

80th GENERAL ASSEMBLY

REGULAR SESSION

MAY 19, 1977

1. PRESIDENT:

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

6. DR. LUKE:

7. (Prayer by Dr. Luke)

8. PRESIDENT:

9. Reading of the Journal. Senator Johns.

10. SENATOR JOHNS:

11. Mr. President, I move that reading and approval
12. of the Journals of Tuesday, May the 10th, 1977,
13. Wednesday, May the 11th, 1977, Thursday, May the
14. 12th, 1977, Friday, May the 13th, 1977, Monday, May the
15. 16th, 1977, Tuesday, May the 17th, 1977, and Wednesday,
16. May the 18th, 1977 be postponed pending arrival of the
17. printed Journals.

18. PRESIDENT:

19. You've heard the motion by Senator Johns.
20. Is there any discussion? If not, all those in favor
21. signify by saying Aye. Opposed. The Ayes have it.
22. The motion carries. For what purpose does Senator Leonard
23. arise?

24. SENATOR LEONARD:

25. ...privilege. I would like the Body to recognize
26. some guests in the gallery, a young man who will join
27. the Bar Association this evening who has put himself
28. through law school and will become an attorney at
29. 3:00 o'clock this afternoon, Dave Aho, his wife Sherry
30. and he is here with his inlaws, Cecil and Trudy Miller.
31. And I would simply like the Senate to recognize...

32. PRESIDENT:

33. Will our guests please rise. May I have your
34. attention? Any member wishing to have a bill on
35. 2nd reading called today, please notify the Secretary so that

1. we can be prepared. Any member wishing to bring a bill
2. back from 3rd reading to 2nd reading for the purpose of
3. amendment also should notify the Secretary of that fact.
4. We intend to call only those bills that are requested
5. by members in advance and in addition to that, today
6. we will go to appropriation bills on...on 2nd reading
7. so that if the bill you are interested in is an
8. appropriation bill, it will be called automatically.
9. Committee Reports.

10. SECRETARY:

11. Senator Donnewald, Chairman of the Committee
12. on Assignment of Bills, assigns the following House
13. Bills to committee: Agriculture, Conservation and
14. Energy, House Bills 725, 902, 1521, 2164, 2200,
15. 2234 and 2303. Appropriations I, House Bills
16. 1026, 2338, 2344 and 2345 Elementary and Secondary
17. Education, House Bill 2131. Higher Education, House
18. Bills 1198 and 1415. Executive, House Bills 796, 1266,
19. 1345, 1596, 1651, 1652, 1653, 1654, 1655, 1656, 1657,
20. 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665,
21. 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673,
22. 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682,
23. 1683, 1685, 1802, 1964, 1986, 2103, 2143 and 2171.
24. Executive Appointments and Administration, House Bills
25. 1062, 1152, 1414, 1627, and 2235. Finance and
26. Credit Regulations, House Bills 1644, 1691, 1826,
27. 2224, 2232 and 2259. Insurance and Licensed Activities,
28. House Bills 935, 1105, 1487, 1489 and 2082. Judiciary
29. I, House Bills 847, 859, 911, 1015, 1397, 1592,
30. 1709, 1824, 1866, 2100, 2101, and 2220. Judiciary II,
31. House Bills 166, 234, 245, 2185 and 2283. Labor and
32. Commerce, House Bill 651. Local Government, House
33. Bill 641, 675, 873, 874, 880, 1188, 1603, 1715, 1928,
34. 2096, 2132, 2227, and 2307. Pensions, Personnel and Veterans

1. Affairs, House Bills 495, 922, 1809, 2116, 2161,
2. 2262 and 2263. Public Health, Welfare and Corrections,
3. House Bill 1315. Revenue, House Bills 933, 2063,
4. 2195, 2196, 2197, 2299. Transportation, House
5. Bills 501, 738, 936, 979, 1252, 1752, 1784, 2022,
6. and 2217.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Thank you, Mr. Secretary. Messages from the
9. House please.

10. SECRETARY:

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

12. Mr. President - I am directed to inform
13. the Senate that the House of Representatives has
14. passed bills with the following titles in the passage
15. of which I am instructed to ask the concurrence of the
16. Senate, to-wit:

17. House Bills 34, 391, 426, 485, 535, 941,
18. 1061, 1096, 1140, 1185, 1186, 1210, 1216, 1217, 1218,
19. 1219, 1278, 1285, 1286, 1294, 1306, 1323, 1384,
20. 1411, 1412, 1431, 1433, 1436, 1437, 1438, 1470,
21. 1473, 1474, 1508, 1524, 1537, 1560, 1598, 1635, 1636,
22. 1699, 1726, 1762, 1772, 1786, 1791, 1793, 1833, 1950,
23. 1982, 2030, 2033, 2156, 2187, 2238, 2249, 2257, 2271,
24. 2291, and 2314.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. Okay. Now, let's pay attention. We're going to
27. start on the Order of 1st reading on House Bills
28. and assignment there. And I would like to take a moment
29. to recognize a great and dear friend, my colleague, Jim Holloway.
30. Glad to have you with us, Jim. Okay. House Bills on
31. 1st reading. The first one, Mr. Secretary, is 319, Bruce.

32. SECRETARY:

33. House...House Bill 319.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. The next one, 639, Senator Roe. Wait a minute
5. did we miss one? Senator Bruce, you wish to be recognized?
6. SENATOR BRUCE:
7. Yes, I wonder, it's completely out of order, but
8. House Bill 318 was inadvertently picked up by Senator
9. Netsch. You just gave me 319. They are companion
10. bills. Do I have leave of the Body to show myself as
11. principal sponsor of 318...
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. You have leave.
14. SENATOR BRUCE:
15. ...also?
16. PRESIDING OFFICER: (SENATOR JOHNS)
17. Yes, Sir. 318 and 319, Bruce. Okay, now, Mr.
18. Secretary, we evidently missed one. Mr. Secretary,
19. read House Bill 528, Senator Ozinga.
20. SECRETARY:
21. House Bill 528.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. House Bill 639, Senator Roe.
26. SECRETARY:
27. House Bill 639.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. ...Bill 783, Senator Washington. Mr. Secretary.
32. Okay, we're in order. House Bill 783, Senator Washington.
33. SECRETARY:
34. House Bill 783.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. House Bill 852, Senator Glass.
5. SECRETARY:
6. House Bill 852.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. Senator Grotberg, you are recognized by the Chair.
11. SENATOR GROTBURG:
12. Thank you, Mr. President. We have distinguished
13. visitors in the President's gallery right above you,
14. Mr. President and members of the Senate.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. Would you care to tell us who they are?
17. SENATOR GROTBURG:
18. I think it distinguishes them is that they are my
19. next door neighbors from St. Charles, Illinois,
20. Midge and Bob Hahn and their daughter, Stacy. But, the
21. thing that distinguishes them even more is that their
22. young bearded wonder that's with them, Cliff Lund, is being
23. sworn in as a lawyer this afternoon and we're glad they're
24. here. Thank you, very much.
25. PRESIDING OFFICER: (SENATOR JOHNS)
26. Would they stand and be recognized please.
27. House Bill 854, Senator Glass.
28. SECRETARY:
29. House Bill 854.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. House Bill 861, Glass.

1. SECRETARY:
2. House Bill 861.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. House Bill 863, Senator Glass.
7. SECRETARY:
8. House Bill 863.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. House Bill 878, Senator Bowers.
13. SECRETARY:
14. House Bill 878.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. House Bill 8...no, 909, Senator Bruce.
19. SECRETARY:
20. House Bill 909.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. House Bill 1007, Senator Buzbee. Oh, yes, I'm sorry.
25. Let's go with House Bill 978, Senator Grotberg.
26. SECRETARY:
27. House Bill 978.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. House Bill 1007, now, Senator Buzbee.
32. SECRETARY:
33. House Bill 1007.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER: (SENATOR JOHNS)
4. House Bill 1063, Senator Kosinski.
5. SECRETARY:
6. House Bill 1063.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER: (SENATOR JOHNS)
10. House Bill 1101, Senator Vadalabene.
11. SECRETARY:
12. House Bill 1101.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR JOHNS)
16. House Bill 1118, Senator Johns.
17. SECRETARY:
18. House Bill 1118.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR JOHNS)
22. House Bill 1119, Senator Johns.
23. SECRETARY:
24. House Bill 1119.
25. (Secretary reads title of bill)
26. 1st reading of the bill.
27. PRESIDING OFFICER: (SENATOR JOHNS)
28. House Bill 1200, Senator Lane.
29. SECRETARY:
30. House Bill 1200.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. PRESIDING OFFICER: (SENATOR JOHNS)

1. House Bill 1237, Senator Regner.
2. SECRETARY:
3. House Bill 1237.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. House Bill 1240, Senator Rock.
8. SECRETARY:
9. House Bill 1240.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. House Bill 1299, Senator Glass...wait a minute,
14. Mr. Secretary. 1277. Am I right now, Senator Hickey?
15. Okay.
16. SECRETARY:
17. House Bill 1277.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. Next bill, House Bill 1299, Glass, Senator Glass.
22. Oh, yes...I'm sorry again. Too many people coming at
23. me at once. House Bill 1297, Senator Wooten.
24. SECRETARY:
25. House Bill 1297.
26. (Secretary reads title of bill)
27. 1st reading of the bill.
28. PRESIDING OFFICER: (SENATOR JOHNS)
29. Thank you, Mr. Secretary. Now, House Bill 1299,
30. Senator Glass.
31. SECRETARY:
32. House Bill 1299.
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR JOHNS)
3. House Bill 1312, Senator Schaffer.
4. SECRETARY:
5. House Bill 1312.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. House Bill 1336, Senator David Regner.
10. SECRETARY:
11. House Bill 1336.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. House Bill 1347, Senator Chew.
16. SECRETARY:
17. House Bill 1347.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. House Bill 1351, Senator Chew.
22. SECRETARY:
23. House Bill 1351.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. House Bill 1386, Senator Collins.
28. SECRETARY:
29. House Bill 1386.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. House Bill 1448, Senator Rock.

1. SECRETARY:
2. House Bill 1448.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. House Bill 1459, Senator Merlo.
7. SECRETARY:
8. House Bill 1459.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. House Bill 1625, Senator Vadalabene.
13. SECRETARY:
14. House Bill 1625.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. House Bill 1740, Senator McMillan.
19. SECRETARY:
20. House Bill 1740.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. House Bill 1742, Senator Berman.
25. SECRETARY:
26. House Bill 1742.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR JOHNS)
30. Senator Chew, do you wish to be recognized?
31. SENATOR CHEW:
32. Yes, Mr. President, I do. Point of personal
privilege.
33. PRESIDING OFFICER: (SENATOR JOHNS)
- 34.

1. What is your point, Senator Chew?
2. SENATOR CHEW:
3. I'd like to introduce one of the better known
4. schools throughout the United States in my district
5. the Mahalia Jackson Elementary School, accompanied
6. by Mr. Rowen and we would like to have you stand
7. so we can recognize you.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. Would you please stand and be recognized.
10. SENATOR CHEW:
11. Thank you.
12. PRESIDING OFFICER: (SENATOR JOHNS)
13. You're welcome, Senator Chew. House Bill 1756,
14. Senator Newhouse.
15. SECRETARY:
16. House Bill 1756.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDING OFFICER: (SENATOR JOHNS)
20. House Bill 1789, Senator Egan.
21. SECRETARY:
22. House Bill 1789.
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDING OFFICER: (SENATOR JOHNS)
26. House Bill 1818, Senator Schaffer.
27. SECRETARY:
28. House Bill 1818.
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER: (SENATOR JOHNS)
32. Okay, now, Mr. Secretary, if I'm right, we start with House
33. Bill 1915, Senator Netsch. Missed one? Oh, I'm sorry. I'm looking
34. at the ones we're making notes on and not the ones that are already
35. imprinted. House Bill 1900, Senator Hickey.

1. SECRETARY:
2. House Bill 1900.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. House Bill 1901, Senator Hickey.
7. SECRETARY:
8. House Bill 1901.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. House Bill 1915, Senator Netsch.
13. SECRETARY:
14. House Bill 1915.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. House Bill 1965, Senator Hickey.
19. SECRETARY:
20. House Bill 1965.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. House Bill 2069, Senator Lemke.
25. SECRETARY:
26. House Bill 2069.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR JOHNS)
30. House Bill 2071, Senator Glass.
31. SECRETARY:
32. House Bill 2071.
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR JOHNS)
3. House Bill 2081, Senator Netsch.
4. SECRETARY:
5. House Bill 2081.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. House Bill 2104, Senator Lane.
10. SECRETARY:
11. House Bill 2104.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. House Bill 2177, Senator Schaffer.
16. SECRETARY:
17. House Bill 2177.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. House Bill 2203, Senator Demuzio.
22. SECRETARY:
23. House Bill 2203.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. House Bill 2204, Senator Demuzio.
28. SECRETARY:
29. House Bill 2204.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. House Bill 2223, Senator Johns.

1. SECRETARY:
2. House Bill 2223.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. House Bill 2240, Senator Wooten.
7. SECRETARY:
8. House Bill 2240.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. House Bill 2326, Senator Weaver.
13. SECRETARY:
14. House Bill 2326.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. House Bill 2336, Senator Carroll.
19. SECRETARY:
20. House Bill 2336.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER: (SENATOR JOHNS)
24. House Bill 2340, Senator Regner.
25. SECRETARY:
26. House Bill 2340.
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER: (SENATOR JOHNS)
30. House Bill 2342, Senator Regner.
31. SECRETARY:
32. House Bill 2342.
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. PRESIDING OFFICER: (SENATOR JOHNS)
3. House Bill 2342, Senator Regner.
4. SECRETARY:
5. House Bill 2342.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER: (SENATOR JOHNS)
9. House Bill 2343, Senator Sam Maragos.
10. SECRETARY:
11. House Bill 2343.
12. (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER: (SENATOR JOHNS)
15. House Bill 2346, Senator Maragos.
16. SECRETARY:
17. House Bill 2346.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER: (SENATOR JOHNS)
21. House Bill, 1st reading, 2347, Senator Maragos.
22. SECRETARY:
23. House Bill 2347.
24. (Secretary reads title of bill)
25. 1st reading of the bill.
26. PRESIDING OFFICER: (SENATOR JOHNS)
27. House Bill 2348, Senator Carroll.
28. SECRETARY:
29. House Bill 2348.
30. (Secretary reads title of bill)
31. 1st reading of the bill.
32. PRESIDING OFFICER: (SENATOR JOHNS)
33. House Bill 2349, Senator Carroll.

1. SECRETARY:
2. House Bill 2349.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER: (SENATOR JOHNS)
6. House Bill 2350, Senator Carroll.
7. SECRETARY:
8. House Bill 2350.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. The Chair wishes to call House Bill 2337 for
13. Senator Carroll.
14. SECRETARY:
15. House Bill 2337.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDING OFFICER: (SENATOR JOHNS)
19. House Bill 2152, Senator Netsch.
20. SECRETARY:
21. House Bill 2152.
22. (Secretary reads title of bill)
23. 1st reading of the bill.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. House Bill 2158, Senator Philip.
26. SECRETARY:
27. House Bill 2158.
28. (Secretary reads title of bill)
29. 1st reading of the bill.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. On the Order of 2nd reading...for what purpose does
32. Senator Collins wish to be recognized?
33. SENATOR COLLINS:

1. Mr. President, I would like leave of the Body
2. to be shown as principle sponsor of House Bill 922.
3. I have the permission of Senator Knuppel, who will also
4. remain on the bill as a cosponsor.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Is there leave? Leave is granted. You will be shown
7. as the cosponsor with Senator Knuppel...I mean chief
8. sponsor with Senator Knuppel as a cosponsor.

9. With your leave and your consideration, we have a resolution
10. that we'd like to get out of the way by Senator Bruce.

11. I think it's...to go on the Consent Calendar. Do we
12. have leave? Leave is granted. Mr. Secretary.

13. SECRETARY:

14. Senate Resolution 142, introduced by Senator...offered by
15. Senator Bruce and all Senators and it's congratulatory.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Resolutions Consent Calendar. Now, on the Order
18. of 2nd reading, we will start with the appropriation
19. bills. 314, Vadalabene. Senator Vadalabene, you want to
20. call that bill? You want to move that bill?

21. 314, on the Order of 2nd reading. We're going to need
22. your attention, page 2, we're going to call all
23. appropriation bills. Do you wish to move the bill,
24. Senator? Would you speak into the microphone, please?
25. Senator Vadalabene. Senator Sam, would you tell us what
26. you wish...move it, he says.

27. SECRETARY:

28. Senate...Senate Bill 314.

29. (Secretary reads title of bill)

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

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Any further amendments from the Floor? Any amendments
33. from the Floor? 3rd reading. Senator Graham, do you...

1. SENATOR GRAHAM:

2. I think if you would get all the bees in the hive
3. and get them to sit in their seats, we'd know what's
4. going on around here and I'm sure you can't hear either.
5. I'm sure I can't.

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Senator, I appreciate your comments. Again, I ask
8. you to quiet down please. Now, please. This is very
9. serious and it takes a lot of time to stop and ask you to
10. do this, but let's quiet down, please. Now, Senator
11. Sam.

12. SENATOR VADALABENE:

13. Yes, thank you, Mr. President. Senator Graham
14. is exactly right. I didn't even know or hear what you
15. were talking about when you were addressing me, so...

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. So, if you will, please. On the Order of 2nd reading,
18. Senate Bills, appropriations, Senate Bill 319,
19. Harber Hall. Not here. Senate Bill 321, Senator Sommer.
20. Senate Bill 325, Senator Sommer. Now, stop me. We're
21. going to keep moving unless you indicate you wish to call
22. the bill. Well, all right, now. You know, I've asked
23. you guys and you Senators several times now and I'm
24. going to go back to you as a courtesy, but let's get
25. with it. Okay? All right. 321, for Senator Sommer.
26. Do you wish to move the bill? All right. Read the
27. bill, Mr. Secretary.

28. SECRETARY:

29. Senate Bill 321.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. The Committee on Appropriations

32. I offers two amendments.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President. Amendment No. 1,
4. Committee Amendment, reducing CDB operations bill,
5. some hundred and twenty-seven thousand nine hundred.
6. I move the adoption of Committee Amendment No. 1.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Senator Carroll moves the adoption of Amendment
9. 1. All those in favor say Aye. All those opposed say Nay.
10. The amendment is adopted.

11. SECRETARY:

12. Committee Amendment No. 2.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President. I would move to Table
17. Committee Amendment No. 2. There will be a substitute
18. amendment offered by Senator Sommer. There's a technical
19. defect in Committee Amendment No. 2 and I would hereby
20. move to Table Committee Amendment No. 2.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Senator Carroll moves the Tabling of Amendment No. 2.
23. All those in favor say Aye. All those opposed say Nay.
24. The amendment is...Tabled. Any further committee amendments?

25. SECRETARY:

26. No further committee amendments.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Any further amendments from the Floor?

29. SECRETARY:

30. Amendment No. 3 offered by Senator Sommer.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Senator Sommer, would you explain the amendment,
33. please?

1. SENATOR SOMMER:

2. This amendment does the same thing as the one we
3. Tabled except that it changes some figures very slightly,
4. that's all.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Any further discussion of the amendment, No. 2,
7. right?

8. SECRETARY:

9. No. 3.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. 3. I beg your pardon, 3. All those in favor
12. of the adoption of Amendment No. 3 to Senate Bill
13. 321 say Aye. All those opposed say Nay. The amendment
14. is adopted. Any further amendments from the Floor?

15. SECRETARY:

16. No further amendments.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. 3rd reading. Now, I want to go back, I, inadvertently,
19. missed...Senator Demuzio. Oh, is there another amendment?
20. I'll get right back to you, Senator. Senator Carroll
21. is recognized.

22. SENATOR CARROLL:

23. I understand that, Mr. Secretary, there is another
24. amendment by Senator Buzbee to Senate Bill 321.

25. SECRETARY:

26. You're right, Senator Carroll.

27. SENATOR CARROLL:

28. On line 1...page 1, line 13...

29. SECRETARY:

30. It was under another amendment. Right.

31. Amendment No. 4 offered by Senator Buzbee.

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. Senator Buzbee is recognized for the explanation of the

1. amendment.

2. SENATOR BUZBEE:

3. Yes, thank you, Mr President. This is not a dollar
4. change. It takes ten thousand dollars from the contractual
5. services. CDB have indicated they had some thirty-
6. five thousand unallocated for the specific purpose
7. after Amendment No. 1 and it takes this ten thousand
8. and allocates it for the Energy Advisory Conservation
9. Council which is being created by Senate Bill 835
10. and I would move its adoption.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Senator Buzbee moves the adoption of Amendment
13. No. 4 to Senate Bill 321. All those in favor say Aye.
14. All those opposed say Nay. The Amendment No. 4 is
15. adopted. Any further amendments from the Floor?

16. SECRETARY:

17. No further amendments.

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. 3rd reading. Now, we wish to go back to Senate
20. Bill 85, Senator Demuzio. Do you wish to move the bill?
21. He does. Move the bill.

22. SECRETARY:

23. Senate Bill 85.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDENT:

27. Any amendments from the Floor? 3rd reading.
28. Senate Bill 325, Senator Sommer. Read the bill.

29. SECRETARY:

30. Senate Bill 325.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. No committee amendments.

33. PRESIDENT:

1. Any amendments from the Floor? 3rd reading.
2. Senate Bill 325, Senator Sommer. 326, Senator Regner.

3. Read the bill.

4. SECRETARY:

5. Senate Bill 326.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. The Committee on Appropriations

8. I offers three amendments.

9. PRESIDENT:

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President. Committee Amendment No. 1
13. reduces the appropriation for the department by two hundred
14. and sixty-seven thousand in three various divisions. We had
15. substantial discussion on this in committee and I would
16. move the adoption of Committee Amendment No. 1.

