant. Now, it  
4. seems to me that it makes good sense for a Board  
5. to employ in a consultant role, those who are most  
6. familiar with the Election Code and its operation  
7. and process. And to say on the one hand, the Board,  
8. if you're going to hire a consultant, hire somebody  
9. who doesn't know what they're doing or if you attempt  
10. to hire someone who does know what they're doing,  
11. that person is foreclosed at the present time and  
12. for a period of six months from representation  
13. of any other individual. I just don't think it's  
14. a fair way to go and I'm opposed to Senate Bill 370.  
15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Netsch.

17. SENATOR NETSCH:

18. I think it's a fairly common form of conflict  
19. of interest provision, Senator Rock and it seems  
20. to me that it's one that's particularly important  
21. and sensitive in this area. If someone has been  
22. serving as a consultant to the State Board of Elections  
23. with respect to the administration of the laws, their  
24. interpretation or perhaps even advising them with  
25. respect to particular matters before the Board,  
26. for that person to leave the Board's consultive employment  
27. and immediately come back to represent parties who are,  
28. in effect, litigants before the Board, is...is not a good  
29. practice and it's the sort of conflict of interest  
30. provision which is commonly prohibited both at the  
31. Federal level and in a number of state laws and state  
32. agencies. When someone has been that closely tied  
33. to an agency with the powers that the State Board of  
34. Elections has, that person should not, then, be presented

1. as a attorney or in whatever capacity most likely as  
2. an attorney, before the Board during the...during the  
3. six months period immediately after they have severed  
4. that connection. It is not an unusual provision. Whether  
5. or not it's designed for any particular person, I'm  
6. not sure. But, whether or not it is, it should be  
7. applicable to anyone who is in that position and...and  
8. it seems to me it's a very important conflict of  
9. interest provision with respect to administration of  
10. the election laws.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Glass.

13. SENATOR GLASS:

14. Well, I rise in support of this bill, Mr. President,  
15. Ladies and Gentlemen. I think certainly it is not asking  
16. very much of a person who is hired as a consultant  
17. by the State Board to be exempt from appearing before  
18. that Board and arguing cases. It seems to me one  
19. of the more obvious cases of conflict of interest and I  
20. would urge an Aye vote on the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Knuppel.

23. SENATOR KNUPPEL:

24. A question of the sponsor. Does this apply to  
25. attorneys?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Collins.

28. SENATOR COLLINS:

29. Any consultant.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. Aren't you afraid that if you had a small

1. matter that you badly needed a consultant for,  
2. that you might, because you have barred him  
3. because he's an expert, from practicing before the  
4. Election Board, find that you couldn't get the kind  
5. of consultation that you wanted, the quality?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Collins.

8. SENATOR COLLINS:

9. Senator Knuppel, this only applies to if, in fact,  
10. the person is a consultant of the Board during the time  
11. of the challenges before that Board.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Knuppel. Further debate? Senator Guidice.

14. SENATOR GUIDICE:

15. Thank you, Mr. President. Would...would the sponsor  
16. yield to a question, please?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Indicates that she will yield. Senator Guidice.

19. SENATOR GUIDICE:

20. Does this also apply to legislators and attorneys  
21. and the like who might be dealing in park district  
22. elections and any type of election in the county,  
23. whatsoever?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Collins.

26. SENATOR COLLINS:

27. Any election under the jurisdiction of the State  
28. Board it would apply to.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Guidice.

31. SENATOR GUIDICE:

32. Would this also...include the municipal and township  
33. elections?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Collins.

3. SENATOR COLLINS:

4. If they are under the jurisdiction of the State  
5. Board, it would. Yes.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Guidice.

8. SENATOR GUIDICE:

9. The...the indication here is that the State Board  
10. of Election and also the Electoral Board convene  
11. pursuant to Section 10-9. Do you know what we're  
12. talking about there?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator...Senator Collins.

15. SENATOR COLLINS:

16. Yes, that's the...that's the section that prohibits  
17. employees of the Board from engaging in partisan politics.

18. PRESIDING OFFICER:(SENATOR BRUCE)

19. Senator Guidice.

20. SENATOR GUIDICE:

21. One other question being the consultant aspect of  
22. this. Is there...is there any limit on how much money  
23. we're talking about in that particular individual, or is  
24. the very fact that he consults on an hour basis is  
25. sufficient to put him within this Act?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Collins.

28. SENATOR COLLINS:

29. Yes, if he's a consultant paid by the Board and  
30. taxpayers dollars, then he's a consultant of the Board.  
31. It would apply.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further debate? Senator Chew.

1. SENATOR CHEW:

2. I believe I was instrumental in helping get this  
3. bill out of committee for the purpose of getting a  
4. discussion on the Floor. It seems to me that this  
5. is a back door to another ethics bill and it's also  
6. a bill that puts a great deal of prohibition on  
7. people talents. All Governors want to tighten up  
8. games with so called ethics and prohibitions of  
9. employment and et cetera and mayors and legislators  
10. and et cetera and et cetera. Mrs. Collins, I...I think...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Can we have some order, please, for Senator Chew?  
13. Senator Chew.

14. SENATOR CHEW:

15. Thank you. I think the idea of your bill is  
16. ...is really bad. And this is where I wanted your bill  
17. to get. You are a freshman Senator and I...I can't  
18. take the roll of advising you and I wouldn't attempt  
19. to. As I told you before, I want to help you, but  
20. I want to help you on things of interest to you and  
21. this is not an interest to you, it's not an interest  
22. to anybody. If a lawyer is employed by the Board of  
23. Elections, and two months after he's no longer with  
24. the Board, I don't think that lawyer ought to be  
25. prohibited from representing anything. I don't think  
26. it's a conflict of interest. I say he's better prepared  
27. to represent than one who had not had any training.  
28. I'll give you an example of what I am talking about.  
29. The Governor here has hired many of his ex-employees  
30. as... United State's Attorney for the northern District  
31. of Illinois. There's nothing that prohibits that employee  
32. who is now working for the Governor to have come in that  
33. position. By the same token, our United States Attorney  
34. for northern Illinois who will soon be going into private



1. practice, to defend the kind of people that he's trying  
2. now as a prosecutor. He made no bones about it. I  
3. happened to see him on a television program recently.  
4. And he said he'll do his ultimate to defend these people.  
5. Now, let's assume that there were a two year or six month  
6. or a five year or a permanent prohibition of...United  
7. State's Attorney ever practicing criminal law. Then,  
8. the fact is what good is his training since he's been  
9. not permitted to practice. In other words, he could...  
10. if he's a criminal lawyer, and he was a United States  
11. Attorney, he's not allowed to practice criminal law,  
12. then his next step in the wrong department would really  
13. be disbarred, because his training would be of no  
14. value to him. I would like, if I would retire as a  
15. State Senator, to be able to give of some of my knowledge  
16. in an area where I would be compensated for it. I think  
17. the prohibition is...is really rough. I don't think it's  
18. going to do you any good. I don't think it's going to  
19. do me any good. As a matter-of-fact, I don't think it's  
20. going to do anybody any good and I'm going to have to  
21. oppose it on those grounds, Earleen.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Washington.