17. PRESIDENT:

18. Is there any discussion? Senator Carroll moves
19. the adoption of Amendment No. 1. All those in favor
20. signify by saying Aye. Opposed. The Ayes have it.
21. The amendment is adopted. Amendment No. 2, Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President. Amendment No. 2 is to
24. raise the appropriation level for the Workmen's
25. Compensation line item which is paid both from
26. General Revenue and Road Funds. I would move adoption
27. of Committee Amendment No. 2.

28. PRESIDENT:

29. Senator Carroll moves the adoption of Amendment
30. No. 2. All...all those in favor signify by saying Aye.
31. Opposed. The Ayes have it. The amendment is adopted.
32. Amendment No. 3.

33. SENATOR CARROLL:

1. Thank you, Mr. President. This amendment adds
2. a hundred and twenty thousand for extra auto liability
3. insurance in both the General Revenue Funds and Road
4. Funds. I would move the adoption of Committee Amendment
5. No. 3.

6. PRESIDENT:

7. Senator Carroll moves the adoption of Amendment No. 3.
8. All in favor signify by saying Aye. Opposed. The Ayes
9. have it. The amendment is adopted. Any further
10. amendments?

11. SECRETARY:

12. No further committee amendments.

13. PRESIDENT:

14. Any amendments from the Floor? 3rd reading.
15. Senate Bill 327, Senator Grotberg. Read the bill.
16. Senate Bill 329, Senator Walsh. Senate Bill 331,
17. Senator Schaffer. Read the bill.

18. SECRETARY:

19. Senate Bill 331.

20. (Secretary reads title of bill)

21. 2nd reading of the bill. The Committee on Appropriations II
22. offers one amendment.

23. PRESIDENT:

24. Senator Carroll. Oh, Senator Buzbee.

25. SENATOR BUZBEE:

26. Mr. President, I believe you have another amendment
27. from the Floor, do you not? At this time, I would move
28. to Table Amendment No. 1, the committee amendment, as we have
29. discovered an error and will correct it with Amendment No.
30. 2 which will be offered from the Floor.

31. PRESIDENT:

32. Senator Buzbee moves to Table Amendment No. 1. All those
33. in favor signify by saying Aye. Opposed. The Ayes have it.

1. The amendment is Tabled. Senator Buzbee on Amendment
2. No. 2.

3. SENATOR BUZBEE:

4. Senator Schaffer, I believe you were aware of
5. this Amendment No. 2, which does what Senator Netsch
6. originally had...had recommended with her subcommittee.
7. We unanimously agreed that she was wrong. We now
8. unanimously agree she was right and I have publicly
9. apologized to Senator Netsch. She's probably on the
10. phone and won't hear me. But, it now appears that the
11. agency would like to have the additional three hundred
12. and ninety-seven thousand five hundred dollars moved
13. from Contractual Services to Personal Services
14. on the grounds that the original budget did not correctly
15. state a deduction for turn over on hiring lag. With
16. the associated changes in the State Retirement and
17. Social Security items, the total shift from
18. Contractual Services is four hundred forty-nine thousand
19. eight hundred dollars. The agency states that the balance
20. of the Contractual Services not elsewhere classified
21. item can be deleted from the appropriation request.
22. It would not appear that this is the proper procedure.
23. The net reduction in this budget after the adoption of
24. this amendment will be five hundred thirty-five
25. thousand five hundred dollars and I would move its adoption.

26. PRESIDENT:

27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Senator Buzbee, you said something about Senator
30. Netsch and I didn't quite understand. What exactly did you
31. say about Senator Netsch in this explanation?

32. SENATOR BUZBEE:

33. I will be glad to eat humble pie or crow or whatever

1. it is you want to call it once again, since the good...
2. it's not the pie that the ERA ladies brought, no.
3. The good Senator from the near north side is...is now
4. on the Floor. We all unanimously agreed before that
5. Senator Netsch's subcommittee recommendations were wrong.
6. We now unanimously agree that the Senator's subcommittee
7. recommendations are right and that's...we have
8. just straightened out and done what she recommended
9. with this amendment.

10. PRESIDENT:

11. Senator Schaffer.

12. SENATOR SCHAFFER:

13. I'm certainly willing to go along with the
14. amendment. It was that part about unanimously agreeing
15. with Senator Netsch that kind of had me a little
16. confused.

17. PRESIDENT:

18. All those in favor of the adoption of Amendment
19. No. 2 signify by saying Aye. Opposed. The Ayes have it.
20. The amendment is adopted. Any further amendments?

21. SECRETARY:

22. Amendment No. 3 offered by Senator Berning.

23. PRESIDENT:

24. Senator Berning.

25. SENATOR BERNING:

26. Mr. President, Amendment No. 3 incorporates into the
27. Voc Rehab appropriation Senate Bill 402, which is the
28. appropriation for the Service Bureau for the Deaf
29. and has the agreement of the chairman and the minority
30. spokesman was unanimously approved and I therefore move
31. for the...

32. PRESIDENT:

33. Senator Berning moves for the adoption of Amendment
34. No. 3. All those in favor signify by saying Aye.

1. Opposed. The Ayes have it. The amendment is adopted.

2. Any further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDENT:

6. 3rd reading. Senator Don Moore.

7. SENATOR MOORE:

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

9. PRESIDENT:

10. State your point.

11. SENATOR MOORE:

12. Thank you, Mr. President. In the rear gallery
13. are the first contingent of some one hundred and seventy-
14. seven eighth graders from the Arbor Park Middle School
15. in the Oak Forest - Tinley Park-Bremmet Township area.
16. I would appreciate the Senate to recognize them, if
17. they would please stand.

18. PRESIDENT:

19. Senate Bill 332, Senator Roe. Read the bill.

20. SECRETARY:

21. Senate Bill 332.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. The Committee on Appropriations
24. I offers one amendment.

25. PRESIDENT:

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President. Amendment No. 1, committee
29. amendment is to remove two vacant positions due to the
30. Governor's hiring freeze. It would save some thirty-
31. eight thousand...thirty-eight thousand nine hundred
32. and seventy dollars. I would move the adoption of
33. Committee Amendment No. 1.

1. PRESIDENT:

2. Is there any discussion? Senator Carroll moves
3. the adoption of Amendment No. 1. All those in favor
4. signify by saying Aye. Opposed. The Ayes have it.
5. The amendment is adopted. Any further amendments?

6. SECRETARY:

7. No further committee amendments.

8. PRESIDENT:

9. Any amendments from the Floor? 3rd reading.
10. Senate Bill 335; Senator Regner. Read the bill.

11. SECRETARY:

12. Senate Bill 335.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. The Committee on Appropriations
15. II offers two amendments.

16. PRESIDENT:

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Yes, Mr. President. Committee Amendment No. 1
20. cuts one hundred six thousand two hundred dollars from
21. Personal Services for the Division of Identification.
22. The amount requested was the net increase proposed to
23. transfer seventeen higher paid employees from a Federal
24. grant to the State payroll with seventeen clerical
25. employees to be transferred to the grant. It cuts
26. forty-six thousand nine hundred dollars from
27. equipment in the Division of Investigation, the amount
28. frozen and expected to lapse in this account in FY '77
29. and it cuts out four hundred thirty-seven thousand
30. six hundred dollars, that's the entire appropriation,
31. for the Division of Special Investigations formerly
32. the O.S.I. And I would move the adoption of Committee
33. Amendment No. 1.

1. PRESIDENT:

2. Senator Buzbee moves the adoption of Amendment
3. No. 1. All those in favor signify by saying Aye.
4. Opposed. The Ayes have it. The amendment is adopted.
5. Senator Buzbee, Amendment No. 2.

6. SENATOR BUZBEE:

7. Thank you, Mr. President. This amendment adds
8. two hundred fifty thousand dollars to Senate Bill
9. 335 to pay for the fire college at the University
10. of Illinois and I would move the adoption of
11. Committee Amendment No. 2.

12. PRESIDENT:

13. Senator Weaver moves the adoption of
14. Amendment No. 2. All in favor signify by saying
15. Aye. Opposed. The Ayes have it. The amendment is
16. adopted. Any further amendments?

17. SECRETARY:

18. No further committee amendments.

19. PRESIDENT:

20. Any amendments from the Floor? 3rd reading. Senate
21. Bill 336, Senator Don Moore. Read the bill.

22. SECRETARY:

23. Senate Bill 336.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. The Committee on Appropriations
26. I offers one amendment.

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President. This is an amendment to
31. require the Pension Fund to appropriate by line item
32. accounts that's still their money. They're appropriating
33. but we are requiring them to do this by the standard accounts

1. so that we have a better look and control. I would
2. move the adoption of Amendment No. 1.

3. PRESIDENT:

4. Senator Carroll moves the adoption of Amendment
5. No. 1. All those in favor signify by saying Aye.
6. Opposed. The Ayes have it. The amendment is adopted.
7. Any further amendments?

8. SECRETARY:

9. No further committee amendments.

10. PRESIDENT:

11. Any amendments from the Floor? 3rd reading.
12. Senate Bill 339, Senator Berning. Read the bill.

13. SECRETARY:

14. Senate Bill 339.

15. (Secretary reads title of bill)

16. 2nd reading of the bill. The Committee on Appropriations
17. 1 offers two amendments.

18. PRESIDENT:

19. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President. Committee Amendment No. 1
22. is a reduction of forty-one thousand four hundred in
23. GRF for the Disaster...Hazardous Materials Program for
24. monies that they did not spend for that purpose last
25. year. I would move the adoption.

26. PRESIDENT:

27. Senator Berning.

28. SENATOR BERNING:

29. Mr. President and members of the Senate. Amendment
30. No. 1 would successfully eliminate a...the Hazardous
31. Materials Enforcement Provisions for the Emergency Services
32. and Disaster Agency. It's unfortunate that a misunderstanding
33. arose over the utilization of a very few dollars of funds from

1. this appropriated item during the water shortages of
2. last summer. Be that as it may, and criticism
3. may undoubtedly be justified, the General Assembly
4. did mandate this Body and the House on the other
5. side did mandate a Hazardous Substances Act to be
6. enforced and carried out by the Emergency Services
7. and Disaster Agency. So, Mr. President and members
8. of the Senate, I say to you if we are to continue
9. to mandate programs we ought to fund them or we ought
10. to unmandate them and you've heard this before in
11. connection with schools and other instances. But,
12. here is one that affects one of our State agencies.
13. We mandated the responsibility and we ought to fund
14. it, cutting the requested amount by fifty percent will
15. for all intents and purposes, make it impossible for this
16. agency to carry out the mandate of this Body. Therefore,
17. Mr. President, I would respectfully request the
18. members of the Body to seriously consider and weigh
19. the impact of Amendment No. 1 and hopefully reject it
20. and I would really request a roll call, Mr. President.

21. PRESIDENT:

22. Senator Carroll.

23. SENATOR CARROLL:

24. Thank you, Mr. President. To respond to Senator Berning,
25. who is the sponsor of this legislation, I agree with him
26. a hundred percent with everything he said. We have
27. a great need in Illinois for a properly run Hazardous
28. Materials Program. That's what we appropriated money
29. for, for a properly run Hazardous Materials mandated program.
30. However, when the department sees fit to take that money,
31. and allocate it for a totally unappropriated source,
32. to hire four researchers to do some drought research programs
33. instead of spending the money where it's needed in hazardous

1. materials, they have not shown a need for that in the
2. Hazardous Materials Program. If they want a drought
3. research, then I suggest Senator Berning authorize
4. the introduction of legislation that would mandate...
5. that would mandate drought research. But, if it's
6. hazardous materials, let's spend the amount of money
7. that's necessary on hazardous materials. If they find
8. they need more, I, for one, Senator, would support
9. supplemental appropriations to affect that purpose.
10. But, if they're not spending if for the purpose
11. intended, they shouldn't have the money. They obviously
12. didn't need it and I would again move the adoption
13. of Amendment No. 1.

14. PRESIDENT:

15. Any further discussion? Senator Maragos.

16. SENATOR MARAGOS:

17. I would like to ask the sponsor of the amendment
18. if Senate Bill 245 becomes law, will the department
19. then undertake to supplement the Hazardous Material
20. Act that would be enforced at that time?

21. PRESIDENT:

22. Senator Carroll, do you wish to answer that, or
23. would Senator Berning...

24. SENATOR CARROLL:

25. Well, it was a committee amendment. I really can't
26. answer. I don't know what effect that bill would have
27. on the Department, but I think that would be easily
28. resolved. And I understand that bill to have been the one
29. you just passed on the movement of hazardous materials over
30. roads. Okay, it's on 3rd reading.

31. PRESIDENT:

32. Senator Sommer.

33. SENATOR SOMMER:

34. Mr. President and members. It would strike me that

1. by shorting a mandated program that's important such
2. as this one is, you only have two alternatives, either
3. to ask for a supplemental as Senator Carroll has
4. indicated or to leak out of other items the necessary
5. monies to perform this function. Therefore, I would
6. support Karl...or Senator Berning in...in his resistance
7. to this amendment.

8. PRESIDENT:

9. Senator Berning.

10. SENATOR BERNING:

11. Yes, Mr. President and members of the Senate.
12. Let me respond in part to Senator Carroll in his
13. criticism of lack of total utilization of the total
14. appropriation by reminding the members of the Body
15. that the Hazardous Substances Act was effective in
16. 1976. It just may be, Mr. President and members of the
17. Body, that the department was unable to totally gear up
18. in the short time at its disposal and perhaps had funds
19. available to it. That does not mean that the program
20. is not now ready to be implemented it fully as I have
21. been assured by the Director, Mr. Jones. Therefore,
22. I repeat my request that this amendment be rejected and
23. Mr. President, I respectfully ask for a roll call.

24. PRESIDENT:

25. Senator Demuzio.

26. SENATOR DEMUZIO:

27. Thank you, Mr. President. In response to Senator
28. Berning, I have been very...listening very intently to this
29. debate on this amendment of reduction of some forty
30. thousand dollars for the Hazardous Materials section of
31. this...of this bill. Let me say that there is indeed a
32. very serious problem in Illinois in terms of hazardous
33. material as it relates to not only transportation, but as

1. it relates to that material that is being buried and what
2. have you. But clearly, according to the information
3. that I have, they have not been meeting their obligation
4. and they have certainly not been meeting their responsibility
5. in this regard. I would be most happy to support a
6. supplemental appropriation or a deficiency appropriation
7. if, in fact, they came up with a workable work program,
8. one that was benefiting the people of Illinois.
9. And therefore, I am going to be with Senator Carroll
10. on this amendment.

11. PRESIDENT:

12. Any further discussion? Senator Carroll moves the
13. adoption of Amendment No. 1. Senator Berning has requested
14. a roll call. The question is shall Amendment No. 1
15. be adopted. Those in favor will vote Aye. Those opposed
16. will vote Nay. The voting is open. Have all voted who
17. wish? Have all voted who wish? Take the record.
18. On that question the Ayes are 30, the Nays are 22,
19. 1 Voting Present. Amendment No. 1 to Senate Bill 339
20. having received a majority of the votes cast, is adopted.
21. Amendment No. 2, Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President. Committee Amendment No. 2
24. makes it necessary for the agency to return to the
25. Legislature for any appropriation of additional Federal
26. funds that are made available to them. We have done this
27. in a lot of other areas in State government. I would move
28. adoption of...

29. PRESIDENT:

30. Senator Carroll moves the adoption of Amendment No. 2.
31. All those in favor signify by saying Aye. Opposed.
32. The Ayes have it. The amendment is adopted. Any further
33. amendments?

1. SECRETARY:
2. No further committee amendments.

3. PRESIDENT:
4. Any amendments from the...from the Floor? 3rd reading. Senate
5. Bill 362, Senator Schaffer. Read the bill.

6. SECRETARY:
7. Senate Bill 362.
8. (Secretary reads title of bill)
9. 2nd reading of the bill. The Committee on Appropriations
10. II offers three amendments.

11. PRESIDENT:
12. Senator Buzbee.

13. SENATOR BUZBEE:
14. Yes, Mr. President. The Amendment No. 1 increases
15. the foster care line item in the amount of three
16. million five hundred thousand dollars to pay for increased
17. rates for foster care. I would move its adoption.

18. PRESIDENT:
19. Senator Buzbee moves the adoption of Amendment
20. No. 1. All those in favor signify by saying Aye.
21. Opposed. The Ayes have it. The amendment is adopted.
22. Amendment No. 2, Senator Buzbee. Senator Hickey.
23. Senator Hickey, for what purpose do you arise?

24. SENATOR HICKEY:
25. I want to Table Amendment No. 2.

26. PRESIDENT:
27. Amendment No. 2 is a committee amendment. Senator
28. Buzbee.

29. SENATOR BUZBEE:
30. Mr. President, I concur in this action as does the
31. minority spokesman.

32. PRESIDENT:
33. All right. Senator Hickey moves to Table Amendment

1. No. 2. All those in favor signify by saying Aye.
2. Opposed. The Ayes have it. The amendment is Tabled.
3. Amendment No. 3, Senator Buzbee. Senator Schaffer, you wish
4. to explain Amendment No. 3.

5. SENATOR SCHAFFER:

6. I wish to Table Amendment No. 3.

7. PRESIDENT:

8. All right. Senator Schaffer moves to Table
9. Amendment No. 3. All those in favor signify by saying
10. Aye. Opposed. The Ayes have it. The amendment is
11. Tabled. Any further amendments?

12. SECRETARY:

13. No further committee amendments.

14. PRESIDENT:

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

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End of reel.

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1. PRESIDENT:
2. Senate Bill 363, Senator Glass. Read the bill.
3. SECRETARY:
4. Senate Bill 363
5. (Secretary reads title of bill)
6. 2nd reading of the bill. The Committee on Appropriations I
7. offers one amendment.
8. PRESIDENT:
9. Senator Carroll.
10. SENATOR CARROLL:
11. Thank you, Mr. President. Committee Amendment No. 1
12. reduces the travel by six thousand dollars still allowing
13. them an increase of almost four thousand in travel. I would
14. move the adoption Committee Amendment No. 1.
15. PRESIDENT:
16. Senator Glass, did...
17. SENATOR GLASS:
18. I concur in the adoption. Would support it, Mr. President.
19. PRESIDENT:
20. Senator Carroll moves the adoption of Amendment No. 1.
21. All those in favor signify by saying Aye. Opposed. The Ayes
22. have it. The amendment is adopted. Any further amendments?
23. SECRETARY:
24. No further committee amendments.
25. PRESIDENT:
26. Any amendments from the Floor? 3rd reading. Senate
27. Bill 402, Senator Berning. Is Senator Berning on the Floor?
28. Senate Bill 425, Senator Maragos. Is Senator Maragos on
29. the Floor?
30. SECRETARY:
31. Senate Bill 425 has been read a second time. Eleven
32. amendments have been adopted. Amendment No. 12 offered by
33. Senator Maragos.

1. PRESIDENT:

2. Senator Maragos.

3. SENATOR MARAGOS:

4. Mr. President, for the record it should be stated that
5. the fiscal note has been filed with the Secretary. That was
6. requested yesterday...I mean last week and brought up yester-
7. day, so as of now, on the Secretary's Desk. Now, I move the
8. adoption of Amendment No. 12 which originally was a committee
9. amendment but, inadvertently, had not been reported out as a
10. committee amendment, and I ask for its adoption.

11. PRESIDENT:

12. Senator Maragos moves the adoption of Amendment No. 12.
13. All those in favor signify by saying Aye. Opposed. The
14. Ayes have it. The amendment is adopted. Senator Maragos.

15. SENATOR MARAGOS:

16. Mr. President and members of the Senate, I move for the
17. adoption of Amendment No. 13. This is primarily a technical
18. and correcting amendment and it does one other thing, that
19. it says when necessary for any construction for which a
20. certificate of environmental compability, public deed has been
21. granted the holder of such certificate may enter into and
22. take property, and so. I move its adoption.

23. PRESIDENT:

24. Senator Maragos moves the adoption of Amendment No. 13.
25. All those in favor signify by saying Aye. Opposed. The Ayes
26. have it. The amendment is adopted. Senator Maragos.

27. SENATOR MARAGOS:

28. Mr. President and members, I move for the adoption of
29. Amendment No. 14 to Senate Bill 425. It primarily takes off
30. the two members of the Pollution Control Board who are put
31. on the assigning board but who have asked that they be taken
32. off because they may have some conflict of interest and it also
33. changes the...from two years to six months the length of time

1. before construction by which a certificate is...after a
2. certificate is issued, and it has some other provisions on
3. it, and I ask for its...and all of these have been approved
4. by the Municipal League as well as by others who had some
5. objection to the bill...

6. PRESIDENT:

7. Any discussion? Senator Maragos moves the adoption of
8. Amendment No. 14. All those in favor signify by saying Aye.
9. Opposed. The Ayes have it. The amendment is adopted.
10. Any further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. Senate Bill 429, Senator Berman. Senator
15. Berman on Senate Bill 429. Read the bill.

16. SECRETARY:

17. Senate Bill 429

18. (Secretary reads title of bill)

19. 2nd reading of the bill. No committee amendments. One
20. amendment offered from the Floor by Senator Bruce. Amendment
21. No. 1 offered by Senator Bruce.

22. PRESIDENT:

23. Senator Bruce.

24. SENATOR BRUCE:

25. Yes, thank you, Mr. Chairman. This is with the approval
26. of Senator Berman. This makes the bill applicable both to
27. Chicago and downstate taxpayers.

28. PRESIDENT:

29. Senator Bruce moves the adoption of Amendment No. 1.
30. All those in favor signify by saying Aye. Opposed. The Ayes
31. have it. The amendment is adopted. Any further amendments?

32. SECRETARY:

33. No further amendments.

1. PRESIDENT:

2. 3rd reading. Senate Bill 435, Senator Weaver. Read
3. the bill.

4. SECRETARY:

5. Senate Bill 435

6. (Secretary reads title of bill)

7. 2nd reading of the bill. The Committee on Appropriations II
8. offers three amendments.

9. PRESIDENT: '

10. Senator Buzbee.

11. SENATOR BUZBEE:

12. Well, Mr. President, I certainly do not offer Amendment
13. No. 1. I...somebody on the other side of the aisle does. I
14. think it's Senator Regner.

15. PRESIDENT:

16. Senator Regner, on Amendment No. 1.

17. SENATOR REGNER:

18. Yes, Mr. President and members of the Senate, what...what
19. Senate Amendment No. 1 does is reduce the Board of Higher
20. Education's request for the University of Illinois down to the
21. Governor's Budget level so that we will have a balanced budget
22. in accordance with his message of last March to us, and I
23. move the adoption of Amendment No. 1.

24. PRESIDENT:

25. Senator Regner moves the adoption of Amendment No. 1.

26. All those in favor signify by saying Aye. Opposed. The Ayes
27. have it. The amendment is adopted. Amendment No. 2. Senator
28. Buzbee.

29. SENATOR BUZBEE:

30. Yes, Mr. President, Amendment No. 2 increases the personal
31. services appropriation by nine hundred forty-two thousand two
32. hundred dollars to provide an additional one-half percent in-
33. crease in salaries which will give a total of five and one-half

1. percent plus two percent for the lowest paid civil service
2. employees. It increases the contractual services appropriation
3. by two hundred eighty thousand four hundred fifty dollars
4. and the commodities appropriation by sixty-four thousand
5. one hundred fifty dollars to provide an additional two and
6. one-half percent increase for utility costs for it...bringing
7. it to a total of twelve and one-half percent, and it increases
8. the retirement appropriation by four million sixty-eight
9. thousand three hundred dollars to meet gross benefit pay out
10. requirements, and I would move the adoption of Committee
11. Amendment No. 2.

12. PRESIDENT:

13. Is there any discussion? Senator Regner.

14. SENATOR REGNER:

15. Yes, Mr. President and members of the Senate, I would
16. like to just if...Senator Buzbee, I think I'll explain just
17. exactly what's going to be going on in all of these bills.
18. In all of the higher education bills, Amendment No. 1 reduces it
19. to the budget level that the Governor asked for in his
20. Budget Message and Amendment No. 2, which is Senator Buzbee's
21. Amendment, will increase each one of the higher education
22. requests a certain amount, and the total for all the higher
23. education of Amendment No. 2's will come to just under ten
24. million dollars, and based on that, I would like to Senator
25. Buzbee a...a couple of questions based upon the overall
26. package of Amendment No. 2's.

27. PRESIDENT:

28. He indicates that he will yield.

29. SENATOR REGNER:

30. Senator Buzbee, what does the total ten million dollars
31. provide for the private colleges?

32. SENATOR BUZBEE:

33. It doesn't provide anything.

1. SENATOR REGNER:

2. And as I understand your amendment, there's funding for
3. an extra one-half of one percent pay increase...increase for
4. some of the faculty members. Does this include an increase
5. for any of the community college faculty?

6. SENATOR BUZBEE:

7. Not in this particular type of amendment...no, however,
8. we have been...assured by the BHE that there is money
9. adequate enough for them to get a five and one-half percent
10. pay increase. Their's will be coming from the...from the
11. higher institutions.

12. SENATOR REGNER:

13. Is there anything in any of the ten million dollar
14. increase for students for scholarships or loan assistance?

15. SENATOR BUZBEE:

16. Not in the ten million, no. Had we...chosen a twenty
17. million figure there would have been, but we decided to be
18. fiscally responsible and only went with the ten million.

19. SENATOR REGNER:

20. Mr. President, just to summarize what is happening
21. here, we're...with these amendments that will be offered
22. on higher education, we'll be going...if they are adopted,
23. we'll be going almost ten million dollars over the budget.
24. It's been estimated by the Bureau of the Budget the funds
25. just aren't going to be there, and I certainly...feel very
26. strongly that we shouldn't be adding these kinds of dollars
27. to the appropriation requests. The only solution I would see
28. to it would be either decrease other programs or increase the
29. taxes that we levy on the people of the State of Illinois, and
30. I'm sure nobody wants that at this time. In...in summary
31. the ten million dollar increase benefits only some of the
32. people in higher education, does very little for the
33. community colleges, and it does nothing for the students, and

1. I don't see how this can significantly improve quality of
2. higher education in the...coming year, and I feel we just
3. simply can't afford to spend money we don't have on increases
4. that won't have much of an impact on higher education, and
5. I would urge a No vote on Amendment No. 2 to Senate Bill 435.
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Weaver.

8. SENATOR WEAVER:

9. Thank you, Mr. President. I'd just like to clarify
10. some comments Senator Regner made in regards to faculty of
11. community colleges. I wouldn't say that this is State-wide
12. but certainly in some of the community colleges in my
13. areas in the last few years the faculty and the staff have
14. gotten increases anywhere from seven to fourteen percent.
15. Whereby those same teachers in public higher education, these...
16. these bills that we're talking about today have probably
17. never gotten more than a five to six percent...five and a
18. half percent increase, so, I don't have too much concern for
19. the salary differentials and the scales and the cost of
20. living increases for the community college people. Now,
21. certainly I think they should be paid adequately but when
22. you start talking about percentage increases, the community
23. colleges have gotten a great deal more cost of living
24. increases than have any of the faculty at the State supported
25. institutions of higher education.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. For what purpose does Senator Graham arise?

28. SENATOR GRAHAM:

29. Mr. President, we are always glad to have visitors in
30. the gallery. I find that the visitors in the gallery now are
31. disturbing the operations of the Senate. I wish you would in-
32. form them so.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Would our...our visitors in the gallery please be a little
2. more quiet today. We're...we're hearing you more than usual.
3. Senator Sommer.

4. SENATOR SOMMER:

5. Mr. President and members, this is the first attempt
6. to bust the Governor's budget that we've seen, and it's going
7. to cost ten million dollars. Now, we have no great objection
8. to...to spending money but I think we should identify what
9. the priorities may be. And it's apparent in part of some
10. members that the priorities are in the colleges, and when the
11. taxes go up, go back home and tell them you spent the money
12. on the colleges, and you didn't spend it on the common schools
13. where the need may be great...we have bankrupt school districts.
14. This is a poor attempt to choose priorities and that's what
15. we've done and when we do this, you've busted the Governor's
16. budget.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? Senator Carroll.

19. SENATOR CARROLL:

20. Thank you. Just a comment on the last speaker. I recall
21. the opposite speech coming from that side of the aisle last
22. year and found it interesting but we never said that consistency
23. was a virtue in the General Assembly, I think also there have
24. been good prognostications of revenues beyond what the Governor
25. has allocated to be the revenues of the State of Illionis,
26. and third and finally, as to the priorities, wait till the
27. elementary and secondary ed bills come over, you'll see that
28. there is a priority there, too, and we would be more than
29. happy to fund those at appropriate levels rather than at the
30. absolutely ridiculous low levels the Governor has assigned to
31. them.

32. PRESIDING OFFICER: (SENATOR CARROLL)

33. Is there further debate? Senator Buzbee may close the debate.

1. SENATOR BUZBEE:

2. Well, I would like to close, Mr. President, by saying to
3. Senator Regner, that those other areas that he was talking
4. about, where he thinks additional funds are needed, if he
5. wants to provide the amendments to add those additional
6. funds, I'm sure he will be able to get adequate support from
7. this side to get those amendments adopted for such things
8. as additional scholarship money and the privates, et
9. cetera. I...I think that...I think he'll get enough support
10. and if he wants to get the amendments drawn, why we'll...
11. we'll get them added on, Senator Regner.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Buzbee moves the adoption of Amendment No. 2.
14. All in favor say Aye...roll call is requested. Roll call
15. has been requested. Those in favor vote Aye. Those opposed
16. vote Nay. The voting is open. The motion is to adopt
17. Amendment No. 2. Have all voted who wish? Take the record.
18. On that question, the Ayes are 26, the Nays are 21, none
19. Voting Present. Amendment No. 2 having received a majority of...
20. vote of those voting is adopted. For what purpose does
21. Senator Bloom arise?

22. SENATOR BLOOM:

23. Thank you. A point of personal privilege.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. State your point.

26. SENATOR BLOOM:

27. Yes, thank you, Mr. President. Seated in the southwest
28. corner of the gallery is a fine group. They're the fifth
29. graders from Concordia Lutheran School in Peoria, under the
30. direction of their principal, Dr. Marvin Grand. I ask them to
31. stand and be recognized.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Will they please stand and be recognized by the Senate.

1. Any further amendments?
2. SECRETARY:
3. Amendment No. 3, a committee amendment.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Buzbee, to explain the amendment.
6. SENATOR BUZBEE:
7. Mr. President, this is another one of those budget
8. busters that Senator Sommer was talking about. This adds
9. forty-five dollars, forty-five dollars to the University
10. of Illinois appropriation bill, and I move its adoption.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Weaver wishes to explain the amendment.
13. Senator Weaver.
14. SENATOR WEAVER:
15. Thank you, Mr. President. This is to reflect the actual
16. pay out for the IBA rentals. Increases the budget by
17. forty-five dollars and I'd move its adoption.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. Heard the motion. All in favor say Aye. Opposed Nay.
20. The Ayes have it. The amendment is adopted. Further
21. amendments, Mr. Secretary?
22. SECRETARY:
23. No further committee amendments.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Any amendments from the Floor?
26. SECRETARY:
27. Amendment No. 4 offered by Senator Buzbee.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Buzbee, to explain the amendment.
30. SENATOR BUZBEE:
31. Yes, Mr. President, this offers an amendment to add
32. sixty thousand^d dollars or so much, thereof, as may be necessary
33. to the Board of Trustees of the University of Illinois for

1. the Energy Resources Center at the University of Illinois
2. Chicago Circle Campus. This is one of the outstanding
3. facilities of its kind in...in the country, and Dr. Jim
4. Hartnet there is doing an excellent job. He has not been
5. adequately funded for several years, and this is an
6. addition of sixty thousand dollars to allow him to continue
7. his excellent work in the City of Chicago, and I would
8. move its adoption.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Buzbee moves the adoption
11. of Amendment No. 4. All in favor say Aye. Opposed Nay.
12. The Ayes have it. The amendment is adopted. Are there
13. further amendments?

14. SECRETARY:

15. Amendment No. 5 offered by Senator Johns.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Johns is recognized.

18. SENATOR JOHNS:

19. Thank you, Mr. President. This is a appropriation of
20. forty-four thousand dollars or so much as may be necessary
21. to bring the University of Illinois employees at the Dixon
22. Springs Center up to the rate that's paid by Urbana Campus.
23. I move for its adoption.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Johns moves the adoption of Amendment No. 5.

26. Is there discussion? Senator Weaver.

27. SENATOR WEAVER:

28. Thank you, Mr. President. I stand in opposition to this
29. amendment. For years there's been a differential in pay
30. scales throughout higher education based on locality. If we
31. here in the General Assembly start setting the salaries of every
32. class of employees in the State of Illinois throughout
33. higher education, I think we're setting a bad precedent.

1. These people are within the civil service categories. They
2. get their normal increments increased for step and merit and
3. I think this is a bad precedent to set throughout the State
4. for higher education.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further discussion? Senator Sommer.

7. SENATOR SOMMER:

8. This is another example of attempting to tinker with...
9. with the rational and well established pay scale at the
10. University to take care of a few people back home and it's really
11. an unworthy amendment.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? Senator Johns moves the
14. adoption of...Amendment No. 5. All in favor say Aye. Opposed
15. Nay. The Ayes have it. The Chair requests a roll call.
16. Those in favor will vote Aye. Those opposed will vote Nay.
17. The voting is open. Have all voted who wish? Have all voted
18. who wish? Take the record. On that question, the Ayes are
19. 28, the Nays are 25, none Voting Present. The amendment is
20. adopted. Are there further amendments, Mr. Secretary?

21. SECRETARY:

22. Amendment No. 6 offered by Senator Weaver.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Weaver is recognized.

25. SENATOR WEAVER:

26. Thank you, Mr... This amendment strikes the employer...
27. employer's contribution to the Retirement System. This will
28. be transferred into one separate bill for all of higher
29. education. We'll be offering this amendment to each and every
30. State supported institution.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Buzbee.

33. SENATOR BUZBEE:

1. Well, I'm...I'm...I'm...I'm...I'm just a little bit con-
2. fused, Senator Weaver. I'm not trying to be obstreperous
3. here, but I thought you were going to wait to offer this
4. amendment after we saw the outcome of your...of your bill,
5. and...and that's...and I would prefer to do it that way if
6. you don't mind, but...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Weaver.

9. SENATOR WEAVER:

10. Well, Senator Buzbee, it was my understanding that
11. through a general agreement that there should be one bill
12. for all contributions to higher education. I'm not arguing
13. the point of what level that should be, but I'm just saying
14. we should take this out of each and every one of these bills
15. at this point.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Rock.

18. SENATOR ROCK:

19. Yes, thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. I, too, discussed this with both Senators Buzbee
21. and Weaver, and I think this is the better approach. Senator
22. Weaver does have a bill on...at the bottom of Page 4 on the
23. Calendar, 543, which incorporates all the...all that we're
24. doing now, and when we get to that bill, then we can agree
25. about the...the level of funding.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Regner.

28. SENATOR REGNER:

29. Just also to concur in Senator Weaver and Senator Rock's
30. statements that it should be in one bill and I certainly urge
31. the adoption of this amendment to take it out this.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Daley.

1. SENATOR DALEY:
2. Mr. President, point of personal privilege. I would like
3. to introduce a group of students from a fine grammar school
4. in my community, from St. George's Grammar School and Catholic
5. Church in the balcony.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Would they please stand and be recognized by the
8. Senate. Senator Graham.
9. SENATOR GRAHAM:
10. Something I do...don't do very often, but I wanted to at
11. this time on a point of personal privilege.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. State your point.
14. SENATOR GRAHAM:
15. Many of us remember Senator Harris Fawell when is was
16. in the Senate. Today we have in the gallery, the wife of his
17. twin brother who is down in Springfield today and delivered
18. to me a little awhile ago a apple pie. Mrs. Fawell and your
19. friends, would you stand and be recognized please.
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Would she please stand and be recognized by the Senate.
22. Is there further discussion? Senator Weaver moves the adoption
23. of Amendment No. 6. All in favor say Aye. Opposed Nay. The
24. Ayes have it. The amendment is adopted. Is there...are
25. there further amendments?
26. SECRETARY:
27. No further amendments.
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Any amendments from the Floor? 3rd reading. Senate Bill
30. 436 will be...someone handle that for Senator Shapiro? Senator
31. Weaver. Read the bill, Mr. Secretary.
32. SECRETARY:
33. Senate Bill 436

1. (Secretary reads title of bill)
2. 2nd reading of the bill. The Committee on Appropriations II
3. offers two amendments.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The Secretary informs me that Senator Regner has the
6. first amendment. Is that correct? Senator Regner is recognized.
7. SENATOR REGNER:

8. Mr. President and members of the Senate, this is a...
9. the same concept as Amendment No. 1 was to the previous bill,
10. and it reduces that request down to the level of the Governor's
11. Budget, and I move its adoption.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator...is there discussion?
14. You've heard the motion. All in favor say Aye. Opposed Nay.
15. The Ayes have it. The amendment is adopted. Further
16. amendments?

17. SECRETARY:

18. Amendment No. 2. It's a committee amendment...Senator
19. Buzbee.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. ...Senator Buzbee.

22. SENATOR BUZBEE:

23. Mr. President, this increases the personal services
24. appropriation by three hundred fifty-five thousand three
25. hundred dollars to provide an additional one-half percent
26. increase in salaries for a total of five and a half percent
27. plus two percent for lowest paid civil service employees.
28. It increases the contractual services appropriation by
29. a hundred seventy-two thousand three hundred to provide an
30. additional two and a half percent increase for utilities, and
31. it increases the retirement appropriation by nine hundred
32. fifty-six thousand nine hundred dollars to meet gross benefit
33. pay out requirements, and I would move its adoption.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Regner.

3. SENATOR REGNER:

4. Yes, Mr. President, this is the same as Amendment No.
5. 2 was to the University of Illinois bill. It does increase
6. in an amount that will be harmful to a balanced budget, and
7. just in response to Senator Buzbee on the response he made
8. to me on my comments on Amendment No. 2 on the last bill,
9. Senator Buzbee, I have no intention of putting any amendments
10. on any of these other bills to answer the questions that
11. I asked you prior to that. I just wanted to point out
12. that the discriminatory method that these...Amendment No. 2's
13. have on all of these bills. You do discriminate against certain
14. areas with the additional funds you are requesting.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further discussion? Senator Buzbee to close.

17. SENATOR BUZBEE:

18. Well, I don't know what to say, Senator Regner, that I
19. shocked, horrified and mortified that you're not going to
20. offer those amendments. I move the adoption.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. You've heard the motion. All in favor say Aye. Opposed
23. Nay. Roll call is requested. The question is, shall Amendment
24. No. 2 be adopted. All in favor vote Aye. Those opposed vote
25. Nay. The voting is open. Have all voted who wish? Have all
26. voted who wish? Take the record. On that question, the
27. Ayes are 26, the Nays are 23. Amendment having received a
28. majority vote is declared adopted. Are there further amendments?

29. SECRETARY:

30. No further committee amendments.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Any amendments from the Floor?

33. SECRETARY:

1. Amendment No. 3 offered by Senator Weaver.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Weaver on Amendment No. 3.

4. SENATOR WEAVER:

5. Thank you, Mr. President. This removes the employer's

6. contribution as we did on the last bill, and I'd move its

7. adoption.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Is there discussion? Heard the motion. All in favor

10. say Aye. Opposed Nay. The Ayes have it. The amendment is

11. adopted. Further Floor amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. 3rd reading. Senate Bill 437, Senator Vadalabene. Read the bill,

16. Mr. Secretary.

17. SECRETARY:

18. Senate Bill 437

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Appropriations II

21. offers two amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Schaffer offered the first amendment? Senator

24. Regner will explain Amendment No. 1.

25. SENATOR REGNER:

26. Amendment No. 1 brings Board of Governors' request down

27. to the level of the Governor's budget and I move its adoption.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there discussion? All in favor say Aye. Opposed Nay.

30. The Ayes have it. The amendment is adopted. Further

31. committee amendments?

32. SECRETARY:

33. Amendment No...Committee Amendment No. 2, Senator Buzbee.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Yes, Mr. President, this increases the personal services
5. appropriation by three hundred sixty-four thousand four
6. hundred dollars to provide an additional one-half percent
7. increase in salaries. It increases the contractual services
8. appropriation by forty-eight thousand and the commodities
9. appropriation by forty thousand two hundred to provide an
10. additional two and one-half percent increase in...for
11. utility costs and it increases the retirement appropriation
12. by nine hundred fifty-two thousand one hundred dollars to
13. meet gross benefit pay out requirements, and I would move
14. the adoption of Committee Amendment No. 2.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion? Senator Regner.

17. SENATOR REGNER:

18. I would urge the defeat of this. This is part of the
19. ten million dollars over the Governor's budget.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Don Moore. Is there further discussion? Motion
22. is to adopt Amendment No. 2. All in favor say Aye. Opposed
23. Nay. The Ayes have it. The amendment...amendment is adopted.
24. You wish to have a roll call, gentlemen? We...we...we've
25. gone through it several times. Amendment is adopted. Are
26. there further amendments, Mr. Secretary?

27. SECRETARY:

28. No further committee amendments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Any amendments from the Floor?

31. SECRETARY:

32. Amendment No. 3 offered by Senator Vadalabene.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Vadalabene is recognized.

2. SENATOR VADALABENE:

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

4. Amendment No. 3 to Senate Bill 437 adds a hundred and ten

5. thousand dollars for developing a master plan for the...future

6. CDB of...or the Capitol Development of the School of Dental

7. Medicine including preliminary studies, plans and specifications

8. and all other costs as related to, and I move for the adoption

9. of Senate Amendment No. 3 to Senate Bill 437.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Heard the motion. All in favor

12. say Aye. Opposed Nay. The Ayes have it. The amendment is

13. adopted. Are there further Floor amendments?

14. SECRETARY:

15. Amendment No. 4 offered by Senator Weaver.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Weaver.

18. SENATOR WEAVER:

19. Thank you, Mr. President. This is the same amendment,

20. reducing the retirement. I'd moves it adoption.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Heard the motion. Is there discussion? All in favor

23. say Aye. All opposed Nay. The Ayes have it. The amendment

24. is adopted. Further amendments?