24. SENATOR WASHINGTON:

25. Mr. President, the General Assembly has spent  
26. a good deal of time in trying to arrive at a formula  
27. for what ostensibly was an impartial election board.  
28. We've gone to the Supreme Court with the matter and  
29. we spent a good deal of time in this Session on it  
30. and there's a bill on Postponed Consideration  
31. and it's sitting there because it's suspect by its  
32. nature because people are concerned about the  
33. impartiality of a board. In short, I think what we've

1. been struggling with here for about two years is the  
2. concept of something like Caesar's wife, beyond suspicion.  
3. It seems to me that anyone who is a consultant for the  
4. Board or an employee for the Board, could exercise  
5. without any problem undue influence on that Board  
6. if they appeared before the Board in a matter affecting  
7. a particular election. I think the logic is irrefutable  
8. here, that if you're going to have an impartial board  
9. then the ingredients of that board must also  
10. be impartial and not partake of partisan politics.  
11. Already, the law requires that individual employees  
12. cannot be so engaged. It seems to be a natural and  
13. logical extension to grab it onto the consultant.  
14. If a person wants to practice law, or practice before  
15. the Election Commission, then he should eschew the  
16. the consultant fee or vice versa. You can't  
17. have it both ways. But, if you want, as you have  
18. maintained you want for the past two years, an impartial  
19. board beyond suspicion which will be fair to both  
20. parties and presumably to all candidates, then it  
21. seems to me follows as night does day that you'll  
22. support this bill and I do support it.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Newhouse.

25. SENATOR NEWHOUSE:

26. Would the sponsor yield to a question?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Indicates that she will yield.

29. SENATOR NEWHOUSE:

30. Would your legislation prevent one who was a  
31. consultant for the Board from practicing from  
32. any other field of endeavor?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Collins.

2. SENATOR COLLINS:

3. No.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Newhouse.

6. SENATOR NEWHOUSE:

7. So in the event that that individual were a lawyer,

8. there would be nothing to prevent him from

9. practicing law, is that correct?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Collins.

12. SENATOR COLLINS:

13. No.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Newhouse.

16. SENATOR NEWHOUSE:

17. It's the purpose of the bill, then, to place

18. consultants in pretty much the same category

19. as employees whose loyalties are governed by their...

20. by their loyalty on that pay from the Board

21. and who, therefore, have that primary obligation

22. and would, in fact, be in conflict if they did anything

23. else?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Collins.

26. SENATOR COLLINS:

27. It is, indeed, Senator Newhouse. That is exactly

28. what the bill is attempting to do and as Senator Washington

29. said, to try and eliminate some of the problems and

30. confusion in reference to the impartiality of the Board

31. and conflict of the interests on the part of employees.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Newhouse.

1. SENATOR NEWHOUSE:

2. Senator, if those are your answers, then I think  
3. it's a good bill and I think we ought to rush to vote  
4. this bill out Do Pass. I would so recommend.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Smith.

7. SENATOR SMITH:

8. Mr. President and Ladies and Gentlemen of the Senate.

9. As I understand it, this is the Senator's first bill.

10. I had hoped that I could see my way clear to vote

11. Yes with regards to this bill. I am appalled, as some

12. of you gentlemen say, at the fact that two of the

13. cosponsors of this bill have seen fit to question

14. the sponsor of the bill. I went over to the side of

15. one of my very good friends and called his attention to

16. the fact that he is a cosponsor of the bill. He didn't

17. respond to my urging or nudging and trying to inform

18. him that's he's speaking against a bill of which he

19. is a cosponsor. Now, my other immediate friend

20. saw fit to question the witness anew in a coaching manner, I assume

21. and ask questions in a way and manner that the answer

22. would be satisfactory to him, who is also a cosponsor.

23. Now, I don't want to anger either of these gentlemen.

24. I believe that, Chew. I really believe that. Chew says

25. I can't anger him. And I...I don't want to get you

26. angry. I have a bill on there that I'm hoping will be

27. called and I don't want to anger the sponsor of the

28. legislation. I don't want to anger Newhouse.

29. Senator Newhouse. I merely rise to say that in a position

30. like that, I'm going to vote Present on your bill, Senator.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Wooten.

33. SENATOR WOOTEN:

1. Mr. President, laws only become necessary when  
2. conventions and society break down. I would assume that  
3. anyone in the position of consultant to an agency like  
4. the State Board of Elections, would have sufficient  
5. delicacy of conscience not to represent a party  
6. against the Board after he had left its employ.  
7. Unfortunately, there are people who do not have  
8. sufficient delicacy of conscience and such  
9. bills become necessary. I don't think this bill will  
10. trouble anyone who looks at things clearly. Certainly  
11. this kind of behavior ought not to be practiced and  
12. certainly ought not to be condoned and I don't think  
13. we're going to damage any responsible person by the  
14. passage of this bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further discussion? Senator Collins  
17. may close the debate. Oh, Senator...Senator Rock a  
18. second time around.

19. SENATOR ROCK:

20. Thank you, Mr. President and Ladies and Gentlemen  
21. of the Senate. I rise again in opposition to Senate  
22. Bill 370 and would point out that we have been a little  
23. bit facile, it seems to me, in throwing around the word  
24. "conflict." When Senator Guidice questioned the sponsor  
25. about the applicability or the meaning of Section 10-9  
26. the context is that under this proposed legislation,  
27. one who had acted as a consultant whether for one hour  
28. or one day or one week, would therefore, be foreclosed  
29. from appearance before any electoral board convened  
30. pursuant to Section 10-9. And that take...those are  
31. boards convened all the way from the State level  
32. down through and including the township level. It  
33. has nothing whatever to do with conflict, as I understood

1. the...the response to be. Additionally, I'm sure  
2. most of us who are in politics as a business know  
3. that every election day there are a couple of hundred  
4. people across this State of both political parties  
5. who are hired, in fact, on kind of a professional  
6. operation eagle eye to work with the State Board and  
7. the various local boards of election for the  
8. purpose of insuring the orderly process  
9. of election day. They are employed in various  
10. capacities. They are, I'm sure, consultants under  
11. this legislation. And to say that one who is hired  
12. because of his expertise on election day, is therefore,  
13. somehow foreclosed from practice before any one  
14. of the boards, the State Board down through the  
15. township boards, because of that activity, to me  
16. is just plain silly. One is hired as a consultant  
17. based upon his expertise and I would hope that the State  
18. Board would have sense enough to hire people to consult  
19. with them on rules and regulations and the conduct of  
20. elections who know what, in fact, they're doing and  
21. those who know what they're doing should not, because  
22. they avail themselves of the opportunity, be foreclosed  
23. from appearing before that Board or any other board.  
24. And I urge a No vote on Senate Bill 370.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Bloom.

27. SENATOR BLOOM:

28. A question of Senator Rock. Senator Rock,  
29. you represented, I'd never heard of this Operation  
30. Eagle Eye and you're representing that the State Board  
31. of Elections on election day, hires attorneys or people  
32. like that to go out. They actually pay them?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Well, Gentlemen, I would just point out this debate  
2. is out of order, but Senator Rock may answer the question.

3. SENATOR ROCK:

4. The answer is Yes.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Egan.

7. SENATOR EGAN:

8. Thank you, Mr. President. Not to belabor this, but  
9. as long as we're discussing the...the delicacy of  
10. conscience and the breakdown of society, let me just  
11. suggest that this bill is objectionable at least in  
12. two ways. Number one, it creates a very arbitrary  
13. honest cut off point of six months. After six months  
14. anyone who had prior represented the Board now becomes  
15. so honest, that he can, therefore, go back and  
16. practice before them. I don't know what six months  
17. does to peoples' honesty. I don't think it does  
18. anything and number two, it...it requires that  
19. this is, in fact, an act, a deed, a...a commission of  
20. conflict and I think that's strictly hooey and for  
21. those simple two reasons, I'm opposed to the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there further debate? Senator Collins may close  
24. the debate. Senator Collins.

25. SENATOR COLLINS:

26. I've heard all the arguments against this bill and  
27. it appears, though...as though this is really a  
28. complicated matter, or that there is some intent  
29. here to restrict anyone, as Senator Chew say, from  
30. making a living, a practice in his own profession.  
31. This is not the intent of this bill and I'm sure  
32. that the intent of this bill is very clear in the minds  
33. of most of those who have spoken in opposition to this

1. bill. I still maintain that the intent of this bill  
2. is to hopefully eliminate some of the questions  
3. of improprieties on the part of the State Board  
4. of Election Commission and to eliminate the impressions  
5. and appearance that was so evident during the last...  
6. prior to the last primary election in reference to  
7. conflict of interest. Therefore, I ask a favorable  
8. roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is shall Senate Bill 370 pass.  
11. Those in favor vote Aye. Those opposed vote Nay.  
12. The voting is open. Have all voted who wish?  
13. Take the record. On that question, the Ayes are  
14. 29, the Nays are 17. Senator Collins.

15. SENATOR COLLINS:

16. Yes, I would like to ask for postponed  
17. consideration.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The sponsor asks leave to have the bill postponed  
20. for further consideration. Leave is granted.  
21. Senate Bill 371, Senator Maragos. Read the bill,  
22. Mr. Secretary.

23. SECRETARY:

24. Senate Bill 371.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Maragos.

29. SENATOR MARAGOS:

30. Mr. President and members of the Senate.  
31. Senate Bill 371 has been amended extensively and the  
32. only thing that it does now that it states that those  
33. mechanics and artisans and materialmen who are working



1. on any property, especially residential property, will  
2. have to file a notice under Section 21 of the Act,  
3. comparable the way that it is under Section 5. So,  
4. in other words, it goes one step further than the  
5. Lemke bills that were passed last Session that have  
6. ties...in...because there was a little...conflict...of ambiguity...  
7. of Section 21. It's a technical change and I ask  
8. for its adoption.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further discussion? The question  
11. is shall Senate Bill 371 pass. Those in favor  
12. vote Aye. Those opposed vote Nay. The voting is  
13. open. Have all voted who wish? Take the record.  
14. On that question the Ayes are 27, the Nays are...9  
15. 3 Voting Present. On that question the Ayes are  
16. 27, the Nays are 9...37 Ayes, 9 Nays, 3 Voting  
17. Present. Senate Bill 371 having received a  
18. constitutional majority is declared passed.

19. Senate Bill 375, Senator Chew. Read the bill,  
20. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 375.

23. (Secretary reads title of bill) .

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Chew.

27. SENATOR CHEW:

28. Mr. President, the amended bill is a bill that has  
29. absolutely no opposition registered or otherwise.

30. We worked together with the savings and loan people  
31. and they agreed to the amendment that we put on it and  
32. I would ask for a favorable roll call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Senator Bloom.

1. SENATOR BLOOM:

2. A question of the sponsor. Senator Chew, did you  
3. Table Committee Amendment 1 and then put on Committee  
4. Amendment 2, cause that's the one that removed the  
5. objection, the second one.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Chew.

8. SENATOR CHEW:

9. That is exactly right, Sir.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Bloom. Senator Glass. Is there further  
12. discussion? Senator Demuzio.

13. SENATOR DEMUZIO:

14. I just have one question of the sponsor. If there's  
15. no opposition to this bill, how come it wasn't on the  
16. Agreed Bill List?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Chew.

19. SENATOR CHEW:

20. Well, Senator, I didn't put it on. However if you  
21. want it on, it can go on now. I didn't ask to have it  
22. put on and I...I don't know. It could have easily  
23. gone on. You voted for it in committee and I know you will now.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further debate? Senator Mitchler.

26. SENATOR MITCHLER:

27. Well, I heard that Amendment No. 1 was Tabled.  
28. Amendment No. 2 was put on. Well, what does the bill  
29. do now?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Chew.

32. SENATOR CHEW:

33. The first amendment...well, Senator, if you remember

1. Senator Rock had the same question when we moved it from  
2. 2nd to 3rd. And a member of his...one of his twenty-  
3. two staff members came out and assured him that the  
4. amendment was in order and of...was only one amendment.  
5. The first amendment was taken off in committee. We adopted  
6. the second amendment here on the Floor. And everything  
7. is okay.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. Well, I'd like an answer to my question. What  
12. does the bill now do? I don't have a copy of Amendment  
13. 2 in my book. What does the bill do?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Chew.

16. SENATOR CHEW:

17. Senator Mitchler, the bill is to bring in  
18. compliance with a desire of people having say five  
19. hundred dollars, whereby they can buy a savings  
20. certificate and receive the same interest on a long  
21. term investment as if you had a thousand dollars.  
22. It also deals with transferring monies from one  
23. account in a given institution to another account  
24. in that same given institution but not withdrawing  
25. that the penalties would not be. It's agreed by the  
26. Illinois Savings and Loan Association. It's agreed  
27. by the many persons who cannot find a thousand dollars  
28. to invest but do have say, five hundred dollars that  
29. they can invest on a four or six year term and this  
30. will give them the same kind of interest that's paid  
31. on greater amounts. For instance, if your son  
32. had five hundred dollars after graduating from high  
33. school, and he wanted some additional monies for college,

1. or if he had it at eighth grade and he wanted it for  
2. college, that he could deposit or buy a savings certificate  
3. say, for five hundred dollars and receive the seven  
4. and a half percent or the 8.1 annual yield on five hundred  
5. dollars instead of a thousand.

6. PRESIDING OFFICER: (SENATOR BRUCE)  
7. Senator Mitchler.

8. SENATOR MITCHLER:  
9. Well, you say that the savings and loans are  
10. in support of your bill in the amended form, the  
11. Illinois Savings and Loan Association?

12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. Senator Chew.

14. SENATOR CHEW:  
15. Senator, as a matter-of-fact, they drew  
16. up the amendment.

17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. Senator Chew...Senator Mitchler.

19. SENATOR MITCHLER:  
20. Senator Chew, are they in favor of the bill now  
21. as amended? That is a fact?

22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Senator...Senator Chew.

24. SENATOR CHEW:  
25. Senator Mitchler, that is an absolute fact.

26. PRESIDING OFFICER: (SENATOR BRUCE)  
27. Senator...Senator Soper.

28. SENATOR SOPER:  
29. Well,...

30. PRESIDING OFFICER: (SENATOR BRUCE)  
31. Is there further discussion? Senator Ozinga, till  
32. Senator Soper finds his notes. Senator Ozinga.

33. SENATOR OZINGA:

1. Well, I hate to help Charlie when he didn't help  
2. me this morning and he said he would. But, with the  
3. same thought, I think that what he's trying to say  
4. is that in Amendment No. 2 it reads, and not otherwise  
5. inconsistent with regulations of the Federal Savings  
6. and Loan Insurance Corporation or the Federal Home Loan  
7. Bank Board. Now, the regulations would absolutely  
8. prohibit this kind of proceedings. But, where he  
9. says that as long as it doesn't conflict with it,  
10. why it's okay. Well, it will conflict with every  
11. Federal savings and loans so, the answer to it is  
12. that they won't be affected by this, but I wonder  
13. about banks...wonder about other savings and loan.  
14. We're a national bank, so I'm not worried about that.  
15. But, I just raised that question with reference to  
16. state banks now.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Chew.

19. SENATOR CHEW:

20. Senator, we are hoping that state banks will comply.  
21. As a matter-of-fact, we've been talking to some United  
22. States Congressmen and they have found the points  
23. in the Federal Home Loan Bank just as we have found here  
24. and there is being drafted now, some Federal legislation  
25. to put them in compliance of the lesser amount for  
26. a savings certificate and the transfer of interest.  
27. So, we're hoping to regulate the industry satisfactorily  
28. with the industry and yet be amenable to persons that  
29. do not have the opportunity or have not had the opportunity  
30. to save greater amounts and yet they'll be given the same  
31. amount of interest on a smaller certificate.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further debate? The question is shall Senate

1. Bill 375 pass. Those in favor vote Aye. Those opposed  
2. vote Nay. The voting is open. Have all voted who wish?  
3. Have all voted who wish? Take the record. On that  
4. question, the Ayes are 36, the Nays are 5, 9 Voting  
5. Present. Senate Bill 375 having received a constitutional  
6. majority is declared passed. Senate Bill 377,  
7. Senator Berman. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 377.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Berman.