25. SECRETARY:

26. Amendment No. 5 offered by Senator Regner.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Regner.

29. SENATOR REGNER:

30. Yes, Mr. President and members, this is an amendment as

31. a result of a change in the Board of Higher Education's estimate

32. of funds in the SIU Income Fund. Since the SIU bill was introduced

33. the Board of Higher Education has changed its estimate of

1. how SIU should be funded. The Board of Higher Education
2. agrees that SIU...with SIU that two hundred and one
3. thousand dollars of a disputed one a half million dollars
4. should be reduced from the Income Fund and added to the
5. General Revenue Fund, and this amendment will accomplish
6. that, and I move its adoption.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Mr. President, this is the...the compromise proposal
11. that's been worked out by SIU and the Board of Higher
12. Education. Everybody concurs in it. You will recall we
13. had a big fight over this, about a million and a half
14. dollars last year, and it's come down now. It's being
15. settled for two hundred and one thousand, and we'll
16. finally have it out of our hair once and for all. I think
17. it's a good amendment.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion...further discussion? All in favor
20. say Aye. Opposed Nay. The Ayes have it. The amendment
21. is adopted. Are...further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

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

26. SENATOR VADALABENE:

27. Yes, at the outset on the...on the first amendment adopted
28. by Senator Regner, I think he said the Boards of Governors,
29. and it should have been Southern Illinois University and I'll...
30. maybe the record ought to show that.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. It...it certainly does now, Senator Vadalabene. Further
33. amendments? 3rd reading. For what purpose does Senator

1. Don Moore arise?

2. SENATOR MOORE:

3. On the other half of my point of personal privilege, Mr.
4. President. Seated in the gallery behind me is the other
5. half of the one hundred and seventy-seven strong eighth
6. graders from the Oak Forest Robert Park Mills School in
7. the Oak Forest - Tinley Park area. I'd appreciate it if
8. they would rise and be recognized by the Senate.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Would our guests please rise and be recognized.
11. Senate Bill 438, Senator Carroll. Senator Carroll. Read
12. the bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 438

15. (Secretary reads title of bill)

16. 2nd reading of the bill. The Committee on Appropriations
17. II offers two amendments.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Can we have some order, Gentlemen? Who will explain
20. the amendment?

21. SECRETARY:

22. It's...

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Regner...Senator Regner.

25. SENATOR REGNER:

26. Yes, Mr. President and members of the Senate, this is the
27. amendment that brings the request down to that of the Governor's
28. budget level, and I move its adoption.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? You've heard the motion. All in
31. favor say Aye. All opposed Nay. The Ayes have it. The
32. amendment is adopted. Further committee amendments?

33. SECRETARY:

1. Committee Amendment No. 2, Senator Buzbee.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Mr. President, this increases the personal services
6. appropriation by three hundred and thirty thousand four
7. hundred dollars to provide an additional one-half percent
8. increase in salaries, it increases the contractual services
9. and commodities appropriation by one hundred and forty-five
10. thousand nine hundred dollars to provide an additional
11. two and a half percent increase for utility costs, it
12. increases the retirement appropriations to five hundred
13. thirty-six thousand three hundred dollars to meet gross benefit pay out
14. requirements, and Senator Regner is opposed.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Buzbee moves the adoption of Amendment No. 2.
17. Is there discussion? All in favor say Aye. Opposed Nay.
18. The Ayes have it. The amendment is adopted. Are there
19. further committee amendments?

20. SECRETARY:

21. No further committee amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Any amendments from the Floor?

24. SECRETARY:

25. Amendment No. 3 offered by Senator Weaver.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Can we have some order, Gentlemen? Senator Weaver.

28. SENATOR WEAVER:

29. Thank you, Mr. President. This is the retirement
30. contribution reduction, and I'd move its adoption.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. You've heard the motion. Is there discussion? All in
33. favor say Aye. All opposed Nay. The Ayes have it.

1. The amendment is adopted. Further Floor amendments?
2. SECRETARY:
3. No further amendments.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. 3rd reading. Senate Bill 439...479, Senator Hynes.
6. Read the bill, Mr. Secretary.
7. SECRETARY:
8. Senate Bill 479
9. (Secretary reads title of bill)
10. 2nd reading of the bill. The Committee on Appropriations
11. II offers one...two amendments.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Buzbee, to explain the amendments.
14. SENATOR BUZBEE:
15. Regner.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Oh, Senator Regner, to explain the Amendment No. 1.
18. SENATOR REGNER:
19. Amendment No. 1 reduces the appropriation request to
20. that of the Governor's budget level and I move its adoption.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Is there discussion? Heard the motion. All in favor
23. ...Senator Buzbee, are you seeking recognition on this
24. amendment? All in favor say Aye. Opposed Nay. The Ayes
25. have it. The amendment is adopted. Further committee
26. amendments?
27. SECRETARY:
28. Amendment No. 2.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Amendment No. 2, Senator Buzbee.
31. SENATOR BUZBEE:
32. This increases the retirement appropriation by two
33. thousand three hundred dollars to meet gross benefit pay out requirements,

1. and I would move its adoption.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there discussion? You've heard the motion. All in

4. favor say Aye. All opposed Nay. The Ayes have it. The

5. amendment is adopted. For what purpose does Senator Chew

6. arise?

7. SENATOR CHEW:

8. Point of personal privilege, Mr. President.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. State your point.

11. SENATOR CHEW:

12. From the greatest Senatorial District in the State of

13. Illinois, the 29th, which I represent, I want to introduce

14. the Sbarbaro School Elementary School located at

15. 8505 S. Ingleside accompanied by Mr. Tyrone... to

16. stand and be recognized.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Would our guests please stand and be recognized by

19. the Senate. Are...further amendments?

20. SECRETARY:

21. No further committee amendments.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Amendments from the Floor?

24. SECRETARY:

25. Amendment No. 3 offered by Senator Weaver.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Weaver is recognized on Amendment No. 3.

28. SENATOR WEAVER:

29. Thank you, Mr. President. This is the retirement

30. amendment. I'd move its adoption.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? You've heard the motion. All in

33. favor say Aye. All opposed Nay. The Ayes have it. The

1. amendment is adopted. Further amendments from the Floor?

2. SECRETARY:

3. Amendment...Amendment No. 4 offered by Senator Regner.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Regner is recognized.

6. SENATOR REGNER:

7. Mr. President and members of the Senate, this deletes
8. forty-one thousand five hundred dollars for the transfer of
9. functions concerning private colleges and universities from
10. the Office of Education to the Board of Higher Education.
11. The reason for it, the substantive bill is in a subcommittee
12. and won't be approved this fiscal year, and therefore,
13. the money is in need, and I'd move its adoption.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? Heard the motion. All in favor
16. say Aye. Opposed Nay. The Ayes have it. The amendment is
17. adopted. Further Floor amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. 3rd reading. If I might have the attention of the
22. chairman of the various committees, we are receiving several
23. committee amendments that are coming to us without a sponsor
24. being designated, and if you will alert your clerks to write
25. the name of the Senator who has offered the...the amendment
26. in committee, it will speed along our process here.

27. Senate Bill 487, Senator Moore. For what purpose does
28. Senator Moore arise?

29. SENATOR MOORE:

30. Mr. President, there are some members of the Senate that
31. have requested that we hold this bill. I would like to
32. hold it at this time, and perhaps if we get back to this
33. business later on, we can take it up at that time.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. It'd be fine. Senate Bill 495, Senator Sommer.
3. Senator Sommer on the Floor? Senate Bill 496...501,
4. Senator Graham. Read the bill, Mr. Secretary.
5. SECRETARY:
6. Senate Bill 501
7. (Secretary reads title of bill)
8. 2nd reading of the bill. The Committee on Appropriations
9. II offers three amendments.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. Amendment No. 1 offered by Senator Vadalabene.
12. SECRETARY:
13. This is a committee amendment, Senator Vadalabene...
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Committee Amendment on...
16. SECRETARY:
17. ...it carries your name.
18. PRESIDING OFFICER: (SENATOR BRUCE)
19. ...the Department of Corrections. Has your name on it,
20. Senator Vadalabene.
21. SENATOR VADALABENE:
22. Move its adoption.
- 23.
- 24.
25. (the following typed previously)
- 26.
- 27.
- 28.
- 29.
- 30.
- 31.
- 32.
- 33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator...Senator Vadalabene moves the adoption of Amendment
3. No. 1. Is there discussion? All in favor say Aye.
4. All opposed Nay. The Ayes have it. The amendment is
5. adopted. Are there further committee amendments?

6. SECRETARY:

7. Amendment No. 2.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Who will explain Amendment No. 2? Senator Buzbee.

10. SENATOR BUZBEE:

11. This cuts fifty thousand dollars from the school
12. district. Ten people were budgeted for twelve months
13. at Lincoln, although the facility would be open
14. only seven months, corresponding retirement and social
15. security reductions, a hundred and thirty-eight
16. correctional officers were budgeted from General
17. Revenue Fund for twelve months. However, the
18. Federal grant will pay for these people through
19. September 1. That...therefore, two months...that is
20. two months. A reduction of one hundred ninety-seven
21. thousand five hundred dollars plus retirement and
22. social security. New employees other than correctional
23. officers were phased in at seventy-five percent with the
24. exception of the youth centers where a sixty-six and
25. two-thirds phasing factor was applied, personal
26. services reductions of four hundred eighteen thousand
27. nine hundred dollars plus retirement and social security
28. for a total reduction of seven hundred fifty-four thousand
29. one hundred dollars and I would move its adoption.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. You've...Senator Buzbee moves the adoption of
32. Amendment No. 2. Is there discussion? All in favor
33. say Aye. All opposed Nay. The Ayes have it. The amendment

1. is adopted. Further committee amendments?
2. SECRETARY:
3. Amendment No. 3.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Buzbee to explain Amendment No. 3.
6. SENATOR BUZBEE:
7. Mr. President, this is an amendment that has
8. some particular significance to those of us from the
9. southern part of the State at this time, particularly
10. Senator Johns, myself, you, Mr. President, in that
11. there has been a considerable controversy aroused in the
12. press the last few days...
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Can we have some order, Gentlemen? Senator
15. Buzbee.
16. SENATOR BUZBEE:
17. There has been considerable controversy...it's
18. been brought about in the press in the last few days,
19. about what some people would describe as a proposed
20. closing of the Anna State Hospital at Anna and
21. the possible introduction of a medium security penal
22. institution where that old facility was located.
23. Now, the significance this amendment has as to that
24. controversy, which at this point has absolutely
25. no substance, is that the Department of Corrections
26. has two million four hundred and fifteen thousand dollars
27. in their budget for conversion and operating expenses
28. of an unidentified at this point, new or converted adult
29. correctional facility. Now, the fact of the matter is
30. that the Director of the Department of Corrections
31. has been given the charge by the Governor to open a new
32. medium security five hundred bed facility during this
33. next fiscal year. He has to do that. He is literally

1. bulging out the seams. The Director concurred with the
2. committee action when we said, Director, we are fully in
3. one hundred percent support of you in your having to open a
4. new medium security facility wherever it may be at whatever
5. point it may be. However, Director, we do not believe it
6. would be appropriate for us to appropriate money to the tune
7. of two million four hundred and fifteen thousand dollars for
8. the operational expenses of an unidentified new or converted
9. adult correctional facility. So, we said what we're going to
10. do is, take the money out right now, as soon as you get it
11. identified, as soon as you get your plans on line, let us
12. know, we will back you wholeheartedly in your need for
13. money to open this facility. And I would like to expand just a
14. wee bit more, Mr. President, and that apparently the Director
15. of the Department of Mental Health talks to reporters and
16. then forgets what he tells the reporters when he talks to
17. other reporters, or when he talks to Congressmen from my
18. district or when he talks to the Governor's Office or what-
19. ever, but he has perpetrated and perpetuated the theory
20. that Anna State Hospital is going to be closed. I would like
21. to straighten it out for the record right now that as of
22. seven o'clock yesterday evening anyhow, I don't know about
23. this morning, but as of seven o'clock yesterday evening when
24. I spoke with the Governor of this State, he assured me that
25. no proposal had been put on his desk yet to close any facility
26. or to convert any facility to a correctional facility. Now, somebody,
27. I think, had better give Director DeVito a lesson in public
28. relations, and that is that you got to tell everybody the same
29. thing if you're going to continue talking, and quite frankly
30. he has raised such a furor in the southern part of the State
31. that I don't know if any of this is salvageable at the present
32. time. What I have advocated all along is, there are empty
33. buildings on the Anna State Hospital grounds right now. What

1. I have advocated is, if the Department of Mental Health does
2. not need them and they obviously do not, then let's let the
3. Department of Corrections look at those empty buildings as a
4. possible, as a possible place to put in a correctional
5. facility in addition to the present mental health facility.
6. I have advocated this to the Director of the Department of
7. Corrections as a possibility. I have advocated this to the
8. Governor, Governor Thompson, as a possibility. They have
9. neither one said no. They have said we will consider that
10. as a possibility, and I quite frankly wish that Director DeVito
11. would either get his facts straight or either tell every-
12. body the same thing or keep his mouth shut because he's
13. got things raised in such a furor now in that Department that
14. he's supposed to be in charge of, we'll never be able to
15. salvage anything from the Governor's Office or the Legislature,
16. or Corrections or from the community of Anna, or southern
17. Illinois. Now, when this...this facility is decided upon to
18. put an additional correctional facility in wherever it may
19. be, I am going to be in one hundred percent support of
20. Director Rowe's efforts to raise the additional two and a half
21. million dollars or whatever he needs to open a new five
22. hundred bed medium security institution, and I would move the
23. adoption of Senate Amendment No. 3.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee has moved the adoption of Amendment No. 3.
26. Is there discussion? Senator Graham.

27. SENATOR GRAHAM:

28. Mr. President and members, I agree basically with every-
29. thing that Senator Buzbee has said. He and his committee and
30. the Director of the Department of Corrections, our staff and
31. yours truly, worked many hours trying to solve this very unique
32. and very tough problem. We are faced with and I think Senator
33. Buzbee realizes it and I interpret his conversation to be a

1. commitment to the fact that if we are to conform to the
2. Federal regulations and mandates being handed down to us and we
3. find once again the Federal Government is telling us what to
4. do and not furnishing the money, that we're going to be in
5. the same position as Georgia is in, and I don't think Senator
6. Buzbee wants us to be in that position...I know he doesn't...
7. that next January...I remind you that next January unless we
8. do what Georgia and Florida did, unless we open the doors
9. and let them out, we may have to come in for this two and a
10. half million dollars and we may need it real badly at that
11. time. I am for the...the proposition that we shouldn't have
12. given them this money for a yet unnamed institution. I have some
13. quarrel with Director DeVito, too. Perhaps he has been
14. listening to the wrong politicians, that's why he can't get his
15. stories straight, but nevertheless that might be a problem
16. that we have to think about, but Senator Buzbee, I seriously
17. doubt that the Governor of this State or the chairman of that
18. commission or anyone else will give great credence to the
19. point that we might use some of the buildings at the Anna
20. State Hospital which is basically designed for mental patients
21. and put in there some people that have been convicted under
22. the Department of Corrections and given ample care. I...I think
23. that would be a tragedy. We might have to do it. I hope we
24. don't.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Demuzio.

27. SENATOR DEMUZIO:

28. Senator Buzbee, the annex at the Lincoln State Hospital is
29. being converted to be utilized as a medium security prison.
30. Was there anything that was taken into consideration? Was the
31. amount of the Mental Health appropriation reduced by the total
32. number of patients that that facility would be reduced by and
33. ...and the money added to...to Corrections, or just how was that

1. handled?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. Well, let me say to you, Senator Demuzio, that we have not
6. seen the Mental Health budget yet. It is still in the House,
7. but let me assure you that I plan to go over that budget with a
8. fine tooth comb, in particular, the central office employees,
9. in particular, the salary that the Director draws, and I will
10. get that information to you and I can assure you that that money
11. if it's there and I don't doubt but what it will because they
12. ask for everything they can possibly get and then some, but
13. if it's there, it's going to be cut out.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Demuzio.

16. SENATOR DEMUZIO:

17. Well, I'm interested in that as well as the number of the
18. patients that are being served by Mental Health now in institu-
19. tions in lieu of any reduction as a result of the Annex closing.
20. You might check that closely as well. Thank you.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Johns.

23. SENATOR JOHNS:

24. Thank you, Mr. President. Just like to voice some ideas
25. about what has taken place in the last few days at Anna, Illinois,
26. in the State Hospital which is in the heart of my territory and
27. the proposed minimum security prison also within my district,
28. and I've talked to Senator Graham about this and...talked to
29. Senator Buzbee. It's very, very immature on my part and Doctor
30. DeVito, who has never been at the Anna Hospital, never been on
31. the grounds to offer that as a use for Corrections. Senator...
32. I mean Director Rowe has never been there. It is not suitable
33. at all for what they propose, contrary to what a lot of people

1. think. Out of the six hundred and twenty-five employees,
2. three hundred and fifty are women. It will mean quite a
3. crisis in that community. The Hospital is in a residential
4. section, would have to be fenced. They are two story
5. structures. They're about as old as Menard or close to it,
6. which was built in 1887 or 1883, and I...I was just appalled
7. at Doctor DeVito offering that without saying there's going to
8. be public hearings which I think that in all instances of
9. this kind there should be. Director Rowe has...has said to
10. me that he would have to take a look at it. He has no
11. floor plans of the buildings to study and I...I...I am with
12. Senator Buzbee when this comes about and Senator Graham.
13. When the money is needed, I've always been there, but I just
14. want to make it a matter of record that when directors of
15. departments go into areas and make decisions, it should be
16. a common courtesy that they touch base with the Representatives
17. and the Senators, therein, and at least disclose why they're
18. doing it, what they're about to do, and many times we would
19. give them support in their endeavors, but this has been typical
20. of administration after administration and director after
21. director, never conferring with the people whom they have to
22. have to vote for the money they need. Senator Buzbee, I'm in
23. line with you on your proposal and I'll vote accordingly.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further discussion? Senator Sommer. ...Now,
26. well, I have Senator Sommer, Senator Ozinga and then Senator
27. Graham.

28. SENATOR SOMMER:

29. The only comment that I'd like to make, Mr. President,
30. was that both gentlemen over there voted for the confirmation
31. of Doctor DeVito. There were only two No votes against his
32. confirmation, and now we find out that was a misvote apparently.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Well, Gentlemen, we are on the motion to adopt Amendment
2. No. 3. Well, Senator Johns...Senator Johns, for what purpose
3. do you arise?

4. SENATOR JOHNS:

5. I've always felt in every administration having served
6. on Executive Committee every time I've been here that a
7. Governor has the right to pick the men that he wants, because
8. he's ultimately responsible for their actions, but how can
9. you or I, or anyone ever know what those men are going to do.
10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Well, Gentlemen, now...the Chair would recommend that
12. we are on the adoption of Amendment No. 3 and we limit our
13. comments under our rules to that amendment. Senator Ozinga is
14. recognized.

15. SENATOR OZINGA:

16. Mr. President and members of the Senate, the only reason
17. I rise with regard...I believe this is with regard to taking
18. away money that's...possibly could be used at some of these
19. mental institutions. I rise in support of the previous
20. speakers where they say that they possibly could use this money
21. in mental health facilities. That is wrong as wrong as sin,
22. and it should not go to...there is only one possible institu-
23. tion that I can think of that could...it could be used for and
24. that is at Lincoln State Hospital, but Anna at no time.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further discussion? Now...I know...I know,
27. Senator Graham. I wanted to see if anyone else wants to
28. speak first one...on the first round. Senator Graham
29. recognized for the second comment, and then Senator Buzbee,
30. you...you may close.

31. SENATOR GRAHAM:

32. Yes, I'd just like to get this fire put out by simply
33. saying this, Director Rowe, in my opinion, offered myself and this

1. committee every, every cooperative method he could and
2. Senator Buzbee is nodding affirmatively and I...I know that
3. he means that. Director Rowe has been put in a bad spot
4. because the Director of Mental Health hasn't performed the
5. mandate that was handed down to him by the Governor, so if
6. ...if Director Rowe hasn't gone to Anna State Hospital, that's
7. true, he shouldn't be there. He has no damn right down
8. there. Now, he's got to wait till DeVito tells him to go
9. look at it, and I want to protect Senator...Chuck Rowe. I
10. think he's doing a fine job, and he's been very cooperative.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Buzbee to close the debate.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. I would like to say to
15. Senator Graham - Senator Graham...Senator Graham, you very
16. well may be right, that we may not want to have a correctional
17. facility and a mental health facility right side by side.
18. I don't know. What I have said is that this is a possibility
19. that I would like for them to consider at some point, if and
20. when DeVito ever puts the proposal on the Governor's Desk and
21. then the Governor can go to Director Rowe and say to him, I
22. would like for you to look at that and any other facility
23. that DeVito put on his desk as a possible. I would like to
24. say to the people of Anna, Illinois, and southern Illinois
25. that you can be assured that no facility is going to close
26. until and unless the Governor of this State decides to close
27. it, and until and unless the Director of the Department of
28. Corrections decides that he wants that facility to put a mental...or
29. to put a penal institutional into, and until and unless this
30. Legislature says yes. So, I think that if we could perhaps some-
31. how perform government by government and not by the Director
32. of the Department of Mental Health calling a newspaper and
33. saying, I've decided I'm going to do this when he hasn't even

1. told the Governor yet what his recommendations are, we
2. might be better off, so with this, I (machine cut off)
3. adoption of Amendment No. 3.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Heard the motion. All in favor say Aye. Opposed Nay.
6. The Ayes have it. The amendment is adopted. Are there
7. further amendments?

8. SECRETARY:

9. No further committee amendments.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Amendments from the Floor?

12. SECRETARY:

13. Amendment No. 4 offered by Senator Buzbee.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Buzbee, to explain the amendment.