14. SENATOR BERMAN:

15. Thank you, Mr. President, Ladies and Gentlemen of  
16. the Senate. This bill has been amended substantially  
17. after conferring with the Insurance Industry and with the  
18. Retail Liquor Distributors. All that the bill does  
19. now is to provide an avenue for recovery for a family  
20. where there has been no estate...formal estate opened  
21. in a death case and it raises the limits of recovery  
22. five thousand dollars, from fifteen thousand to twenty  
23. thousand dollars for personal injury and from twenty thousand  
24. to twenty-five thousand for loss of means of support.  
25. I'd appreciate a favorable vote on Senate Bill 377.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there discussion? The question is shall Senate  
28. Bill 377 pass. Those in favor vote Aye. Those  
29. opposed vote Nay. The voting is open. Have all voted who  
30. wish? Take the record. On that question the Ayes  
31. are 47, the Nays are 3, none Voting Present. Senate  
32. Bill 377 having received a constitutional majority  
33. is declared passed. Senate Bill 382, Senator Nimrod.

1. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 382.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Nimrod.

8. SENATOR NIMROD:

9. Mr. President and fellow Senators. This bill  
10. pertains to townships' supervisors general assistance  
11. duties and his records and those active records which are  
12. out...clears the air because there was a court suit that  
13. made the exception for one township and the township  
14. officials had asked if this couldn't be remedied  
15. and that we couldn't...in fact, the courts had asked  
16. us to clarify the laws and what it does it provides  
17. that the records of the supervisor general assistance  
18. shall be...the current records shall be in the hands of  
19. the supervisor of general assistance and it also says that  
20. the clerk shall certify...set the twenty day limit  
21. on the clerk...certify vouchers the same as the  
22. supervisor is required to do within twenty days.  
23. Be happy to answer any questions pertaining to this  
24. bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there any discussion? Senator Bloom.

27. SENATOR BLOOM:

28. Isn't this...this is your township, is that not  
29. correct, that this lawsuit came out of or a neighboring  
30. township?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Nimrod.

33. SENATOR NIMROD:

34. Yes, it is, Senator.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Bloom.

3. SENATOR BLOOM:

4. And didn't...didn't...isn't this the same bill we  
5. saw last year?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Nimrod.

8. SENATOR BLOOM:

9. When we got into so much of a...the whole Body  
10. got into a hassle about?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nimrod.

13. SENATOR NIMROD:

14. No, this bill has never been on the Floor before.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Bloom.

17. SENATOR BLOOM:

18. You mean this bill number. But, isn't...it isn't...

19. ...wasn't this concept discussed on the Floor last year?

20. Is that correct or not correct?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Nimrod.

23. SENATOR NIMROD:

24. Senator, no that is not correct. This bill was  
25. introduced last Session in committee and it was held  
26. in committee and had not come...changed anywhere. In fact,  
27. the...the reasons, regardless of who is in election or  
28. which...which side is in power, the issue is still the  
29. same, even though the hands have changed and I still  
30. think it's needed to correct. It was never voted on  
31. on the Floor and it was held in committee.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Demuzio.



1. SENATOR DEMUZIO:

2. Yes, thank you, Mr. President, members of the Senate.  
3. I would like to ask Senator Nimrod a question.  
4. This, in fact, this bill removes the current records from  
5. the supervisor of general assistance from the town clerk's  
6. custody, is that correct?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. No, Sir, it does not. What it does do is, said that  
11. the current records are in the possession of the  
12. supervisor. The present law...or present townships...in  
13. all townships except one of the fourteen hundred and  
14. thirty-one townships in this State, fourteen hundred and  
15. thirty of them are the way this bill is. Only one  
16. township is different and this straightens out that.  
17. It makes it so that all fourteen hundred and thirty-one  
18. townships are the same.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. Senator Nimrod, my staff synopsis indicates that,  
23. in fact, the records of the supervisor would be  
24. ...of general assistant would be moved from the town  
25. clerk's custody. Let me ask you this question. Does  
26. this bill delete the requirement that the Board of  
27. Auditors must meet at the town clerk's office to  
28. audit and examine the accounts?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. The first part of your question was that this  
33. does not remove the records from the clerk. The clerk  
34. does not have the records...the current records.

1. He has all permanent records and this does not take  
2. away those records which have been closed. Those are  
3. in the hands of the clerk and those remain there.  
4. This only provides for the current records to be in  
5. the hands of the supervisor. Those records are open  
6. to the clerk or to any members of the board or anyone  
7. else because by law, they must be and anyone interested  
8. in looking at the records of the supervisor general  
9. assistance may do so by indicating that he will not  
10. use them for personal or political use. The second  
11. part of your question is that, does this take it  
12. away from the clerk's office? This is the board of  
13. auditors shall meet for the examining and auditing  
14. the town and road district accounts before any bills  
15. other than general assistance are paid. And what  
16. this does is...is leaves it to the regular meeting  
17. place rather than having it meet in the clerk's office  
18. because it's a board that audits the books and not  
19. the clerk, the fiscal records.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Demuzio.

22. SENATOR DEMUZIO:

23. Well, Senator Nimrod, I'm sure that I have received  
24. a great deal of mail from the supervisors in my district.  
25. I just don't have that correspondence with me on the  
26. Floor at this moment. I was wondering if you might hold  
27. this bill until tomorrow so that I could review that  
28. correspondence and see whether or not we can work out  
29. what you think the bill does and what I think the bill  
30. does.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Grotberg. Senator Nimrod.

33. SENATOR NIMROD:

1. Yes, Mr. President. Senator Demuzio, I'd be happy  
2. to do that and I think we can resolve the difference of  
3. the problems that exist there and would you take it from  
4. the record, Mr. President?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Take the bill from the record. Senate Bill  
7. 383, Senator Vadalabene. Read the bill,  
8. Mr. Secretary, please.

9. SECRETARY:

10. Senate Bill 383.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes, thank you, Mr. President, members of the Senate.  
17. Senate Bill 383, as amended, conveys to the City of  
18. Alton the mineral rights of the six hundred and forty-  
19. five acres that was conveyed to the City of Alton by  
20. the Department of Mental Health. It has been worked out  
21. in...in committee and also on the Floor of the Senate  
22. that the City of Alton would receive fifty percent  
23. ...that the City of Alton would received fifty percent  
24. of the mineral rights and the Department of Mental Health  
25. would receive the other fifty percent. It also  
26. has been amended to read limestone only and no other .  
27. mineral rights. And I would appreciate a favorable  
28. vote.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? Senator Schaffer.

31. SENATOR SCHAFFER:

32. Senator, what's the total dollar amount potentially?

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Senator Vadalabene.

SENATOR VADALABENE:

1. I don't have any idea whether it's fifty cents  
2. or fifty thousand dollars. Until they get in there  
3. and go after it.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. What would the top end possibly be, I mean just a  
8. wild-eyed guess?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Really, Senator Schaffer, I'm not being facetious.  
13. I don't have any idea.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? The question is shall Senate  
16. Bill 383 pass. Those in favor vote Aye. Those opposed  
17. vote Nay. The voting is open. Have all voted who  
18. wish? Have all voted who wish? Take the record.  
19. On that question the Ayes are 40, the Nays are 3,  
20. 5 Voting Present. Senate Bill 383 having received  
21. a constitutional majority is declared passed.

22. Is there leave to go to the Order of Senate Bills,  
23. 2nd reading? Leave is granted. Senate...we will start  
24. at the Order of Senate Bill 233. Senate Bill 233,  
25. Senator Clewis. Senate Bill 243, Senator Lemke.  
26. Raffles and Chances bill. Senate Bill 245, Senator  
27. Maragos. Read the bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 245.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. The Committee on Transportation  
32. offers one amendment.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Maragos to explain the amendment.

2. SENATOR MARAGOS:

3. Mr. President, there's more than one amendment,  
4. I believe. Yeah, the committee amendment. All right.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The Secretary indicates there's one committee  
7. amendment.

8. SENATOR MARAGOS:

9. Can I have leave to pass this temporarily until  
10. I make sure that we...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Take it from the record. Senate Bill 293,  
13. Senator Berman. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 293.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Elementary  
18. and Secondary Education offers two amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Berman to explain the amendments.

21. SENATOR BERMAN:

22. Take this out of the record, Mr. President, please.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Take it out of the record. Senate Bill 312,  
25. Senator Joyce. Senate Bill 314, Senator Vadalabene.  
26. CDB for a permanent campus at SIU. Phys Ed building.  
27. Senate Bill 380, Senator Kenneth Hall. Senate Bill  
28. 385, Senator Berman. Senator Kenneth Hall, for  
29. what purpose do you arise?

30. SENATOR KENNETH HALL:

31. On Senate Bill 380. Senator Nimrod has an amendment  
32. and I have an amendment to go on those bills.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Are you ready to go with that bill, Senator Hall?  
2. SENATOR KENNETH HALL:  
3. We're ready.  
4. PRESIDING OFFICER: (SENATOR BRUCE)  
5. Senate Bill 380, Mr. Secretary.  
6. SECRETARY:  
7. Senate Bill 380.  
8. (Secretary reads title of bill)  
9. 2nd reading of the bill. No committee amendments.  
10. Amendment No. 1 offered by Senator Kenneth Hall.  
11. PRESIDING OFFICER: (SENATOR BRUCE)  
12. Senator Hall to explain the amendment.  
13. SENATOR KENNETH HALL:  
14. We'll let Senator Nimrod put his amendment on  
15. first.  
16. SECRETARY:  
17. Amendment No. 1 offered by Senator Nimrod.  
18. SENATOR KENNETH HALL:  
19. No, that will not be one.  
20. PRESIDING OFFICER: (SENATOR BRUCE)  
21. Senator Hall. Senator Hall.  
22. SENATOR KENNETH HALL:  
23. Mr. President, fellow members of the Senate.  
24. PRESIDING OFFICER: (SENATOR BRUCE)  
25. Can we have some order, please, gentlemen.  
26. SECRETARY:  
27. This...  
28. SENATOR KENNETH HALL:  
29. Amendment No. 1 stays on the bill. That was put  
30. in committee as Amendment No. 1. Now, Senator Nimrod  
31. put on Amendment No. 2. And we need to bring that...  
32. to take that amendment off. And so having voted  
33. on the prevailing side, we would like to reconsider  
34. the vote by which that was...amendment was put on.

1. SECRETARY:

2. Senate Amendment Nos. 1 and 2 were adopted. The

3. bill was held on 2nd reading. Amendment No. 3 now

4. offered by Senator Nimrod.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Nimrod.

7. SENATOR NIMROD:

8. Mr. President, what I would like to do is Table

9. Committee Amendment No. 2 because this...this Amendment

10. No. 3 replaces and corrects that.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Nimrod moves to reconsider the vote by

13. which Amendment No. 2 was adopted. All in favor say

14. Aye. All opposed Nay. The Ayes have it. The vote

15. is reconsidered. Senator Nimrod now moves to Table

16. Amendment No. 2. All in favor say Aye. All opposed

17. Nay. The Ayes have it. The amendment is Tabled.

18. Senator Nimrod now moves to adopt Amendment No. 3.

19. Senator Nimrod to explain the amendment.

20. SENATOR NIMROD:

21. Amendment No. 3 clarifies the situation that the

22. community...that the Community College Board

23. shall submit a report on the community college in

24. East St. Louis. And it clarifies the report that the

25. Board must submit that report and that the college itself

26. must make a recommendation and it clarifies this language

27. which was accepted by the Board and lacked in some

28. wording on it. I would move for the adoption.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Moves the adoption. All in favor say Aye. Opposed

31. Nay. The Ayes have it. The amendment is adopted. Further

32. amendments?

33. SECRETARY:

1. Amendment No. 4 offered by Senator Kenneth Hall.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Hall.

4. SENATOR KENNETH HALL:

5. I want to be sure you've got the right amendment,  
6. it's up there, that...

7. SECRETARY:

8. Senator Hall, I just returned the Amendment No. 4  
9. that you had given me previously and took your new  
10. Amendment No. 4.

11. SENATOR KENNETH HALL:

12. Have you got the new amendment? All right.  
13. Amendment No. 4...amends Senate Bill 38 on page  
14. 3, line 17 and 18 by deleting the words "by"  
15. and "and" one page 3, line 26 by deleting "nomination  
16. to be confirmed by the Senate" and inserting in lieu  
17. thereof, "nomination by the Governor to be confirmed  
18. by the Senate" and on page 4 by deleting lines  
19. 1 and 2 and inserting in lieu thereof, the following,  
20. "the Board shall hold current membership on a public  
21. school" and on line...page 8, line 17 by deleting the  
22. the word "district" and inserting in lieu thereof,  
23. the word "state." This is a clarifying...I mean  
24. clarifying amendment to bring the bill in line  
25. with what...as it should be, Mr. President, members  
26. of the Senate.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to adopt Amendment No. 4. Is there  
29. discussion? All in favor say Aye. All opposed Nay.  
30. The Ayes have it. The amendment is adopted. Further  
31. amendments?

32. SECRETARY:

33. No further amendments.

34. PRESIDING OFFICER: (SENATOR BRUCE)

35. 3rd reading.



1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senate Bill 425, Senator Maragos. Senate Bill 429,
3. Senator Berman. Senate Bill 433, Senator Carroll. Senate
4. Bill 469, Senator Vadalabene. 467, an additional one
5. thousand dollars for clerks. Senate Bill 516, Senator Rupp.
6. We are...we are skipping the appropriation bills on 2nd
7. reading. Senate Bill 522, Senator Lemke. Senate Bill
8. 556, Senator Netsch. Senate Bill 603, Senator Philip.
9. Senate Bill 634, Senator Rupp. 635. Senate Bill 664,
10. Senator Weaver. 708, Senator Sommer. Senator Hynes, for
11. what purpose do you arise?
12. SENATOR HYNES:
13. Mr. President and members of the Senate, as is obvious,
14. we're going through 2nd reading to give the members a chance
15. to move some of the bills onto 3rd reading to be in position
16. for passage, but it appears that we are not moving many bills.
17. I would, therefore, suggest that we continue or at least that
18. any member wishing to move a bill go up and inform the
19. Secretary and that we go back to the Order of 3rd reading for
20. passage of additional bills if...if we're not going to get
21. these bills moved.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Maragos.
24. SENATOR MARAGOS:
25. The reason why my two bills on 2nd reading, they're
26. working on the amendments, and that's why...I hope to have
27. them done tomorrow, but I would like to have permission to
28. take one bill that's on 2nd...on 3rd reading brought back to
29. 2nd reading for purpose of an amendment if I may, Mr.
30. President.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Hynes.
33. SENATOR HYNES:

5/17/77  
S.B. 801  
2nd reading

1. I think there are a couple of other requests like that,  
2. but...so, if we could finish 2nd reading first and then go  
3. to that.