16. SENATOR BUZBEE:

17. Mr. President, this is an amendment that offers no
18. dollar change. It's just a form and structure amendment to
19. break out a six point five million dollar lump sum appropria-
20. tion into standard accounts. This is the same format that
21. was in the FY '77 appropriation bill, and I would move its
22. adoption.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? All in favor say Aye. All opposed
25. Nay. The Ayes have it. The amendment is adopted. Are there
26. further Floor amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. 3rd reading. Senate Bill 502, Senator Rupp. Read the
31. bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 502

1. (Secretary reads title of bill)

2. 2nd reading of the bill. The Committee on Appropriations I
3. offers three amendments.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President. Committee Amendment No. 1 is
8. that same amendment we put on last year and had a substantive
9. bill that we passed that no money shall be...I'm sorry...yes,
10. with...within five hundred feet of a school. This amendment
11. we had put on last year. This is before the Supreme Court...
12. it was felt we should leave this on in this form until the
13. Court decides. I would move the adoption of Amendment No. 1.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. You've heard the motion. Is there discussion? All in
16. favor say Aye. Opposed Nay. The Ayes have it. The amendment
17. is adopted. Further committee amendments?

18. SECRETARY:

19. Amendment No. 2. Committee Amendment No. 2...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Carroll.

22. SENATOR CARROLL:

23. Thank you, Mr. President. I would move to Table Committee
24. Amendment No. 2. We have a substitute amendment on the
25. Secretary's Desk.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. You've heard the motion to Table. Is there discussion?
28. All in favor say Aye. Opposed Nay. The Ayes have it. The
29. amendment is Tabled. Amendment No. 3.

30. SECRETARY:

31. Committee Amendment No. 3.

32. SENATOR CARROLL:

33. Thank you, Mr. President. Committee Amendment No. 3

1. lines out the CETA Grant Funds, and I would move the adoption
2. of the amendment.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. You've heard the motion. Is there discussion? All in
5. favor say Aye. Opposed Nay. The Ayes have it. The amend-
6. ment is adopted. Further committee amendments?

7. SECRETARY:

8. No further committee amendments.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Any amendments from the Floor?

11. SECRETARY:

12. Amendment No. 4 offered by Senator Carroll.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President. Amendment No. 4 is a replacement
17. for Amendment No. 2 at the request of the department. Amend-
18. ment No. 2 would have deleted any rentals at 910 S. Michigan.
19. The department said that they needed a few months to find an
20. alternate site, and therefore, Amendment No. 4 provides them
21. with four months rent at their request at that location and
22. limits the use of rental funds at that location from there on in.
23. I would move the adoption of Amendment No. 4.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? All in favor say Aye. Opposed Nay.
26. The Ayes have it. The amendment is adopted. Any further
27. Floor amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. 3rd reading. Senate Bill 516, Senator Rupp.

32. SECRETARY:

33. Senate Bill 516

1. (Secretary reads title of bill)

2. 2nd reading of the bill. The Committee on Insurance and
3. Licensed Activities offers one amendment.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rupp, to explain the amendment.

6. SENATOR RUPP:

7. Yes, the amendment provides for a five year period for a
8. qualification for a conversion privilege. This was agreed
9. by the industry and by representatives from the Insurance Laws
10. Commission. This is a group insurance bill. It also increases
11. the conversion amount from two thousand to five thousand and
12. Mr. President, I ask for this favorable vote on this amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. You've heard the motion to adopt. Is there discussion?
15. All in favor say Aye. All opposed Nay. The Ayes have it.
16. The amendment is adopted. Further committee amendments?

17. SECRETARY:

18. No further committee amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Any amendments from the Floor?

21. SECRETARY:

22. Amendment No. 2 offered by Senator Rupp.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rupp, to explain the amendment.

25. SENATOR RUPP:

26. What that does is to amend so that the amount of insurance...
27. there was a limit before which limited to twenty-five thousand
28. dollars. That limit is now excluded, and it does put in a
29. maximum of five thousand dollars where it was two.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. You've heard the motion...Senator Rupp moves the adoption of
32. Amendment No. 2. Is there discussion? All in favor say
33. Aye. All opposed Nay. The Ayes have it. The amendment is

1. adopted. Are there further Floor amendments?
2. SECRETARY:
3. No further amendments.
4. PRESIDING OFFICER: (SENATOR BRUCE)
5. 3rd reading. Senator Kosinski, for what purpose do you
6. arise?
7. SENATOR KOSINSKI:
8. Personal privilege, Mr...
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. State your point.
11. SENATOR KOSINSKI:
12. ...President and members of the Senate. It's my pleasure
13. to introduce the many members on the right hand side in the
14. rear of the Hall, ...the wonderful students from Tooley High.
15. Will you please rise and be acknowledged by the Senate, please.
16. PRESIDING OFFICER: (SENATOR BRUCE)
17. Would our guests in the gallery please rise and be
18. recognized by the State Senate. Senate Bill 539, Senator
19. Knuppel. Read the bill, Mr. Secretary.
20. SECRETARY:
21. Senate Bill 539
22. (Secretary reads title of bill)
23. 2nd reading of the bill. No committee amendments. One Floor
24. amendment offered by Senator Knuppel.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Knuppel, to explain the amendment.
27. SENATOR KNUPPEL:
28. Yes, the Floor Amendment would bring the appropriation
29. in line with figures by the Department of Agriculture and the
30. amount would be from seven million to seven million eight
31. hundred and five thousand three hundred dollars. It would be
32. an increase of some eight hundred and five...eight hundred
33. and five thousand three hundred dollars. I move the adoption

1. of the amendment.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Knuppel has moved the adoption of Amendment.

4. No. 1. Is there discussion? Senator Sommer. Is there...is

5. there discussion? All in favor say Aye. Opposed Nay. The

6. Ayes have it. The amendment is adopted. Are there further

7. Floor amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. 3rd reading. Senate Bill 543, Senator Weaver. Is

12. Senator Weaver on the Floor? Senate Bill 561, Senator

13. Grotberg. Senate Bill...628, Senator Sommer. CDB, Senator

14. Sommer. Senate Bill 635, Senator Rupp. Senate Bill 718,

15. Senator Maragos. Senate Bill 718, Read the bill, Mr.

16. Secretary.

17. SECRETARY:

18. Senate Bill 718

19. (Secretary reads title of bill)

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

21. PRESIDING OFFICER: (SENATOR BRUCE)

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

23. Weaver has returned to the Floor. We will go back to Senate

24. Bill 543. Senator Weaver. Read the bill, Mr. Secretary.

25. SECRETARY:

26. Senate Bill 543

27. (Secretary reads title of bill)

28. 2nd reading of the bill. The Committee on Appropriations II

29. offers one amendment.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Rock, to explain the amendment.

32. SENATOR ROCK:

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

1. Senate. Amendment No. 1 to Senate Bill 543 was adopted in
2. committee at my request. The sum and substance of the
3. amendment is that it reduces the appropriation request by
4. some 13.5 million dollars. The Governor has recommended a
5. funding level for all these pension systems of forty-one
6. million. Senate Bill 543 as introduced requested fifty-four
7. million, and by virtue of my Amendment No. 1, I am cutting
8. it back to the Governor's recommended level which is a net
9. reduction of 13.5 million dollars. The amount as recommended
10. by the Governor, some forty-one million dollars, will, in fact,
11. meet the pay out requirements of the pension system and I
12. move the adoption of Amendment No. 1.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Heard the motion to adopt. Is there discussion? All in
15. favor say Aye. Opposed Nay. The Ayes have it. The amendment
16. is adopted. Are there further amendments?

17. SECRETARY:

18. No further committee amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Amendments from the Floor?

21. SECRETARY:

22. Amendment No. 2 offered by Senator Weaver.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Weaver.

25. SENATOR WEAVER:

26. Thank you, Mr. President. This adds in the operations
27. money of a million and fifty-three thousand five hundred
28. dollars, and I would move its adoption.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Heard the motion. Is there discussion? All in favor
31. say Aye. Opposed Nay. The Ayes have it. The amendment is
32. adopted. Are there further Floor amendments?

33. SECRETARY:

1. Amendment No. 3 offered by Senator Buzbee.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Buzbee is recognized.

4. SENATOR BUZBEE:

5. Yes, Mr. President, this amendment will simply bring us
6. into the line with the action that we have already taken on
7. previous higher ed bills and that is to add 6.8 million
8. dollars out of the total of ten million for...for further
9. payment into the pension system. What's happened is that
10. the Governor's recommended level which we have just amended it
11. down to, that is only the net pay out level. The University
12. Retirement System is falling badly behind to even the other
13. systems due to the fact that we have been paying in the... other
14. only putting in the amount of money for the net pay out the
15. last several years. In fact, the last two or three years,
16. we haven't even hit net. They're losing money by simply being
17. in business, and this would add 6.8 million to get them up
18. to the gross pay out benefit, and we've already made this move
19. once before, we've already agreed to this with the amendments that
20. we added on earlier this morning on the other higher ed bills, and
21. I would move you that we ought to adopt this Amendment No. 3.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Buzbee moves the adoption of Amendment No. 3.

24. Is there discussion? Senator Regner.

25. SENATOR REGNER:

26. Mr. President and members of the Senate, this is the...
27. over six million dollars additional monies over and above the
28. Governor's budget the same as Amendment No. 2's were on the
29. various universities and I would urge the defeat of this
30. amendment.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President, Ladies and Gentlemen of
2. the Senate. It is with some reluctance, but, I too
3. rise in opposition to Amendment No. 3. This amendment
4. would, in fact, as Senator Regner so ably stated, increase
5. the Governor's recommended level by some 6.5 million
6. dollars of unbudgeted money. I think we, we are all
7. well aware, that before this Session ends on July 1st
8. or June 30, there will in fact probably be additions
9. to the Governor's budget to increase this at 6...at
10. a 6 million dollar figure, seems to me to be just
11. totally unwarranted. All the pensions systems that
12. the Governor, at the Governor's recommended level,
13. meet the net pay out requirement. I think that is
14. sufficient in terms of our fiscal constraint this
15. year and I would urge the defeat of Amendment No. 3.
16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Egan.

18. SENATOR EGAN:

19. Thank you, Mr. President, members of the Senate.
20. I am totally and consistently in favor of this type
21. of legislation and I echo what Senator Rock has said.
22. If we do it for this system, we've got to do it for
23. the other five hundred systems in the state. We've
24. asked that we can do this. The Governor has reversed
25. the trend that has been set over the past twenty-five
26. years. It's time we reverse it. This is for one
27. system only. It is, therefore, discriminatory against
28. the other systems. It's totally unfair and I'm opposed
29. to it.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further discussion? Senator Buzbee to
32. close the debate.

33. SENATOR BUZBEE:

1. Yes, Mr. President. With the opposition of the
2. distinguished Minority Spokesman, the distinguished
3. Majority Assistant Leader, the distinguished chairman
4. of the Pension Laws Commission, with my mouth full of
5. anti ERA apple pie, I would submit to you that we
6. have already decided in this Body to do what this
7. amendment does. I'm simply asking for your confirmation
8. once again. I think that the argument that this is
9. the only system we're doing this for and therefore
10. it should not be done, is a specious one. I think
11. we ought to be doing this for all of the pension
12. systems and I plan to so vote. I am not being
13. fiscally irresponsible. This is a 6.5 million dollar
14. figure. I think it's 6.8 to be exact and I think
15. it is time that we put additional fund money into
16. the downstate Teacher's Pension System, into the
17. State Employee's Retirement System and into the
18. University Retirement System. Now, we have made it...
19. made a concerted effort in this Body several times.
20. I for one, supported a Republican proposal of about
21. three or four years ago, as I recall Senator Shapiro
22. was the sponsor of it, to start putting additional monies
23. into all of the pension systems. It was about 17
24. million dollars, was the figure for that year. The
25. next year it was going to go to 34, the next year
26. to 68 and the next year to 136 above the pay out levels.
27. My contention was at that time, we ought to put the
28. 17 million in then. As to whether we followed the
29. formula each year or not, we would be given that
30. option and that choice at that time. We didn't
31. have to follow a prescribed preset formula. This
32. is an attempt to keep good faith with those
33. university employees that we are, in fact, ready

1. and able and willing to start putting more money into
2. your system than the net pay out. I think we ought
3. to do it for the other systems and I plan to support
4. such moves. I would move you that this is a good
5. amendment and ask for its adoption.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Buzbee moves the adoption of Amendment
8. No. 3. All in favor say Aye. Opposed Nay. Nays
9. have it. The amendment is defeated. All right.
10. Senator Buzbee has requested a roll call. Those
11. in favor will vote Aye. Those opposed will vote
12. Nay. The voting is open. Have all voted who
13. wish? Have all voted who wish? Take the record.
14. On that question the Ayes are 14, the Nays are 27,
15. none Voting Present. Amendment No. 3 is lost.
16. Senator Buzbee, for what purpose do you arise?

17. SENATOR BUZBEE:

18. Well, I would just like to point out that we
19. had made the conscious decision; on all of the previous
20. higher ed bills, that we were going to put an additional
21. ten million dollars in of which 6.5 of that was going
22. to be additional retirement. With the Weaver Amend-
23. ment on the other bills, we took the retirement money out
24. with the idea that it was going to be put back on
25. this bill. So, now, we're in the stance of there
26. is no money for retirement in each University
27. System Bill, there is only the net pay out money
28. that is available in the now Weaver Bill, pardon
29. me, the...yes, the net pay out money. So we
30. have effectively reduced by 6.5 million dollars,
31. the amount of money that we were going to put
32. into the University Pension System.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Well, now, both Senator Weaver and Senator Rock
2. have sought recognition, Gentlemen. Amendment No. 3
3. was defeated. You are both recognized, briefly.
4. Senator Weaver.

5. SENATOR WEAVER:

6. Thank you, Mr. President. Well, I think Senator
7. Buzbee knows very well that through the years I've supported
8. pension contributions over and above that which...
9. will meet pay out. I've introduced those bills for
10. many years. This General Assembly has always
11. passed those bills and every Governor has vetoed
12. them, but, if it's the will of this General Assembly
13. to continue to ignore future liabilities, so be it.
14. We gave everyone a chance to vote on this. I
15. supported you, Senator Buzbee, but, that decision
16. was made by those on the Floor and I'll respect
17. that judgment.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Well, Senator Rock, briefly.

20. SENATOR ROCK:

21. Thank you, Mr. President. I just...too, want
22. to point out that the decision was, in fact, a conscious
23. decision, we were well aware of what net result of
24. all these amendments were to be and, in fact, we
25. have added four million dollars to the Higher
26. University Systems budget.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Egan, on this matter, briefly.

29. SENATOR EGAN:

30. Yes, I'm sorry, but I would just like to point
31. out the fact that it's not only the determination
32. of the General Assembly. This is the Governor's
33. budget, which, in fact, is doing more this year than

1. has been done for the last four years. We're getting
2. more this year than we got for the last four years.
3. Now, what Senator Buzbee is asking is even more than
4. that. That's the only reason that I oppose it,
5. because we can't do it for everybody.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senate Bill 561, Senator Grotberg was off the
8. Floor. No, he was off the Floor, Senator Grotberg,
9. when your bill was called. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate...Senate Bill 561.

12. (Secretary reads title of bill)

13. 2nd reading of the bill. No committee amendments.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Any amendments from the Floor? 3rd reading.
16. Senate Bill 806, Senator Lemke. Well, Gentlemen,
17. we are on appropriation bills, but the Chair has
18. been handed a list of bills that sponsors wish to
19. call. 806 deals with migrant labor camps. There's
20. an amendment down here, Senator Lemke. Read the
21. bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 806.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. One Floor Amendment offered by Senator Lemke.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Lemke.

29. SENATOR LEMKE:

30. What we have here is a amendment from the
31. Department of Public Health. The enforcement of
32. it will be by the local State's Attorney on this
33. bill. They don't want the...they don't think
34. they should have the enforcement under the Public

SB 750
2nd
5/19/77

1. Health Act. And I don't think they should either, I
2. think it should be enforced by local authorities.
3. They know better their people and I think it's a
4. good amendment.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Lemke moves the adoption of Amendment
7. No. 1. Is there discussion? All in favor say
8. Aye. All opposed Nay. The Ayes have it. The
9. amendment is adopted. Further Floor Amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. 3rd reading. The Chair inadvertently skipped
14. Senate Bill 750, Senator Berman. Read the bill,
15. Mr. Secretary.

16. SECRETARY:

17. Senate Bill 750.

18. (Secretary reads title of bill)

19. 2nd reading of the bill. The Committee on Appropriations
20. II offers one amendment.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Berman.

23. SENATOR BERMAN:

24. This is a committee amendment adopted by Appro-
25. priations I committee, Mr. President. I move its
26. adoption.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there discussion? All in favor say Aye.
29. Opposed Nay. The Ayes have it. The amendment is
30. adopted. Further committee amendments?

31. SECRETARY:

32. No further committee amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

SB 752
2nd
5/19/77

- 1. Are there amendments from the Floor? 3rd reading.
- 2. Senate...no, there is a Floor Amendment. Senator
- 3. Berman asks leave of the Body to return Senate Bill
- 4. 750 from the Order of 3rd reading back to the Order
- 5. of 2nd reading for the purpose of amendment. Is
- 6. there leave? Leave is granted. Floor Amendments.
- 7. SECRETARY:
- 8. Amendment No. 2 offered by Senator Regner.
- 9. PRESIDING OFFICER: (SENATOR BRUCE)
- 10. Senator Regner is recognized.
- 11. SENATOR REGNER:
- 12. Mr. President, and members of the Senate. What
- 13. this amendment does, it separates the Illinois
- 14. Direct Purchase Program from the Illinois State
- 15. Scholarship Commission's operating money. And it also
- 16. reduces the appropriation for personal services
- 17. for the Illinois State Scholarship Operations
- 18. by twenty-three thousand dollars to reflect the
- 19. transfer of one position to IDAPP and I would
- 20. move its adoption.
- 21. PRESIDING OFFICER: (SENATOR BRUCE)
- 22. You've heard the motion to adopt. Is there
- 23. discussion? All in...all in favor say Aye. Opposed
- 24. Nay. The Ayes have it. The amendment is adopted.
- 25. Are there further amendments?
- 26. SECRETARY:
- 27. No further amendments.
- 28. PRESIDING OFFICER: (SENATOR BRUCE)
- 29. 3rd reading. Senate Bill 752, Senator Carroll.
- 30. Read the bill, Mr. Secretary.
- 31. SECRETARY:
- 32. Senate Bill 752.
- 33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Appropriations I
2. offers one amendment.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President. Also for purposes
7. of the record, the chief sponsor of this by leave
8. of this Body is now Senator Egan and I think the
9. records have...so reflected. Committee Amendment No. 1
10. adds in several other boards and commissions, some
11. of which had reduced amounts from the amounts that
12. they were originally offered under separate pieces
13. of legislation. The intent being to have the boards
14. and commissions under one million dollars to move
15. in one bill so they could be more easily identified
16. and followed by the members of the Legislature. I
17. would move the adoption of Committee Amendment No. 1
18. and answer any questions on any specific board
19. or commission that any member might have.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. You've heard the motion to adopt. Is there
22. discussion? All in favor say Aye. Opposed Nay.
23. The Ayes have it, the amendment is adopted. Further
24. amendments?

25. SECRETARY:

26. No further committee amendments.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Any amendments from the Floor?

29. SECRETARY:

30. Amendment No. 2 offered by Senator Egan.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Carroll to explain the Egan amendment.

33. SENATOR CARROLL:

1. Thank you. Since Carroll is explaining the Egan
2. bill, maybe I can explain the Egan amendment. This
3. is adding an additional appropriation to the County
4. Appellate Division of the Prosecutor's Advisory Council
5. and I would move adoption of this amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. You've heard the motion. All in favor say Aye.
8. Opposed Nay. The Ayes have it. The amendment is
9. adopted. Further Floor Amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. 3rd reading. For what purpose does Senator
14. Regner arise?

15. SENATOR REGNER:

16. I thought I had one up there.

17. SECRETARY:

18. I thought you weren't going to call that, Senator
19. Egan...Regner. I thought you told me you weren't going...

20. SENATOR REGNER:

21. No.

22. SECRETARY:

23. Okay. Amendment No. 3 offered by Senator Regner.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. One moment, Mr. Secretary. We moved that to 3rd.
26. Senator Egan asks...Senator Egan asks leave of the
27. Body to return this bill to the Order of 2nd reading.
28. Is there leave? Leave is granted. Floor Amendments.
29. Senator Regner.

30. SENATOR REGNER:

31. Yes, this takes out the line item appropriation
32. for the State Property Insurance Study Commission
33. which is not being renewed for FY'78 and I move
34. its adoption.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. You've heard the motion. All in favor say Aye.
3. Opposed Nay. The Ayes have it. The amendment is
4. adopted. Any...any other Floor Amendments?
5. SECRETARY:
6. No further Floor Amendments.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Lane is recognized.
9. SENATOR LANE:
10. I'm sorry I wasn't paying attention. What's
11. this, Senator Regner, you're pulling the appropria-
12. tion after you reduced it by six thousand dollars
13. last year. You're now pulling the whole appropria-
14. tion.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Regner.
17. SENATOR REGNER:
18. Senator Lane, this was a temporary commission
19. and there is no enacting legislation to continue
20. the commission into fiscal year '78 so we'll
21. terminate on June 30th, 1977.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Senator Lane.
24. SENATOR LANE:
25. Is that according to the Act?
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Regner.
28. SENATOR REGNER:
29. That's correct. The...it was just to carry
30. through this current General Assembly or through
31. June 30th, 1977, without any enacting legislation.
32. The commission won't exist anymore.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Lane.

2. SENATOR LANE:

3. Is there a possibility to legislate to keep this
4. in the...at three thousand dollars a year, I think
5. there's a need for it, cause of the remarkable job
6. you did over the years in handling this commission.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Regner.

9. SENATOR REGNER:

10. Thank you for the compliment, Senator Lane.
11. I suppose if you found a vehicle bill or could
12. amend substantive language in again to recreate
13. the commission, then we'd have...have an appropria-
14. tion to continue it and I would have no objection
15. to that.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Lane.

18. SENATOR LANE:

19. You would have no objection to what, Senator?
20. I'm sorry, I was being interrupted.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Regner, are you moving to reconsider
23. the vote by which this amendment was adopted so
24. that the appropriation remains in the appropriation
25. bill? Senator Regner moves to reconsider the vote
26. by which Amendment No. 3 was adopted. All in favor
27. say Aye. Opposed Nay. The Ayes have it. The
28. amendment is adopted. Senator Regner now moves
29. to Table Amendment No. 3. All in favor say Aye.
30. Opposed Nay. The Ayes have it. The amendment is
31. Tabled. Senate Bill 767. 3rd reading on Senate
32. Bill 752. Senate Bill 767, Senator Joyce. Read
33. the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 767.

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

7. reading. Senate Bill 880, Senator Regner. Senator

8. Regner. Read the bill, Mr. Secretary.

9. SECRETARY:

10. Senate Bill 880.

11. (Secretary reads title of bill)

12. 3rd...2nd reading of the bill. The Committee on

13. Appropriations I offers one amendment.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Carroll to explain the amendment.

16. SENATOR CARROLL:

17. Thank you, Mr. President. This is a very simple

18. amendment, running twenty-six pages. It is the first

19. time in the history of the State of Illinois that

20. we have required and received grants by standard

21. line item accounts. This way we can now monitor the

22. grants that are given by the Illinois Law Enforcement

23. Commission and make sure through better control by

24. the General Assembly that those grants are, in fact,

25. used for the purposes intended and used within the

26. line items to which we specifically authorize them

27. now to do. I think this is a good idea for the

28. legislature and I move the adoption of Committee

29. Amendment No. 1.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. You've heard the motion. Is there discussion?

32. All in favor say Aye. Opposed Nay. The Ayes

33. have it. The amendment is adopted. Further

1. committee amendments?

2. SECRETARY:

3. No further committee amendments.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Are there amendments from the Floor? 3rd
6. reading. Senate Bill 944, Senator Nimrod. Read
7. the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 944.

10. (Secretary reads title of bill)

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

12. One Floor Amendment offered by Senator Nimrod.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Nimrod on Amendment No. 1.

15. SENATOR NIMROD:

16. Yes, Mr. President, and fellow Senators.
17. Amendment No. 1 is a amendment that was heard
18. in committee and what happened, it was inadvertently
19. left off when...passed out, DO Pass, not as Amended.
20. So, after discussion with both the chairman of the
21. committee and with this office of the Secretary of
22. the Senate it was agreed that it would be better to
23. put it on on the Floor and then make that explanation
24. for the record. If there's any questions, you may
25. refer to Chairman Senator Knuppel. However, this
26. amendment, what it did was to shorten the version
27. of the Act itself and cut down some of the sections
28. which I felt were duplicative and the committee had
29. one. We took one week extra in committee in order
30. to look at the amendment to make sure it covered
31. the areas as we have discussed them. Be happy to
32. answer any questions on this, otherwise, I ask
33. for the adoption of Amendment No. 1.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. You've heard the motion to adopt. Is there
3. discussion? Senator Bloom.

4. SENATOR BLOOM:

5. Question. In the explanation, I believe you
6. referred to something as Do Pass, not as Amended.
7. And I wondered if you could explain that.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Nimrod.

10. SENATOR NIMROD:

11. Yes, Senator Bloom, I...I guess I should have
12. separated the two. What happened is in committee
13. the motion was Do Pass and what it should have
14. been is Do Pass as Amended in committee and it
15. should have been reported here and so in order
16. to avoid that problem here we did present the
17. amendment on the Floor rather than try to correct
18. the records.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? You've heard the motion.
21. All in favor say Aye. Opposed Nay. The Ayes have
22. it. The amendment is adopted. Are there further
23. amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. 3rd reading. Senate Bill 959, Senator Leonard.
28. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 959.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. The Committee on Appropriations
33. I offers one amendment.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President. This amendment is
5. to transfer the program from General Revenue Funds
6. to Capital Development Funds and I would move
7. adoption of Committee Amendment No. 1.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. You've heard the motion. All...is there
10. discussion? All in favor say Aye. Opposed Nay.
11. The Ayes have it. The amendment is adopted. Are
12. there further amendments?

13. SECRETARY:

14. No further committee amendments.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Any amendments from the Floor? 3rd reading.
17. Senate Bill 960, Senator Leonard. Read the bill,
18. Mr. Secretary.

19. SECRETARY:

20. Senate Bill 960.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Are there amendments from the Floor? 3rd
25. reading. Senate Bill 962, Senator Buzbee. Is Senator
26. Buzbee on the Floor? Read the bill, Mr. Secretary.

27. SECRETARY:

28. Senate Bill 962.

29. (Secretary reads title of bill)

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

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Are there any amendments from the Floor? 3rd
33. reading. Senate Bill 1046, Senator Buzbee. Read

1. the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 1046.

4. (Secretary reads title of bill)

5. 2nd reading of the bill. The Committee on Appropriations

6. II offers one amendment.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Yes, Mr. President. This reduces the appropria-

11. tion from two hundred fifty thousand to one hundred

12. eighty-seven thousand, five hundred dollars. A

13. reduction of sixty-two thousand, five hundred dollars.

14. The one hundred eighty-seven thousand, five hundred

15. dollar appropriation represents seventy-five percent

16. of the estimated cost of the project. That is the

17. state's share. And it's the same funding ratio that

18. is used to originally fund the building of John A.

19. Logan College. The amendment also deletes the substantive

20. language concerning reimbursement. The president and

21. the board of trustees are publicly on record as

22. saying they will return any reimbursement to the

23. State and I would move the adoption of Amendment No. 1.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. You've heard the motion. Is there discussion?

26. All in favor say Aye. Opposed Nay. The Ayes have it.

27. The amendment is adopted. Further amendments?

28. SECRETARY:

29. No further committee amendments.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Are there amendments from the Floor? 3rd reading.

32. Senate Bill 1079, Senator Nimrod, Glass. Senator Nimrod

33. on the Floor? DOT on Municipal Airport. Yes, Senator

1. Carroll, Senator Egan. I'm sorry, Senator Mitchler or
2. Senator Egan. Senator Egan, we're only moving
3. appropriation bills at this time, unless, unless it
4. was on my list and it was not. On Senate Bill 1079.
5. Read the bill, Mr. Secretary.
6. SECRETARY:
7. Senate Bill 1079.
8. (Secretary reads title of bill)
9. 2nd reading of the bill. The Committee on Appropriations
10. I offers one amendment.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Carroll.
13. SENATOR CARROLL:
14. Thank you, Mr. President. This amendment is to
15. clarify the clarifying language and make sure that
16. this is limited in use to Palwaukee Airport. I would
17. move the adoption of the amendment. I might add
18. that there have been some other questions where
19. we wanted an opinion from bond council. Senator
20. Nimrod has indicated he will hold the bill on 3rd
21. reading. He expects to have that communication
22. on Monday and I would move adoption of Committee Amendment
23. No. 1.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. You heard the motion. All in favor say Aye.
26. Opposed Nay. The Ayes have it. The amendment is
27. adopted. Are there further committee amendments?
28. SECRETARY:
29. No further committee amendments.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Any amendments from the Floor? 3rd reading.
32. Senate Bill 1201, Senator Regner. Is Senator Regner
33. on the Floor? Senate Bill 1235, Senator Merlo. Senator

1. Regner. Joint Committee on Legislative Information
2. Systems. Senator Regner. Read the bill, Mr. Secretary.
3. SECRETARY:
4. Senate Bill 1201.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. The Committee on Appropriations
7. I offers one amendment.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Carroll to explain the amendment.
10. SENATOR CARROLL:
11. Thank you, Mr. President. In an effort to join
12. with some who want to hold down spending, we have
13. eliminated some money from Senator Regner's commission
14. in personal services, contractual services, travel
15. and data processing and an attempt to reduce this
16. appropriation to a level that would equal State
17. funding and its effect. I move adoption of Amend-
18. ment No. 1.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. You've heard the motion. Is there discussion?
21. All in favor say Aye. Opposed Nay. The Ayes have
22. it. The amendment is adopted. Are there further
23. amendments?
24. SECRETARY:
25. No further committee amendments.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Any amendments from the Floor? 3rd reading.
28. Senate Bill 1235, Senator Merlo. Hold the bill.
29. Senate Bill 1243, Senator Johns. Read the bill,
30. Mr. Secretary.
31. SECRETARY:
32. Senate Bill 1243.
33. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Appropriations
2. I offers one amendment.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Carroll to explain the amendment.
5. SENATOR CARROLL:
6. Thank you, Mr. President. This amendment changes
7. the source of funding from General Revenue Funds to
8. Capital Development Board Funds and I would move adoption
9. of Committee Amendment No. 1.
10. PRESIDING OFFICER: (SENATOR BRUCE)
11. You've heard the motion. Is there discussion?
12. All in favor say Aye. Opposed Nay. The Ayes have
13. it. The amendment is adopted. Are there further
14. amendments?
15. SECRETARY:
16. No further committee amendments.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Amendments from the Floor? 3rd reading.
19. Senate Bill 1280. Senator Schaffer on the Floor?
20. Read the bill, Mr. Secretary.
21. SECRETARY:
22. Senate Bill 1280.
23. (Secretary reads title of bill)
24. 2nd reading of the bill. The Committee on Elementary
25. and Secondary Education offers one amendment.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Schaffer, can you explain the amendment,
28. Senator Schaffer? Senator Schaffer moves the adoption
29. of Amendment No. 1, Senate Bill 1280. Is there discussion?
30. All in favor say Aye. All opposed Nay. The Ayes have
31. it. The amendment is adopted. Are there further
32. amendments?
33. SECRETARY:
34. No further committee amendments.
35. PRESIDING OFFICER: (SENATOR BRUCE)

1. Any amendments from the Floor?

2. SECRETARY:

3. Amendment No. 2 offered by Senator Schaffer.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Schaffer on Amendment No. 2.

6. SENATOR SCHAFFER:

7. Amendment No. 2 is an agreed amendment. I think
8. Senator worked out with Senator Berman and Democratic
9. Staff, Republican Staff, DOT, IOE, School Board Associa-
10. tion, everyone involved in the bill and I believe
11. puts the bill in good shape.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Schaffer moves the adoption of Amend-
14. ment No. 2. Is there discussion? All in favor say
15. Aye. Opposed Nay. The Ayes have it. The Amendment
16. is adopted. Are there further Floor Amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. 3rd reading. The Chair inadvertently skipped
21. Senate Bill 1035. Senate Bill 1035.

22. SECRETARY:

23. House Bill 1035.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. The Committee on Higher
26. Education offers one amendment.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Hickey to explain Amendment No. 1.

29. SENATOR HICKEY:

30. There...aren't there...aren't there two amendments
31. on there.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. There are two amendments. Amendment No. 1, Senator

1. Hickey.

2. SENATOR HICKEY:

3. It simply makes a clarification of institutions
4. which can take advantage of the Educational Facilities
5. Act, Amendment No. 1 does.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Hickey moves to adopt Amendment No. 1.
8. You've heard the motion. All in favor say Aye.
9. Opposed Nay. The Ayes have it. The amendment is
10. adopted. Amendment No. 2, Senator Hickey.

11. SENATOR HICKEY:

12. Amendment No. 2 talks about tangible...tangible
13. collateral and securities and we do have to go
14. ahead and adopt this amendment in as much as
15. Amendment No. 3 deletes it as well as clarifying it.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Hickey moves the adoption of Amendment
18. No. 2. Is there discussion? All in favor say
19. Aye. Opposed Nay. The Ayes have it. The amend-
20. ment is adopted. Are there further amendments?

21. SECRETARY:

22. No further committee amendments.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Any amendments from the Floor?

25. SECRETARY:

26. Amendment No. 3 offered by Senator Hickey.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Hickey.

29. SENATOR HICKEY:

30. Amendment No. 3 as I just said, deletes
31. Amendment No. 2 and clarifies it. That is, it did
32. read tangible collateral and securities and we've
33. changed that to read first mortgage lien on other

1. property of such private institution of higher education.
2. Which is exactly what we meant to do in Amendment No. 2.
3. I move its adoption.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. You've heard the motion. Is there discussion?
6. All in favor say Aye. Opposed Nay. The Ayes have
7. it. The amendment is adopted. Are there further
8. Floor amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. 3rd reading. On the Order of Senate Bills 3rd
13. reading is Senate Bill 1280 which was just advanced
14. and there is an error in one of the amendments.

15. Senator Schaffer asks leave of the Body to return
16. Senate Bill 1280 to the Order of 2nd reading for
17. purpose of removing an amendment. Is there leave?
18. Leave is granted. Senator Schaffer.

19. SENATOR SCHAFFER:

20. Amendment No. 2 actually made Amendment No. 1
21. unnecessary. I move to Table Amendment No. 1.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Schaffer moves to reconsider the vote
24. by which Amendment No. 1 to Senate Bill 1280 was
25. adopted. All...all in favor say Aye. All opposed Nay.
26. The Ayes have it. The amendment is adopted. Senator
27. Schaffer now moves to Table Amendment No. 1. All...
28. is there discussion? All in favor say Aye. All
29. opposed Nay. The Ayes have it. The amendment is
30. Tabled. Senate Bill 1235, Senator Merlo. Oh, 1280,
31. further amendments? 3rd reading. Senate Bill 1235.

32. SECRETARY:

33. Senate Bill 1235.

34. (Secretary reads title of bill)

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

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Are there amendments from the Floor? 3rd reading.

4. Senator Roe, there's been a great deal of interest in

5. your particular commission. 1284, and the Secretary

6. has been requested to read the bill in its totality.

7. The title.

8. SECRETARY:

9. Senate Bill 1284.

10. (Secretary reads title of bill)

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Are there any amendments on this bill?

13. SECRETARY:

14. No...no committee amendments.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. There seems to be a...yes, Senator...are there

17. amendments from the Floor? Senator Buzbee.

18. SENATOR BUZBEE:

19. I thought there was an amendment to increase the

20. size of this commission, Mr...oh, I...it was my

21. understanding there was going to be. I think there

22. should be.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Are there Floor amendments? 3rd...3rd reading.

25. Senate Bill 1302, Senator Donnewald. Senator Rock.

26. I think that was...was to be moved. Senate Bill 1302,

27. Mr. Secretary.

28. SECRETARY:

29. Senate Bill 1302.

30. (Secretary reads title of bill)

31. 2nd reading of the bill. The Committee on Appropriations

32. I offers one amendment.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you, Mr. President, and members of the
4. Senate. Committee Amendment No. 1 is to increase
5. the appropriation from General Revenue Funds for two
6. hundred and ten thousand for funding of new furnishings
7. for the third and sixth floor for equipment. I would
8. move adoption of Committee Amendment No. 1.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. You've heard the motion. Is there discussion?
11. All in favor say Aye. Opposed Nay. The Ayes have
12. it. The amendment is adopted. Are there further
13. amendments?

14. SECRETARY:

15. No further committee amendments.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Are there amendments on...from the Floor? 3rd
18. reading. Senate Bill 1326, Senator Bloom. Read
19. the bill, Mr. Secretary. Senator Bloom.

20. SECRETARY:

21. Senator Bloom, I have a note that says Enrolling
22. and Engrossing, that LRB was going to send you an
23. amendment for this bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Bloom.

26. SENATOR BLOOM:

27. That's...that's correct, Mr. Secretary. I was
28. going to Table that committee amendment because
29. there is a second amendment.

30. SECRETARY:

31. Okay. Senate Bill 1326.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. The Committee on Agriculture

1. and Conservation and Energy offers one amendment.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Bloom, is this in...Senator Bloom.

4. SENATOR BLOOM:

5. Thank you. Thank you, Mr. President. I would
6. like to Table that Committee Amendment and I believe
7. the Secretary has an amendment that was filed with
8. him today.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Bloom moves to Table Amendment No. 1.
11. You've heard the motion. Is there discussion?
12. All in favor say Aye. Opposed Nay. The Ayes
13. have it. The amendment is Tabled. Amendment No. 2.

14. SENATOR BLOOM:

15. All right. Amendment No. 2. Basically, this
16. worked out some problems with various utilities.
17. The amendment I just Tabled had technical flaws
18. and only made three major changes. This makes
19. four major changes. Deletes the Division of
20. Hearing Examiners, Division of Policy Analysis and
21. the informal testimony sections, they're all out
22. and the other two are substantially alters the
23. management audit language and substantially changes
24. the advertising language, I'd move its adoption.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. You've heard the motion to adopt. Is there
27. discussion? All in favor say Aye. Opposed Nay.
28. The Ayes have it. The amendment is adopted. Are
29. there further...

30. SECRETARY:

31. No further amendments.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. 3rd reading. Senate Bills on 3rd reading. For

1. what purpose does Senator Philip arise?

2. SENATOR PHILIP:

3. I...I...I was just sitting here, Mr. President,
4. and note that I have Senate Bill on 2nd reading, 1317,
5. and what...we must have overlooked it. In fact, you
6. have the amendment for it, Mr. President.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator...Senator, the Chair was handed a list
9. of bills on 2nd reading that we were to advance today,
10. we're only advancing appropriation bills and that
11. bill was not on my list. Senator Lemke.

12. SENATOR LEMKE:

13. We had a bill up there that was on the thing, 1306.
14. There was two amendments filed and one was withdrawn
15. and the other one...we got the amendments straightened
16. out now, we'd like to move it.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Gentlemen, gentlemen, could we have some order,
19. please. Senator Lemke, is the bill on the Order of
20. 3rd reading now?

21. SENATOR LEMKE:

22. No, it was on the Order of 2nd reading. We
23. just held it for a minute till we get the amendment
24. straightened out.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Well, Senator Lemke, it is not on the list
27. that I was handed by the President. And Senator
28. Harber Hall is not here to offer the amendment in
29. any event. The Chair has a list of bills on the
30. Order of 3rd reading that sponsors have asked to
31. have recalled. Gentlemen, if you will pay attention,
32. Senate Bills 207,408, 511, 569, 615, 643, 668, 697,
33. 834, 841, 1051, 1086, 1122 and 1265. Senate Bill

1. 207, Senator...Senate Bills, 3rd reading. Senate
2. Bill 207. Senator Lemke asks leave of the Body to
3. return Senate Bill 207 to the Order of 2nd reading
4. for the purpose of an amendment. Is there leave?
5. Leave is granted. The bill is on the Order of
6. 2nd reading. Senate Bill 207, on the Order of
7. 2nd reading. Are there amendments, Mr. Secretary?
8. Senator Lemke.

9. SENATOR LEMKE:

10. What we want to do here is Table the first
11. amendment and put on the 2nd. The Reference
12. Bureau made a mistake and...very important where
13. they use the word, and, and it should have been
14. or.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Lemke moves to reconsider the vote
17. by which Amendment No.1 was adopted. You've heard
18. the motion. Is there discussion? All in favor
19. say Aye. Opposed Nay. The Ayes have it. The
20. amendment is reconsidered. Senator Lemke now
21. moves to Table Amendment No. 1. On the motion,
22. all in favor say Aye. Opposed Nay. The Ayes have
23. it. Amendment No. 1 is Tabled. Amendment No. 2.

24. SECRETARY:

25. Amendment No. 2 offered by Senator Guidice.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Guidice.

28. SENATOR GUIDICE:

29. Thank you, Mr. President. Senate...Amendment
30. No. 2 deletes the word, and, and replaces it
31. with the word, or, and I move its adoption.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. You've heard the motion. Senator Guidice moves

1. to adopt Amendment No. 2. Is there discussion? All
2. 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. Now, Gentlemen, I have the names
8. of the sponsors, Senator Lemke, Senator Bruce, Senator
9. Roe, Senator D'Arco, Senator Roe, Kosinski, Roe,
10. Buzbee, Schaffer, Rock, Moore, Clewis and Shapiro.
11. If you will be...those are the sponsors of the bills
12. as we go along. Senate Bill 408, Senator Lemke. Ask
13. leave of the Body to return Senate Bill 408 to the
14. Order of 2nd reading for the purpose of an amendment.
15. Is there leave? Leave is granted. The bill is on
16. the Order of 2nd reading. Senator Lemke.

17. SENATOR LEMKE:

18. Garnishment.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. It's the garnishment bill. That's correct.

21. SECRETARY:

22. Amendment No. 1.

23. SENATOR LEMKE:

24. What we're doing here is the Act, is a repealer Act,
25. and we're taking...we're changing the Act now and putting
26. on an amendment so that State Pension Funds cannot be
27. garnished, by garnishment. The problem we have is the
28. possibility that through a garnishment proceedings that
29. they can get the employees contribution to the Pension
30. Funds and if they take the employees contribution out
31. the Pension Funds could be hurt by this and our pensions,
32. which is now in trouble, our pension system could find
33. trouble. We, I ask for the adoption of the amendment.