4. SENATOR MARAGOS:

5. If...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Buzbee has requested that Senate Bill 1045 be  
8. called. If other Senators who have bills on the Order of  
9. 2nd reading would alert the Chair, we will get to those  
10. bills as...as you inform us. Senate Bill 1045. On the  
11. Order of 2nd reading, Senate Bill 1045, Senator Buzbee.  
12. Read the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 1045

15. (Secretary reads title of bill)

16. 2nd reading of the bill. No committee amendments. One Floor  
17. amendment offered by Senator Buzbee.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Yes, Mr. President, this amendment was discussed in  
22. ...in the Education Committee and it was agreed that some-  
23. thing of this sort ought to be...ought to be offered on the  
24. Floor. What it does is deletes the words "executive order  
25. declaring" from the bill, and I would move its adoption.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Heard the motion. Any discussion? All in favor say  
28. Aye. All opposed Nay. The Ayes have it. The amendment is  
29. adopted. Further amendments?

30. SECRETARY:

31. No...no further amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. 3rd reading. Senate Bill 801, Senator Guidice. Read the

SB 801  
2nd Reading  
5/17/77

1. bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 801
4. (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Judiciary I offers
6. five amendments.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Guidice.
9. SENATOR GUIDICE:
10. Thank you, Mr. President. These amendments were offered
11. in the committee by myself. Amendment No. 1 simply provides
12. that the medical examination...where Christian Sciences are
13. involved would not apply in the same sense, and I move its
14. adoption.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Heard the motion to adopt. All in favor say Aye. All
17. opposed Nay. The Ayes have it. The amendment is adopted.
18. SECRETARY:
19. Committee Amendment No. 2.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Guidice.
22. SENATOR GUIDICE:
23. Thank you, Mr. President. Amendment No. 2 provides that
24. the officiant be in good standing with his religious denomination
25. while performing the ceremony, and I move its adoption.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Heard the motion. All in favor say Aye. Opposed, Nay.
28. The Ayes have it. The amendment is adopted.
29. SECRETARY:
30. Amendment No...Committee Amendment No. 3.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Senator Guidice.
33. SENATOR GUIDICE:

1. Thank you, Mr. President. Amendment No. 3 provides where  
2. prohibited marriages are void if contracted in another State,  
3. and I move its adoption.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. You've heard the motion. All in favor say Aye. Opposed,  
6. Nay. The Ayes have it. The amendment is adopted.

7. SECRETARY:

8. Committee Amendment No. 4.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Guidice.

11. SENATOR GUIDICE:

12. Thank you, Mr. President. The Amendment 4 provides the...  
13. between marriages of cousins of the first degree and it  
14. wouldn't allow these marriages. I move its adoption.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. You've heard the motion to adopt. All in favor say Aye.  
17. Opposed, Nay. The Ayes have it. The amendment is adopted.

18. SECRETARY:

19. Committee Amendment No. 5.

20. SENATOR GUIDICE:

21. Thank you, Mr. President. Amendment No. 5 is a house-  
22. keeping type thing. It's words that enlighten. Doesn't change  
23. any of the substance of the bill, and I move its adoption.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Heard the motion to adopt. All in favor say Aye. All  
26. opposed, Nay. The Ayes have it. The amendment is adopted.  
27. Are there...are there amendments from the Floor?

28. SECRETARY:

29. Amendment No. 6 offered by Senator Guidice.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Guidice.

32. SENATOR GUIDICE:

33. Thank you, Mr. President. This amendment is made by me

1. in request of one of...of Senator Berman.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Can we have some order please, gentlemen. Senator
4. Guidice.
5. SENATOR GUIDICE:
6. And having gone through with a marriage ceremony which
7. would provide that the...would take care of the voidable
8. marriages. I move its adoption.
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. Heard the motion to adopt. All in favor say Aye.
11. Opposed, Nay. The Ayes have it. The amendment is adopted.
12. Are there further amendments?
13. SECRETARY:
14. No further amendments.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. 3rd reading. Senate Bill 1259. By Senator Shapiro.
17. Senator Weaver will...will explain any motion...any amend-
18. ments.
19. SECRETARY:
20. Senate Bill 1259
21. (Secretary reads title of bill)
22. 2nd reading of the bill. The Committee on Executive offers
23. one amendment.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Senator Weaver moves the adoption of Committee Amendment...
26. Amendment No. 1. Is there discussion? All in favor say
27. Aye. All opposed Nay. The Ayes have it. The amendment is
28. adopted. Are there further committee amendments?
29. SECRETARY:
30. No further committee amendments.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Any amendments from the Floor? 3rd reading. Senate
33. Bill 1356.

1. SECRETARY:  
2. Senate Bill 1356  
3. (Secretary reads title of bill)  
4. 2nd reading of the bill. No committee amendments.  
5. PRESIDING OFFICER: (SENATOR BRUCE)  
6. Are there amendments from the Floor? 3rd reading.  
7. Senate Bill 1373, Senator Shapiro. For what purpose does  
8. Senator Weaver arise?  
9. SECRETARY:  
10. Senate...  
11. SENATOR WEAVER:  
12. Mr. President, I would move to Table a Committee  
13. Amendment No. 1 and replace it with a technically correct  
14. amendment.  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. All right, the Secretary will read the bill.  
17. SECRETARY:  
18. Senate Bill 1373  
19. (Secretary reads title of bill)  
20. 2nd reading of the bill. The Committee on Revenue offers  
21. one amendment.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Senator Weaver moves to Table Committee Amendment No.  
24. 1. All in favor say Aye. Opposed, Nay. The Ayes have it.  
25. Amendment No. 1 is Tabled.  
26. SECRETARY:  
27. Amendment No. 2 offered by Senator Weaver.  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. Senator Weaver moves the adoption of Amendment No. 2.  
30. Is there discussion? Senator Egan.  
31. SENATOR EGAN:  
32. Senator Weaver, I forget what that amendment did, and I'd  
33. like to have a copy of the amendment that you have.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Weaver indicates that Senator Rock behind you  
3. has a copy of the amendment, Senator Egan. Senator Rock.

4. SENATOR ROCK:

5. Yes, thank you, Mr. President. Senator Weaver, with  
6. respect to the previous bill also, 1356, I think there  
7. probably will be an amendment required on that. Our under-  
8. standing is that we'll call it back...that's fine. On...on  
9. this bill, Senator Egan, there was some discussion in  
10. committee with respect to a proposed amendment. I was just...  
11. delivered to me from the Reference Bureau right now an  
12. amendment which Senator Shapiro requested which I think  
13. answers our problem. Again, we're doing the same thing in  
14. Senator Shapiro's absence. We'll move it to...adopt the  
15. amendment, move it to 3rd and then call it back if we have  
16. any problem with it.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Weaver moves the adoption of Amendment No. 2.  
19. All in favor say Aye. Opposed Nay. The Ayes have it.  
20. The amendment is adopted. Are there further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. 3rd reading. Are there other bills presently on the  
25. Order of 2nd reading that any Senator wishes to advance to  
26. the Order of 3rd reading? Senator Bloom.

27. SENATOR BLOOM:

28. I've got a bill on 3rd reading, I'd like to bring back  
29. to 2nd and put an amendment on.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. That is the order we are going to if...if no other  
32. Senator has a bill presently on 2nd reading.

33. SENATOR BLOOM:

1. Oh, fine. Thank you.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. We have a series of bills on the Order of 3rd reading  
4. which are to be brought back to the Order of 2nd reading for  
5. the purposes of amendment. The Secretary has already given  
6. me list of some twenty bills, so if you have a bill on 3rd  
7. that you wish to have amended, please alert the Secretary.  
8. We'll begin with...is there leave to go to the Order of  
9. Senate Bills 3rd reading? Leave is granted. Senate Bill 4.  
10. Senator Lane, is there an amendment on...Senate Bill 51,  
11. Senator Merlo. Read the bill Mr...is there leave to return  
12. Senate Bill 51 to the Order of 2nd reading? Leave is granted.

13. SECRETARY:

14. Amendment No. 1 offered by Senator Berman.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Merlo.

17. SENATOR MERLO:

18. Thank you, Mr. President. And Amendment No. 1 merely  
19. corrects a typographical error in the bill by changing "they"  
20. to "them", and I move the adoption of Amendment No. 1. These  
21. were originally, Mr. President...I know you look bewildered,  
22. but these are under the name of Art Berman, Senator Berman,  
23. but they're really my amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Well, the...the only thing to question of the Secretary  
26. is, we have no problem if they are Senator Berman's amend-  
27. ment. It will show that in the...in the Journal if you're  
28. going to explain them or...or...or are they, in fact, your  
29. amendments that you will explain. Whatever...whatever you  
30. two gentlemen agree to. Senator Berman.

31. SENATOR BERMAN:

32. I'm very please to have my name on those amendments,  
33. because Merlo worked so hard to prepare them.



1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Merlo, does that meet with your approval?

3. SENATOR MERLO:

4. It meets with my approval.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right. Senator Merlo moves the adoption of Senator

7. Berman's first amendment to Senate Bill 51. Is there

8. discussion? All in favor say Aye. All opposed Nay. The

9. Ayes have it. The amendment is adopted. Are there further

10. amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. 3rd reading. Senate Bill 57. Is there leave to return

15. Senate Bill 57 to the Order of 2nd reading? Leave is granted.

16. SECRETARY:

17. Amendment No. 1 offered by Senator Berman.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. To be explained by Senator Merlo. Senator Merlo.

20. SENATOR MERLO:

21. This amendment, Mr. President and members of the Senate,

22. consolidates Senate Bills 55 and...and 57 which deal with the

23. same subject matter. It reconstructs the language so as to

24. treat the subject matters of fires and disasters and eminent

25. domain proceedings in separate provisions, and I move the

26. adoption of this amendment.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. You've heard the motion. Is there discussion? All in

29. favor say Aye. All opposed Nay. The Ayes have it. The amendment

30. is adopted. Are there further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. 3rd reading. Senate Bill 58. Senator Merlo asks leave  
2. to return Senate Bill 58 to the Order of 2nd reading for  
3. the purpose of amendment. Is there leave? Leave is granted.

4. SECRETARY:

5. Amendment No. 1 offered by Senator Berman.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Merlo.

8. SENATOR MERLO:

9. This amendment, Mr. President and members of the Senate,  
10. raises the period in which a developer must divest himself  
11. of control of the condominium from two to three years. I  
12. move the adoption of this amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Heard the motion. All in favor say Aye. Opposed, Nay.  
15. The Ayes have it. The amendment is adopted. Are there  
16. further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. 3rd reading. Senate Bill 59. Senator Merlo asks leave  
21. of the Body to return Senate Bill 59 to the Order of 2nd  
22. reading for the purpose of an amendment. Is there leave?  
23. Leave is granted. Senate Bill 59

24. SECRETARY:

25. Amendment No. 4 offered by Senator Berman.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Merlo.

28. SENATOR MERLO:

29. This amendment is designed to make the provision on  
30. tenant's remedies in conversion condominiums compatible with  
31. the provisions of tenant rights and I move the adoption of  
32. this amendment.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there...you've heard the motion. Is there discussion?  
2. All in favor say Aye. Opposed, Nay. The Ayes have it. The  
3. amendment is adopted. Are there further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. 3rd reading. Senate Bill 168. Senate Bill 305. Senator  
8. Knuppel. Senate Bill 364, Senator Berning. Senate Bill 420,  
9. Senator Berman. Senator Berman, on Senate Bill 420. Senator  
10. Berman asks leave of the Body to return Senate Bill 420 to the  
11. Order of 2nd reading. Is there leave? Leave is granted.  
12. The bill is on the Order of 2nd reading.

13. SECRETARY:

14. Amendment No. 1 offered by Senator Berman.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Berman to explain the amendment.

17. SENATOR BERMAN:

18. . Thank you, Mr. President and Ladies and Gentlemen of  
19. the Senate. Amendment No. 1 is a correction to the...the  
20. language that was in Senate Bill 420 as introduced. The  
21. bill authorizes the State Board of Education to enter in-  
22. to contracts regarding services to chronic truants. The  
23. amendment merely says to chronic truants and for the  
24. prevention of truancy. IOE felt that the language was too  
25. restrictive from the purposes that they want to study and  
26. that's the purpose of Amendment No. 1. Move the adoption  
27. of Amendment 1 to Senate Bill 420.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Heard the motion to adopt Amendment No. 1. Is there  
30. discussion? All in favor say Aye. All opposed Nay. The  
31. Ayes have it. The amendment is adopted. Are there further  
32. amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. 3rd reading. I inadvertently skipped over Senate Bill

4. 368. Senator Maragos asks leave of the Body to return Senate

5. Bill 368 to the Order of 2nd reading for the purpose of an

6. amendment. Is there leave? Leave is granted. Senate Bill

7. 368.

8. SECRETARY:

9. Amendment No. 2 offered by Senator Maragos.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Maragos to explain the amendment.

12. SENATOR MARAGOS:

13. Mr. President, I would like at this time for leave to

14. reconsider Amendment No. 1, having voted on the prevailing side.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Having voted on the prevailing side, Senator Maragos

17. moves to reconsider the vote by which Amendment No...1 was

18. adopted. All in favor say Aye. All opposed Nay. The Ayes

19. have it. The amendment is reconsidered. Senator Maragos

20. now moves to Table Amendment No. 1. All in favor say Aye.

21. All opposed Nay. The Ayes have it. The amendment is...

22. Amendment No. 1 is Tabled. Amendment No. 2. Senator Maragos.

23. SENATOR MARAGOS:

24. Move for the adoption of Amendment No. 2.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Heard the motion. All in favor say Aye. Opposed, Nay.

27. The...the Ayes have it. The amendment is adopted. Are there

28. further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. 3rd reading. Senate Bill 498. Senator Daley. Senate

33. Bill 569. Senator Roe. Senate Bill 643. Senator Roe. Senate

1. Bill 719 by Senator Lemke. Senate Bill 823. Senate Bill  
2. 823, Senator Hickey. Senate Bill 735. Senator Egan.  
3. Senator Egan moves...asks leave of the Body to return...  
4. Senate Bill 735 to the Order of 2nd reading for the purpose  
5. of an amendment. Is there leave? Leave is granted.  
6. Senate Bill 735...

7. SECRETARY:

8. Amendment No...Amendment No. 2 offered by Senator Egan.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Egan.

11. SENATOR EGAN:

12. Thank you, Mr. President and members of the Senate.  
13. This amendment is an agreed amendment with the members of  
14. the other side of the aisle. What it does is the reduce the  
15. annual salary of the executive director and allow him to  
16. practice law, something that was attempted to do last year  
17. but never got done, something that everyone wanted to do  
18. and now we will do it, and it also establishes a...a...a  
19. receiving fund for that money which the counties contribute  
20. and it's necessary to put that in the bill so that the  
21. commission has the authority to spend that money. Technical  
22. and agreed to, and I submit this for your favorable considera-  
23. tion.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Heard the motion. Is there discussion? All in favor  
26. say Aye. All opposed, Nay. The Ayes have it. The amendment  
27. is adopted. Are there further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. 3rd reading. Senate Bill 879. Senator Coffey.  
32. Senator Coffey asks leave of the Body to return Senate Bill  
33. 879 to the Order of 2nd reading for the purposes of an amendment.