SB 569
Received
5-19-77

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. You've heard the motion to adopt. Is there
3. discussion? All in favor say Aye. Opposed Nay.
4. The Ayes have it. The amendment is adopted. Are
5. there further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. 3rd reading. Senate...Senate Bill 569, Senator
10. Roe. Senator Roe asks leave to have Senate Bill
11. 569 returned to the Order of 2nd reading. Is there
12. leave? Leave is granted. The bill is on the Order
13. of 2nd reading.

14. SECRETARY:

15. Amendment No. 1 offered by Senator Roe.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Roe to explain the amendment.

18. SENATOR ROE:

19. Mr. President, and members of the Senate. This
20. amendment was in fact a committee amendment which
21. was adopted in committee, although the clerk of
22. the committee did not show it having been adopted.
23. This amendment was proposed by the State Police.
24. Has the agreement of all law enforcement officials
25. and I would move its adoption.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. You've heard the motion to adopt. Is there
28. discussion? All in favor say Aye. Opposed Nay.
29. The Ayes have it. The amendment is adopted. Are
30. there further amendments?

31. SECRETARY:

32. Amendment No. 2 offered by Senator Roe.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Roe is recognized.

2. SECRETARY:

3. It's a very...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Roe...

6. SECRETARY:

7. It's a very short amendment, Senator Roe, apparently

8. you've got a section wrong. It's Section 16-1...okay.

9. SENATOR ROE:

10. Typographical amendment.

11. SECRETARY:

12. Right...right.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Roe moves the adoption of Amendment No. 2.

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

16. Nay. The Ayes have it. The amendment is adopted. Are

17. there further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Sorry, we're on 569. Favor say Aye. Nay. The

22. Ayes have it. The Amendment is adopted. Are there

23. further amendments? 3rd reading.

24. SECRETARY:

25. No further amendments.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senate Bill 615, Senator D'Arco. Senator...are

28. you ready, Senator D'Arco. Senator D'Arco asks leave

29. of the Body to return Senate Bill 615 to the Order

30. of 2nd reading. Is there leave? Leave is granted.

31. The bill is on the Order of 2nd readings. Are there

32. amendments, Mr. Secretary? Senator D'Arco.

33. SENATOR D'ARCO:

1. Amendment No. 1 to Senate Bill 615 amends line
2. 26 and 27 by deleting at the rate...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator...Senator D'Arco, excuse me...

5. SECRETARY:

6. No, Senator D'Arco, we have Amendment No. 1
7. already on the bill. You...you...you're now
8. moving on Amendment No. 2. I thought you told
9. me you were going to...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator D'Arco.

12. SENATOR D'ARCO:

13. Having...voted on the prevailing side, I would
14. move to reconsider the vote by Amendment No. 1
15. was adopted.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. You heard the motion. Is there discussion?
18. All in favor say Aye. Opposed Nay. The Ayes have
19. it. The amendment is...

20. SENATOR D'ARCO:

21. I would now move to...

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. ...reconsidered. Senator D'Arco now moves to Table
24. Amendment No. 1. All in favor say Aye. Opposed Nay.
25. The Ayes have it. Amendment No. 1 is Tabled.

26. SECRETARY:

27. Amendment No. 2 offered by Senator D'Arco.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator D'Arco.

30. SENATOR D'ARCO:

31. Amendment No. 2 deletes line 26 and 27 by deleting,
32. at the rate in an amount equal to one-half and inserting
33. in lieu thereof, in the amount equal to one-half. I

1. move for its adoption.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator...Senator D'Arco...you've heard the motion.

4. Is there discussion? All in favor say Aye. Opposed

5. Nay. The Ayes have it. Amendment No. 2 is adopted.

6. Are there further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. 3rd reading.

11. SECRETARY:

12. No, wait a minute...wait...I'm sorry. Amendment

13. No.3 offered by Senator D'Arco.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator D'Arco on Amendment No. 3.

16. SENATOR D'ARCO:

17. This amends page 3, by inserting below line 14

18. the following: this amendatory Act of 1977 does

19. not apply to personal service appropriations for

20. State college or university employees.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator D'Arco moves the adoption of Amendment

23. No.3. You've heard the motion. Is there discussion?

24. All in favor say Aye. Opposed Nay. The Ayes have

25. it. Amendment is adopted. Are there further

26. amendments?

27. SECRETARY:

28. Amendment No. 4 offered by Senator D'Arco.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator D'Arco is recognized.

31. SENATOR D'ARCO:

32. This amends page 1, line 27, by changing, the

33. number, to, one-half the number, and line 28, by

1. deleting the period and inserting in lieu thereof,
2. provided that no person shall receive payment for
3. more than 100 days.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator D'Arco moves the adoption of Amendment
6. No. 4. Is there discussion? All in favor say Aye.
7. Opposed Nay. The Ayes have it. The amendment is
8. adopted. Any further amendments?

9. SECRETARY:

10. Amendment No. 5 offered by Senator D'Arco.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator D'Arco.

13. SENATOR D'ARCO:

14. This amends page 1, by deleting line 22 and
15. inserting in lieu thereof, retirement, disability,
16. and line 23 by changing, case may be, to case may be,
17. deleted and by deleting line 30 and inserting in lieu
18. thereof; his accumulated unused personal business
19. days shall be paid to his estate in a, and in line
20. 30, by deleting the period and inserting in lieu
21. thereof, however, no payment shall be made for unused
22. sick leave or vacation days and on page 2, by deleting
23. lines 16 and 17 and inserting in lieu thereof, for any
24. accrued personal business days, vacation period and
25. accrued overtime as has been paid for.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator D'Arco moves the adoption of Amendment
28. No. 5. Is there discussion? All in favor say Aye.
29. Opposed Nay. The Ayes have it. The amendment is
30. adopted. Are there further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. 3rd reading. Senate Bill 643, Senator Roe. Senator

1. Roe asks leave of the Senate to return to Senate Bill
2. 643, the Order of 2nd reading. Is there leave? Leave
3. is granted. Any amendments, Mr. Secretary?
4. SECRETARY:
5. Amendment No. 1 offered by Senator Roe.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Roe is recognized.
8. SENATOR ROE:
9. Mr. President, and members of the Senate. This
10. agreed upon amendment between DOT and the county
11. superintendents provides that no county monies shall
12. be expended under this bill for contribution toward
13. scenic rest areas. I would move adoption of the
14. amendment.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. You heard the motion. Is there discussion? All
17. in favor say Aye. Opposed Nay. The Ayes have it.
18. The amendment is adopted. Are there further amend-
19. ments?
20. SECRETARY:
21. No further amendments.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. 3rd reading. Senate Bill 668, Senator Kosinski.
24. Senator Kosinski asks leave of the Senate to return
25. Senate Bill 668 to the Order of 2nd reading for the
26. purpose of amendment. Is there leave? Leave is
27. granted. The bill is on the Order of 2nd reading.
28. SECRETARY:
29. Amendment No. 1 offered by Senator Kosinski.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Kosinski is recognized.
32. SENATOR KOSINSKI:
33. Mr. President, and members of the Senate. Amendment

1. No. 1, what it does is on page 2, line 24, by deleting
2. forty thousand dollars and inserting in lieu thereof,
3. therefore, thirty-eight thousand dollars. I move
4. for its adoption.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. You've heard the motion. Is there discussion.
7. All in favor say Aye. Opposed Nay. The Ayes have
8. it. The amendment is adopted. Are there further
9. amendments?

10. SECRETARY:

11. No further amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. 3rd reading. Senate Bill 697, Senator Roe.
14. Senator Roe asks leave of the Senate to return
15. Senate Bill 697 to the Order of 2nd reading for
16. the purpose of an amendment. Is there leave?
17. Leave is granted. The bill is on the Order of
18. 2nd reading. Any amendments, Mr. Secretary.

19. SECRETARY:

20. Amendment No. 1 offered by Senator Roe.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Roe to explain the amendment.

23. SENATOR ROE:

24. Mr. President, one of the lines in this bill was
25. written in Chinese because of a computer error and
26. this line should read, the money shall be deposited
27. in the Public Assistance Recoveries Fund, and I would
28. move the adoption of the amendment.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. You've heard the motion to adopt. Is there
31. discussion? All in favor say Aye. Opposed Nay.
32. The Ayes have it. The amendment is adopted.
33. Are there further amendments?

1. SECRETARY:
2. No further amendments.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. 3rd reading. Senate Bill 834, Senator Buzbee.
5. Senator Buzbee asks leave of the Senate to return
6. Senate Bill 834 to the Order of 2nd reading for the
7. purpose of an amendment. Is there leave? Leave is
8. granted. Senator...are there amendments? Senator
9. Buzbee, is there an amendment to this bill? Senator
10. Sommer, for what purpose do you arise?
11. SENATOR SOMMER:
12. On a point of personal privilege, Mr. President.
13. In the rear of the Chamber, we have two former
14. Senators who have come to visit us. One of them
15. for the first time since he left the...left the
16. Body, Senator Tom Merritt.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Merritt, you are always welcome.
19. SENATOR SOMMER:
20. That's Senator Cliff Latherow.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. The Chair would also like to recognize Senator
23. Meade Baltz who is with us today. Senator Buzbee,
24. the Secretary has no amendment for 834...no amendments.
25. 3rd reading. For what purpose does Senator Glass
26. arise?
27. SENATOR GLASS:
28. Well, Mr. President, I just wondered, if as long
29. as these former Senators are here, if we could have
30. leave for them to vote, as long as they are here.
31. PRESIDING OFFICER: (SENATOR BRUCE)
32. Only on pay raises. Senate Bill 841, Senator
33. Schaffer. Senator Schaffer asks leave of the Body

1. to return Senate Bill 841 to the Order of 2nd reading
2. for the purpose of an amendment. Is there leave?
3. Leave is granted. The bill is on the Order of 2nd reading.
4. SECRETARY:
5. Amendment No. 2 offered by Senator Schaffer.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Schaffer is recognized.
8. SENATOR SCHAFFER:
9. Amendment No. 2 clarifies that the Travel Control
10. Board we're talking about is the Legislative Travel
11. Control Board.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator moves the adoption of Amendment No. 2.
14. Is there discussion? All in favor say Aye. Opposed
15. Nay. The Ayes have it. The amendment is adopted.
16. Are there further amendments?
17. SECRETARY:
18. Amendment No. 3 offered by Senator Schaffer.
19. PRESIDING OFFICER: (SENATOR BRUCE)
20. Senator Schaffer is recognized.
21. SENATOR SCHAFFER:
22. Democratic staff pointed out we had to amend the
23. Act in two places and that's what Amendment No. 3
24. does is include the same provisions in the second
25. location in the Act.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Schaffer moves the adoption of Amendment
28. No. 3. Is there discussion? All in favor say Aye.
29. Opposed Nay. The Ayes have it. The amendment is
30. adopted. Any...further amendments?
31. SECRETARY:
32. No further amendments.
33. PRESIDING OFFICER: (SENATOR BRUCE)
34. 3rd reading. Okay. Senate Bill 1086, Senator

1. Moore. Senator Moore asks leave of the Senate to
2. return Senate Bill 1086 to the Order of 2nd reading
3. for the purpose of amendment. Is there leave? Leave
4. is granted. The bill is on the Order of 2nd reading.
5. Gentlemen, as happy as we are to have our former
6. colleagues, I wonder if we might have a little order,
7. particularly right behind Senator Moore.

8. SECRETARY:

9. Amendment No. 1 offered by Senator Moore.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Moore.

12. SENATOR MOORE:

13. Thank you, Mr. President, and members of the Senate.
14. This was an amendment that was agreed upon by the
15. Illinois Department of Transportation and the Illinois
16. Department of Business and Economic Development. All
17. it does is add this language to the end of the bill.
18. The department, referring to the Department of IDOT,
19. shall coordinate all its activities under this section, with
20. the Department of Business and Economic Development.
21. I'd move its adoption, Mr. President.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Heard the motion to adopt. Is there discussion?
24. All in favor say Aye. Opposed Nay. The Ayes have
25. it. The amendment is adopted. Are there further
26. amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. 3rd reading. Senate Bill 1122, Senator Clewis.
31. Senator Clewis asks leave of the Body to return
32. Senate Bill 1122 to the Order of 2nd reading for
33. the purpose of an amendment. Is there leave? Leave

1. is granted.

2. SECRETARY:

3. Amendment No. 1 offered by Senator Clewis.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Clewis.

6. SENATOR CLEWIS:

7. Mr. President, members of the Senate. This
8. amendment merely changes...strikes the word, and,
9. in two sections of the bill and adds the word, and
10. hospital, in those same sections. I move for the
11. adoption of Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Clewis moves the adoption of Amendment
14. No. 1. Is there discussion? All in favor say Aye.
15. Opposed Nay. The Ayes have it. The amendment is
16. adopted. Any further amendments?

17. SECRETARY:

18. No further amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. 3rd reading. The Chair has inadvertently skipped
21. Senate Bill 1051, Senator Rock's bill. Senator Rock
22. asks leave of the Body to return Senate Bill 1051
23. to the Order of 2nd reading for the purpose of
24. amendment. Is there leave? Leave is granted.

25. SECRETARY:

26. Amendment No. 2 offered by Senator Rock.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Rock.

29. SENATOR ROCK:

30. Thank you, Mr. President and Ladies and Gentlemen
31. of the Senate. Senate Bill 1051, as I'm sure everyone
32. is aware is the bill which would allow for the first
33. time, branch banking in Illinois. Amendment No. 2 is

1. being offered by me today, as is Amendment No. 3 with
2. the full understanding that I will hold the bill until
3. next week so that everyone will have adequate time to
4. study the amendments and I have further agreed to call
5. the bill back next week and I understand there are
6. more amendments coming. But, I would like to get
7. this amendment on so that it can go through the
8. printing process and be available for distribution
9. to all interested parties. Amendment No. 2, Mr. President
10. and Ladies and Gentlemen of the Senate, makes some
11. eleven changes in Senate Bill 1051 as amended. And I
12. will briefly outline the changes and then move its
13. adoption. Number one, the first change that is noticed,
14. is that it raises the threshold for branching from
15. communities from twenty-five hundred to communities
16. of five-thousand. This was a request of Senator
17. Davidson and others. The second major change is
18. that it prohibits the downtown Chicago, downtown
19. banks, that is those that are within what's defined
20. as the Central Business District of Chicago from
21. branching anywhere except in Cook County. There
22. was some concern expressed from our neighboring
23. counties, namely DuPage, Will and Lake, that the
24. twenty-five mile entitlement would allow them,
25. in fact, to cross county lines, this absolutely
26. prohibits them from going outside the county of
27. Cook. A third provision provides for a one
28. mile home office protection for newly chartered
29. banks. There are a number of banks that have
30. been newly chartered and it was felt in fairness
31. that they should be given the opportunity to
32. get themselves well established within a community.
33. So this would offer, instead of a quarter mile,

1. it would offer a one mile home office protection
2. for newly chartered banks for a period of five years.
3. There are three or four changes that were at the
4. direct request of the Banking Commissioner designate,
5. former Senator Bill Harris. One of them would say,
6. one of the provisions is that no branch that is
7. established in the special service area can be
8. closed unless there is prior approval from the
9. Commissioner. This was a concern that was expressed
10. the other day. The Commissioner felt that this
11. was the best way to handle it, though we had
12. to have his prior approval, or that of his office
13. before one of these special service area branches
14. could be closed. There is also provision at the
15. Commissioner's request that the original correction
16. to the original Charter, the original Bank Charter,
17. in case of a merger, is provided for, another
18. suggestion of the Commissioner's office would
19. that a...bank seeking to branch in a special
20. service area would have to provide the Commissioner
21. with evidence of compliance with the fourfold
22. requirement of adequate capital, the branch
23. investment does not exceed one-half of the
24. banks capital, a determination of the general
25. character of the management and the convenience
26. and need test, which is currently in his office.
27. There is also provided for recognition of the
28. dual regulation of banks by the Commissioner
29. and by the appropriate Federal regulatory agency...

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Could we have some order Gentlemen, please.

32. Senator Rock, please continue.

33. SENATOR ROCK:

1. Thank you, Mr. President, and Ladies and Gentlemen
2. of the Senate. A final provision requested by the
3. Commissioner would redefine special service area
4. outside of the City of Chicago. The definition
5. was presented to me by the Commissioner. I had
6. no objection to it and so we have incorporated that.
7. Additionally, there is a severability clause that
8. has been added by virtue of Amendment No. 3 and
9. finally, and most importantly, there was some...
10. some...some concern expressed by minority owned
11. banks in the City of Chicago, that under the
12. Amendment No. 2, which provided for incentive
13. program, that they would somehow be injured or
14. harmed by that provision. By virtue of Amend-
15. ment No. 3, I'm making it perfectly clear that
16. we do not, did not intend, in any way to endanger
17. the economic strength of these successful
18. community oriented institutions. And to insure
19. their continued growth, there is provision in
20. Amendment No. 3 for again the one mile home
21. office protection in those four minority owned
22. banks. Finally, there is a...there are three or
23. four minor technical word changes that the
24. Reference Bureau caught and with that, Mr. President,
25. I would move the adoption of Amendment No. 2.

26.
27.
28. End of Reel 3
29.
30.
31.
32.
33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rock has moved the adoption of Amendment No.
3. 2 to Senate Bill 1051. Is there discussion? Senator
4. Berman.

5. SENATOR BERMAN:

6. Will the sponsor yield?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates that he will yield.

9. SENATOR BERMAN:

10. Senator Rock, the one mile home office protection
11. for new banks for five years, could you explain that
12. a little more detail?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Rock.

15. SENATOR ROCK:

16. Yes, Senator Berman. I...I'd be happy to and I will
17. provide...provide you with a copy of these, but it says
18. that if a bank was chartered between June 30, 1975
19. and prior to December 31, 1977, that they are entitled
20. and do, by virtue of Amendment No. 2, have a one
21. mile home office protection for a period of five
22. years. The intent is to allow newly chartered banks
23. to really get well established within the community.
24. As you know, under the bill as introduced, and as amended
25. by Amendment No. 1, there was provided only a quarter of a
26. mile home office protection and this would recognize the
27. fact that newly chartered banks are of a little different
28. class and that they are entitled to further and
29. better protection, it would provide a one mile home office
30. protection.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Berman.

33. SENATOR BERMAN:

34. And what is the language of the minority owned bank

1. protection as opposed to this newly chartered bank
2. protection?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Rock.

5. SENATOR ROCK:

6. The protection...the provisions for protection
7. are identical and what...what...with respect to the
8. minority owned banks, it says, no bank shall establish
9. a banking facility within one mile of the home office
10. in the City of Chicago of any other bank more than
11. fifty percent of the stock, of which entitled to vote
12. for the election of directors, is owned or controlled
13. by persons who are members of minority groups. Now,
14. what that says is that it recognizes two classes.
15. One, minority owned banks and two, newly chartered banks
16. and says to those two groups...provides for those two
17. groups one mile home office protection as opposed to
18. quarter mile home office protection.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Berman.

21. SENATOR BERMAN:

22. Well, Senator Rock, let me merely indicate that this
23. approach, and I recognize it as trying to eliminate
24. certain segments of opposition. This causes me from
25. my district, even greater concern because what you're
26. doing here is carving out protection for new banks and I'm
27. not sure where they are and certain minority owned banks,
28. but I can tell you that up in my neighborhood, I'm not sure
29. that any of the banks that presently service my communities
30. and service them quite well, I might add, are protected by
31. either one of those types of clauses and all that we're going to be
32. doing here is allowing the branching to concentrate in
33. neighborhoods such as mine and to, I think, really threaten

1. the existing long established community banks in my
2. neighborhood because they won't be...the other downtown
3. banks won't be able to branch in neighborhoods because
4. of these exclusions and speaking for myself, all it does
5. is exacerbate the problems that I have with the bill
6. originally. You're going to target long established
7. community oriented banks in established neighborhoods
8. that weren't necessarily targeted before this amendment
9. and I think you're making, as far as my community banks
10. in my neighborhood, a bad bill even worse.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Rock.

13. SENATOR ROCK:

14. Thank you, Mr. President. Just in brief response,
15. I certainly was not intended to exacerbate the
16. situation. I'm not sure, Senator Berman, how, in fact,
17. I could make branching more palatable to you and...and
18. the district you represent. But remember that underpinning
19. the whole...the whole authority for branching is the
20. necessity for prior approval by the banking commissioner
21. according to established guidelines, one of which is
22. ...is convenience and need. Now, to say that...that
23. all of a sudden the larger banks in Chicago would
24. inundate your legislative district, simply is not
25. accurate because they would have to have the prior
26. approval of the banking commissioner and frankly, I
27. can't see, given the fact that you do, in fact, have
28. community oriented banks located in your legislative
29. district, I can't see where they would be able to present
30. a rational case for...based on the standards under which
31. the banking commissioner gives his approval.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further discussion? Senator Rock has moved

1. the adoption of Amendment No. 2. All in favor say Aye.
2. Opposed Nay. The Ayes have it. The amendment is adopted.
3. Amendment No. 3, Senator Rock. Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President and Ladies and Gentlemen
6. of the Senate. Amendment No. 3 again addresses itself
7. to a concern that was echoed in the committee and by
8. certain members of the Senate. It deletes paragraph
9. D. Now, you will recall, I am sure, that paragraph
10. D is that section of...of the bill which related to
11. already existing facilities. As you know now, banking
12. institutions are allowed two facilities currently.
13. And while there was some cross reference to the
14. subsection 15 facilities, as they are called, by virtue
15. of Amendment No. 3, all reference to those facilities
16. are taken out of this legislation so that we will, in fact,
17. if the legislation proves successful, have a situation
18. where...where a financial institution would have ...
19. could have subsection 15 facilities...limited
20. facilities and additionally full service branches. I would
21. move the adoption of Amendment No. 3.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? Senator Rock has
24. moved the adoption of Amendment No. 3. All in favor
25. say Aye. Opposed Nay. The Ayes have it. The amendment is
26. adopted. Are there further amendments?