1. Is there leave? Leave is granted. Senate Bill 879.  
2. Mr. Secretary...  
3. SECRETARY:  
4. Amendment No. 3 offered by Senator Egan.  
5. PRESIDING OFFICER: (SENATOR BRUCE)  
6. Senator Egan.  
7. SENATOR EGAN:  
8. Yes, thank you, Mr. President, members of the Senate.  
9. This amendment merely includes along with public higher  
10. education, private schools of higher education, and I submit  
11. it for your satisfaction.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. Senator Egan has moved the adoption. Moved the adoption  
14. of Amendment No. 3 to Senate Bill 879. Is there discussion?  
15. Senator Buzbee.  
16. SENATOR BUZBEE:  
17. Well, yes, Mr. President, I'm not sure when the proper  
18. time to do it to express my adamant opposition. I assume  
19. this it since we're...Senator Coffey's bill creating a  
20. Student Employment Assistance Act which I am in favor of.  
21. I...I am opposed to...what is your name? Senator Egan's.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Is there further discussion? On the motion to adopt,  
24. all in favor say Aye. All opposed Nay. The Nays have it,  
25. and the amendment is lost. Senator Egan.  
26. SENATOR EGAN:  
27. This amendment has the approval of the sponsor, Mr.  
28. President, and there is no opposition to this that is  
29. overwhelming and I didn't hear any...any overwhelming Nays  
30. on the bill. I...I'm going to have to ask for a roll call.  
31. PRESIDING OFFICER: (SENATOR BRUCE)  
32. That is your prerogative. The Chair heard about three  
33. Nays and 1 affirmative, so...the question is, on the adoption

SB952  
5/17  
Recall

1. of the Amendment No. 3 to Senate Bill 879. Those in favor  
2. will vote Aye. Those opposed will vote Nay. The voting is  
3. open. Have all voted who wish? Take the record. On that  
4. question, the Ayes are 34, the Nays are 5, none Voting Present.  
5. Amendment No. 3 having received a majority vote is declared  
6. adopted. Senator Buzbee, for what purpose do you arise?  
7. SENATOR BUZBEE:

8. Well, I've certainly learned my lesson. I don't plan  
9. to oppose Senator Egan anymore.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Are there further amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. 3rd reading. Senate Bill 952, Senator Bloom. Senator  
16. Bloom asks leave of the Body to return Senate Bill 952 to  
17. the Order of 2nd reading for the purpose of an amendment.  
18. Is there leave? Leave is granted. Senate Bill 952, Mr.  
19. Secretary. Senator Bloom, the Secretary informs us he has  
20. no amendment down here for the bill. Senate Bill 952.

21. SECRETARY:

22. Amendment No. 3 offered by Senator Bloom.

23. SENATOR BLOOM:

24. Thank you.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Bloom.

27. SENATOR BLOOM:

28. Yeah, I...I got this amendment and a note from Stan  
29. Johnson down in the Reference Bureau to correct technical  
30. errors arising from the other amendments which were brought  
31. to their attention by Enrolling and Engrossing. I move  
32. their adoption...its adoption, No. 3.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. You've heard the motion to adopt...Amendment No. 3.  
2. Is there discussion? All in favor say Aye. All opposed,  
3. Nay. The Ayes have it. The amendment is adopted. Are  
4. there further amendments?  
5. SECRETARY:  
6. No further...no further amendments.  
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. 3rd reading. Senate Bill 1049. Senator Daley.  
9. Senate Bill 1082. Senator Bloom. Senator Bloom asks leave  
10. of the Body to return Senate Bill 1082 to the Order of  
11. 2nd reading for the purpose of an amendment. Is there leave?  
12. Leave is granted. Senate Bill...1082, Mr. Secretary.  
13. Senator Bloom.  
14. SENATOR BLOOM:  
15. Thank you. Mr. Secretary, there should be two amend-  
16. ments on 1082 and...  
17. SECRETARY:  
18. There...there are two amendments on...  
19. SENATOR BLOOM:  
20. ...Right. I would...and I would like to Table Amendment  
21. No. 1.  
22. PRESIDING OFFICER: (SENATOR BRUCE)  
23. Senator Bloom moves to reconsider the vote by which  
24. Amendment No. 1 to Senate Bill 1082 was adopted. All in favor  
25. say Aye. All opposed, Nay. The Ayes have it. The vote is  
26. reconsidered. Senator Bloom now moves to Table Amendment No.  
27. 1. All in favor say Aye. All opposed, Nay. The Ayes have  
28. it. The amendment is Tabled. Are there further amendments?  
29. SENATOR BLOOM:  
30. Thank you.  
31. SECRETARY:  
32. No further amendments.  
33. PRESIDING OFFICER: (SENATOR BRUCE)



1. 3rd reading. Senate Bill 1091, Senator Mitchler.  
2. Senator Mitchler asks leave of the Body to return the bill  
3. to the Order of 2nd reading. Is there leave? Leave is  
4. granted. On the Order of 2nd reading...Senate Bill 1091.  
5. Senator Mitchler.  
6. SENATOR MITCHLER:  
7. This is an amendment to be offered by Senator Guidice.  
8. It's an agreed to amendment.  
9. SECRETARY:  
10. Amendment No. 1 offered by Senator Guidice.  
11. PRESIDING OFFICER: (SENATOR BRUCE)  
12. Senator Guidice.  
13. SENATOR GUIDICE:  
14. Thank you, Mr. President. Amendment No. 1 is clarifying  
15. language. What it allows is the alienation of the endangered species  
16. product of the original chattels. I move its adoption. In other  
17. words, you can transfer it from one to another and allow the  
18. permit to transfer along with it.  
19. PRESIDING OFFICER: (SENATOR BRUCE)  
20. Heard the motion. All in favor say Aye. Opposed, Nay.  
21. The Ayes have it. The amendment is adopted. Are there  
22. further amendments?  
23. SECRETARY:  
24. No further amendments.  
25. PRESIDING OFFICER: (SENATOR BRUCE)  
26. 3rd reading. Senate Bill 1308. Senator Moore. Senate  
27. Bill 1322, Senator Daley. Senate Bill 1337, Senator Graham.  
28. Mr. President, that concludes the members who have asked the  
29. Chair to recall bills from the Order of 2nd reading.. to the  
30. Order of 3rd reading...from 3rd reading to 2nd. Mr. President.  
31. SENATOR HYNES:  
32. I believe Senator Glass has an announcement, and after...  
33. after that, I would put a motion to adjourn.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Glass.  
3. SENATOR GLASS:  
4. Thank you, Mr. President. This is to announce that  
5. will be a Republican Caucus in Room 400 at 10:00 a.m.  
6. tomorrow morning, 10:00 a.m., Room 400, Republican Caucus.  
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. Further business to come before the Senate. Senator  
9. Hynes. Senator Collins, for what purpose do you arise?  
10. SENATOR COLLINS:  
11. I would like leave of the Body to be shown as Senate  
12. sponsor of House Bill 1105.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Is the bill on the Calendar? Leave is granted.  
15. Senator Hynes.  
16. SENATOR HYNES:  
17. I would move, Mr. President, the Senate stand adjourned  
18. until Wednesday, May 18, at 11:00 a.m.  
19. PRESIDING OFFICER: (SENATOR BRUCE)  
20. Heard the motion. All in favor say Aye. All opposed  
21. Nay. The Senate stands adjourned until tomorrow at the  
22. hour of eleven o'clock.  
23.  
24.  
25.  
26.  
27.  
28.  
29.  
30.  
31.  
32.  
33.