27. SECRETARY:

28. Amendment No. 4 offered by Senator Netsch.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Netsch.

31. SENATOR NETSCH:

32. No, I think the understanding was that...that
33. Senator Rock would offer his additional two amendments

1. today and put the bill in the form in which he wanted
2. it and my amendment, plus some others that I have
3. drafted, would have to be rewritten now to accord to the
4. new version of the bill in any event and I think what
5. Senator Rock said at the outset today was that after
6. he got the bill into the form in which he wanted it,
7. he would then bring it back for additional amendments
8. because I...there, undoubtedly, will be others besides
9. myself who will want to amend next week some time before
10. he calls it for final passage. Isn't that correct,
11. Senator Rock?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator...Senator Netsch, will you withdraw your
14. amendment for the Secretary so we don't have to...do you
15. withdraw your amendment?

16. SENATOR NETSCH:

17. Yes, all right. I'll withdraw it if that would
18. help matters then.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The amendment is withdrawn. Are there further
21. amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. 3rd reading. Senate Bill 1265, Senator Shapiro's
26. bill but Senator Weaver is handling...ask leave of the
27. Body to return the bill to the Order of 2nd reading for the
28. purpose of an amendment.

29. SECRETARY:

30. Amendment No. 1 offered by Senator Weaver.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Weaver.

33. SENATOR WEAVER:

AB 10
5/19/77
2nd reading

1. Thank you, Mr. President. First on a point of
2. personal privilege, I'd like for the Senate to be
3. introduced to the Board of Directors of the Illinois
4. Municipal League in the President's gallery.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Will they please stand and be recognized by
7. the Senate. Senator Weaver.

8. SENATOR WEAVER:

9. Thank you, Mr. President. This amendment is
10. on page 2, line 5. It deletes three hundred thousand
11. and inserts in lieu thereof, six hundred thousand in the
12. definition of a small business. And I would move the
13. adoption.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Heard the motion to adopt. Is there discussion?
16. All in favor say Aye. Opposed Nay. The Ayes have it.
17. Amendment is adopted. Are there further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. 3rd reading. That concludes the bills on
22. 3rd reading that we were apprised the sponsor wished to
23. recall the Order of 2nd reading. We...we now have
24. two bills on House Bills 2nd, that the sponsors would like
25. to advance. Is there leave to go to the Order of House
26. Bills, 2nd reading? Leave is granted. House Bill 10,
27. Senator Egan. Read the bill, Mr. Secretary. On page
28. thirty-seven of your Calendar.

29. SECRETARY:

30. House Bill 10.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. No committee amendments. One
33. Floor amendment offered by Senator Walsh.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Egan, for what purpose do you arise?

3. SENATOR EGAN:

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

5. I want to advance House Bill 10 today with the
6. understanding that after we adopt the amendment
7. that Senator Walsh has proposed which is, in fact,
8. the agreed amendment worked on by the subcommittee,
9. approved by the full committee and that which has been
10. the amendment that has everyone's agreement, it is
11. changing only a few words, deleting only a few words
12. to make what we think the bill conform in logic and in
13. syntax better than it was when it came from the House.
14. Senator Walsh will adopt that. I will agree, Mr. President,
15. that on 3rd reading I will bring it back if anyone
16. has a further amendment and so that we can progress
17. rapidly this afternoon rather than get in any
18. controversy on this and if we can do that, I think we can
19. accomplish the desired ends that most of us want.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Knuppel is recognized.

22. SENATOR KNUPPEL:

23. I certainly don't want to impede the movement of this
24. bill to 3rd reading. I don't want the members of this Body,
25. however, I think that this is a nickel and dime Session
26. as far as this Session has been concerned and the weight
27. of the legislation that's come before it. This, I think,
28. is a terribly important bill and I don't want the
29. weight of just adopting an amendment which I haven't
30. had the opportunity...I...I just talked to Senator Egan.
31. He knows that I had five amendments and I wanted to see and
32. I gave him two of them that I thought were very important.
33. I haven't seen the amendment, but I don't want the weight of

1. the mere fact that we're adopting an omnibus amendment
2. at this time and I hope the members of this Body won't
3. believe that that means that it's something that's
4. sacrosanct. I want to see it go to 3rd but I...I
5. certainly don't want anybody in this Body to believe or
6. feel that...that adopting this omnibus amendment
7. ought to foreclose those of us who think we have suggestions
8. that will make both a better and a more constitutional
9. bill from offering amendments when it does come back
10. to 2nd or that there will be any trouble bringing it
11. back to 2nd or that the sponsors will oppose
12. amendment just because this...because we haven't
13. had an opportunity to see the amendment and offer
14. suggestions at this time or to oppose the amendment in
15. its present form. But, I don't want to impede the
16. progress of the bill, but I very definitely had some
17. misgivings about the bill. I had some misgivings that
18. Senator Walsh knows about, the proposed amendment
19. which he showed me approximately a week ago. I didn't
20. have time to go over the amendment at this time because
21. Senator Egan only had one copy, but I...I still have
22. great reservations about a couple of points in the
23. bill, unless they've been corrected.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Walsh on Amendment No. 1.

26. SENATOR WALSH:

27. Well, Mr. President and members of the Senate.
28. I'd just like to echo the words of Senator Egan. This
29. amendment was prepared by Senators Egan, Bowers and
30. myself. In our opinion, it makes no substantive
31. change to the bill. We think that it improves
32. the draftsmanship of the bill. I...it was in response
33. to one of the points made by Senator Knuppel at the
34. Judiciary II Committee meeting. I think Senator Egan's

1. proposal that the amendment be adopted and the bill
2. advanced with the understanding that it be recalled should
3. there be any other amendments, is...is appropriate and I would
4. move the adoption of Amendment No. 1 to House Bill 10.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Move the...Senator Walsh has moved the adoption of
7. Amendment No. 1. Is there discussion? All in favor
8. say Aye. Opposed Nay. The Ayes have it. The amendment
9. is adopted. Are there further amendments? 3rd reading.

10. SECRETARY:

11. No...no further amendments.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senate Bill 805, Senator Lane. I'm sorry, House
14. Bill 805.

15. SECRETARY:

16. House...House Bill 805.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Are there any amendments...any committee amendments?

21. SECRETARY:

22. No committee amendments.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Amendments from the Floor? 3rd reading.

25. Is Senator Roe on the Floor? Senator Roe is recognized.

26. SENATOR ROE:

27. Mr. President, I 'd like to request leave to have
28. Senate Bill 697 heard tomorrow. I have to leave in a few
29. minutes to keep a long standing commitment back in my
30. district. It is an important bill and I would ask leave
31. to have it heard out of order tomorrow if possible.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there leave to hear 697 out of order tomorrow?

34. Leave is granted. Is there leave to return to the Order

1. Senate Bills 3rd reading? Leave is granted.
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Vadalabene, for what purpose are you
4. screaming? Senator Lemke, for what purpose do you arise?
5. SENATOR LEMKE:
6. Order of Personal Privilege. I would like to introduce
7. the students from...
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. State your point.
10. SENATOR LEMKE:
11. I'd like to introduce the students from the Hirsch
12. School which is at 47th and Cicero sitting in the gallery
13. here from my district.
14. PRESIDING OFFICER: (SENATOR DONNEWALD)
15. Please rise and be recognized by the Senate.
16. Well, that's right, he would. The Senate will stand at
17. ease for a moment. We are going to proceed to the
18. Order of 3rd reading for Senate Bills. Senator Wooten,
19. for what purpose do you arise?
20. SENATOR WOOTEN:
21. Mr. President, I would seek leave to re-refer some
22. bills that were inadvertantly put in the wrong committee.
23. Re-refer House Bill 1397, and House Bill 1709 from the
24. Judiciary Committee Number I to Executive Committee
25. and House Bill 360 from the Committee on Executive
26. Appointments to the Executive Committee. And I would
27. further ask that the Six Day Rule be waived so that these
28. three bills which are part of a series of bills, may be
29. heard in the Executive Committee on Tuesday morning.
30. PRESIDING OFFICER: (SENATOR DONNEWALD)
31. Do we have leave? Leave is granted. Senate Bill 620,
32. Senator Vadalabene. Senator Bloom, for what purpose do you
33. arise?

1. SENATOR BLOOM:

2. Point of inquiry. 652 was on 3rd reading yesterday
3. and it's not on 3rd reading today and I...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. It's on the second agreed bill list, Senator.

6. SENATOR BLOOM:

7. I didn't realize that we were now following suit
8. from the House.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Not very closely.

11. SECRETARY:

12. Senate Bill 620.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Vadalabene.

17. SENATOR VADALABENE:

18. Yes, thank you, Mr. President and members of the
19. Senate. Senate Bill 620 provides that motor vehicles
20. which are designed specifically for the transportation
21. of motor vehicles are permitted an overhang on the rear
22. of the vehicle not to exceed four feet. At the present time,
23. the law permits these vehicles to have a three foot
24. overhang in the front of the vehicle. Permitting the
25. overhang on the rear would make it possible for these
26. units to transport one additional car. When the manufacturer
27. changed the design on the bumpers and introduced the so
28. called safety or impact bumper, this reduced the
29. available space for transporting motor vehicles from
30. eight to seven. In other words, they were carrying
31. eight vehicles prior to the changes in the automobiles.
32. And with this overhang in the rear provided by this bill,
33. the transporter would be able to transport eight

1. vehicles rather than seven. At least twenty-two
2. states now permit such operations. Weight is not a
3. factor. The additional weight is well within the
4. present Illinois weight laws and I would appreciate
5. a favorable vote.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Graham.

8. SENATOR GRAHAM:

9. Mr. President and members of the Senate.

10. I have done a considerable amount of work on this piece
11. of legislation and have researched it pretty thoroughly
12. and talked to many people who are interested in it and
13. as it was portrayed by...to you by the Senator
14. from Edwardsville, that is true and correct and really
15. what we're doing is allowing them to do weightwise
16. what they did a few years ago before they had the new
17. anti-crash bumper. I submit to you that this is a good
18. piece of legislation and ask for the support on this side
19. of the aisle.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Bloom.

22. SENATOR BLOOM:

23. Question of the sponsor.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Indicates he will respond.

26. SENATOR BLOOM:

27. Senator, does this still have the sentence in there
28. that permits the triple saddle mount, where you have
29. one tractor towing three tractors behind it?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Vadalabene.

32. SENATOR VADALABENE:

33. When triple saddle mounts were authorized a few years

1. ago, many thought the language was clear that sixty-
2. five foot operations were authorized and recently
3. some question has arisen as to the legality of this
4. operation. This bill will clarify that operation.
5. And if said operations are not authorized, the cost of
6. delivery from the west coast to the Illinois dealer
7. will be about an additional hundred and fifty
8. dollars per unit. This will clarify the triple saddle
9. mount.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Bloom.

12. SENATOR BLOOM:

13. In other words, yes.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Senator Vadalabene
16. may close the debate. Senator Vadalabene requests
17. a favorable roll call. The question is shall Senate
18. Bill 620 pass. Those in favor vote Aye. Those opposed
19. Nay. The voting is open. Have all those voted who wish?
20. Have all those voted who wish? Take the record.
21. Senator Vadalabene requests postponed consideration.
22. Consideration will be postponed. Senate Bill 621, Senator
23. Graham. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 621.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Graham.

30. SENATOR GRAHAM:

31. Mr. President and members of the Senate.
32. This bill provides for the regulation of special
33. interior bus operation in the State of Illinois by the

1. Illinois Commerce Commission. At the present time, there's
2. no regulations governing many gypsy buses and we've found
3. out there's a lot of trouble with it. The average...
4. well operated and well intentioned charter bus in the
5. favor of this bill and I ask for a favorable roll call.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there further discussion? The question is shall
8. Senate Bill 621 pass. Those in favor vote Aye. Those
9. opposed Nay. The voting is open. Have all those voted
10. who wish? Take the record. On that question the Ayes
11. are 49, the Nays are none. Senate Bill 621 having
12. received a constitutional majority is declared passed.
13. Senate Bill 623, Senator Knuppel. Read the bill.
14. I'm sorry. 62...you want to skip 622? Senate Bill
15. 623, Senator Knuppel. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 623.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Senate Bill 623 passed the Senate last Session
24. and was lost in the House because there couldn't be any
25. agreement on the type of bill that would or should be
26. used for the sale of property by the Department of
27. General Services. This bill was brought to my attention
28. by differences that arose with respect to the disposition
29. of the Peoria State Hospital grounds when I sponsored
30. a bill for General Services. There's no provision
31. requiring appraisal or setting up any kind of standards
32. for what will be required before a piece of property
33. can be sold that's in the state domain. This bill provides

1. that it must have the Governor's approval that it's
2. under the jurisdiction of the Department which is unused
3. or unproductive or has no appraised value of less than
4. twenty-five thousand. In other words, it was less
5. than twenty-five thousand, it wouldn't require this
6. procedure. The Department shall offer the property
7. for sale only after it is determined that there does not
8. exist a current or future alternative use for the
9. property by any branch of State government and then
10. it may be offered for sale only after it's been
11. advertised at least three times in a daily newspaper
12. of general circulation and the disposal of property
13. shall be by public auction to the highest responsible
14. bidder or by sealed bid. And a minimum price shall not
15. be less than the average of two independents fair
16. value appraisals made by competent and knowledgeable
17. real estate appraisers. Gentlemen, I've been here for
18. six years now and I've seen property go every which way
19. without any type of standards controlling the sale or
20. disposition of property. This applies only to property
21. of over twenty-five thousand in value. I suggest that this
22. is a good bill, that it deserves a...a vote...a good vote
23. and I would appreciate a favorable roll call.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Netsch.

26. SENATOR NETSCH:

27. I think both a question and a comment, Senator
28. Knuppel. I think what is there is very good. The only
29. thing that bothers me at all is whether there is not
30. one provision lacking that perhaps would make the bill not
31. just better but really good and that is to whom can the
32. property be offered? The thing that bothers some of us
33. is that in many cases the...there are large tracts of State

1. property that the State is not using and...agree...we agreed,
2. ought to be disposed of and under the kinds of safeguards
3. that are in this bill. But, wouldn't it be a good
4. idea if we made sure that they were first made available
5. either to other agencies within the State or assuming
6. that had already been done to other purposes within the
7. State, park purposes for example, or to local governments
8. who might need them for such purpose before they just go
9. generally on the market.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. I assume that's a question and the bill does say
14. that the Department shall offer said property
15. for sale only after it has determined that there
16. does not exist a current or future alternative use
17. for the property by any branch of State government or
18. agency thereof. Now, I don't know how else you can make
19. it any plainer. All I can say is, we don't have anything
20. now. We sell property willy-nilly. The Peoria
21. State Hospital is a prime example. We give land away,
22. we buy land and then give it away. We sell it for
23. nothing and it's at least a start. It's one hell of a
24. lot better than anything we've got now and this does say
25. that...that...that General Services will make a search
26. among other State agencies. Now, it's amazing to me
27. that six years ago or five years ago when they
28. discontinued the Peoria State Hospital, General Services
29. introduced a bill just to sell it. There was a
30. concomitant bill introduced to have a study commission.
31. We studied the thing for two years and made a report
32. and a recommendation that the property be sold. It has
33. not yet been sold. Now, the new Director thinks he will

1. find a Federal use for it. And it just goes on and
2. on without any...any plan or program. I think this is a
3. good bill and I think it does a tremendous job and if it
4. can be improved on, the bill has been here for a long time.
5. It's a...it's a six hundred bill and I'll amend any bill
6. I have if anybody on this Floor can convince me
7. they can make it a better bill. And I would have been
8. happy, Senator, and I am happy anytime I've got a bill
9. to have you come to me and to amend it into a better shape.
10. Thank you.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Netsch.

13. SENATOR NETSCH:

14. Well, my objection, as I said, Senator Knuppel,
15. was not to anything that is there. I think that everything
16. that is there is very good and very strong and I was just
17. simply raising the question about whether we might not
18. require just one additional step. But, I think that since
19. you do have the State agencies already covered, if there
20. is something to be said for making it available to local
21. governments for park purposes or whatever first, perhaps
22. we can talk to the House sponsor about that and see whether
23. that is a feasible thing.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Is there further discussion? Senator Mitchler.

26. SENATOR MITCHLER:

27. Senator Knuppel, maybe with the understanding
28. that if the bill passes here in the House, you'd work
29. to have put on there in the first paragraph...second
30. paragraph of the amended version and add on there that
31. it would be made available first to local units of
32. government primarily park districts, for example. I give
33. that as an example before it would be just opened up to the

1. General Public with the idea that many times you have
2. a small parcels of open land that if park districts
3. were given the option to buy and use it first, it could
4. be retained for the public rather than let it go from
5. government into the private ownership hands. I like
6. your bill, I'm going to vote for it, but maybe in the
7. House, you'd want to amend it to include that.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Bloom.

10. SENATOR BLOOM:

11. Just to respond to Senator Mitchler. As Senator
12. Knuppel said, we asked everybody and their cousin
13. to come in including the park district and they never
14. did and I'm sure that when they're searching around for
15. other State uses for it, that those park districts that
16. want unproductive land would get it. I'd urge support
17. of the bill. Thank you.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Senator Knuppel,
20. you may close the debate, if you wish or do you want
21. a roll call? The question is shall...all those in favor
22. ...shall Senate Bill 623 pass. Those in favor vote Aye.
23. Those opposed Nay. The voting is open. Have all those
24. voted who wish? Take the record. On that question the
25. Ayes are 52, the Nays are none. Senate Bill 623 having
26. received a constitutional majority is declared passed.
27. Senator Wooten, for what purpose do you arise?

28. SENATOR WOOTEN:

29. A question, Mr. President. They're passing out these
30. lists and I...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Just...

33. SENATOR WOOTEN:

1. ...I...I wondered if someone would tell us to what
2. they bear relationship cause I can't make head nor
3. tail of it...

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Rock, immediately behind you...

6. SENATOR ROCK:

7. Thank you, Mr. President. I had sought recognition.
8. I'm sorry, Senator Wooten, I didn't get it done earlier.
9. There has been distributed on everybody's desk,
10. I'm told, a memorandum from the President with respect
11. to the second agreed bill list and the procedure to be
12. followed. Senator Regner and the Legislative Information
13. System at the President's request, has provided and is now
14. being distributed a copy of the synopsis of all those
15. agreed bills on the second list so there's no mistake.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Wooten.

18. SENATOR WOOTEN:

19. Well, that's my confusion, Senator, because
20. the copy that we have starts with Senate Bill 40 and
21. the agreed bill and the Calendar starts with 239.
22. How do you account for that discrepancy? There are
23. quite a few bills on this list that aren't in...on
24. our list on the Calendar?

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Rock.

27. SENATOR ROCK:

28. Yes, that is correct. The...the request was made
29. of the Legislative Information System late yesterday.
30. A number of these bills, I am informed, were knocked off of
31. the list so that there is...there is not a strict
32. correlation between agreed list two. But, everything
33. that is on the agreed list two will be in this

1. synopsis. There is just more in the synopsis than
2. is on the list due to the fact that there has been
3. a request by leadership on one side or the other to
4. knock them off.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senate Bill 624, Senator Knuppel. Read the bill,
7. Mr. Secretary.

8. SECRETARY:

9. Senate Bill 624.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. This bill makes it a Class 4 felony to bring
16. contraband into a penal institution. And the type of
17. contraband that's covered here is alcoholic liquor,
18. cannabis, and also hypodermic syringe and...or a weapon
19. and a weapon means a pistol, revolver, rifle, shotgun,
20. whether loaded or unloaded. This has been requested
21. by...this bill was requested by the Department of
22. Corrections. It passed the House the last time, it got
23. over here too late to get out of committee in the
24. last Session and there was an opportunity to bring
25. it in. Now, one to three is a Class 4 felony.
26. This is for the protection of those people and also
27. for the peace and solitude of the institutions to cut
28. down on trouble. A knife is not included because it's
29. under another section of the statute and that's the only
30. reason it's not included in this as a weapon. This is
31. good legislation. It's the kind of legislation that will
32. diminish the problems in the prison community which is now
33. badly overcrowded in many instances and this is badly needed

1. legislation. I would seek a favorable roll call.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? The question is shall

4. Senate Bill 624 pass. Those in favor vote Aye. Those

5. opposed Nay. The voting is open. Have all those voted

6. who wish? Take the record. On that question, the Ayes

7. are 53, the Nays are none. Senate Bill 624 having

8. received a constitutional majority is declared passed.

9. Senate Bill 643, Senator Roe. Senate Bill 644,

10. Senator Glass. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 644.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Glass.

17. SENATOR GLASS:

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

19. Under the Illinois Vehicle Code, school buses have been

20. mandated to have nonscheduled inspections from time to

21. time and the Department of Transportation has pointed

22. out that there is no provision in the law as to what

23. should happen when defects are discovered in those

24. vehicles and what this bill does is require that

25. vehicles where defects are present, be repaired and

26. retested within five days. I'd be happy to answer

27. any questions and request a favorable roll call.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Daley.

30. SENATOR DALEY:

31. Will the sponsor yield to a question?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Indicates he will.

1. SENATOR DALEY:

2. Now, during the five days, the bus cannot run, correct?
3. In other words, they cannot use the bus during the five
4. days?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Glass.

7. SENATOR GLASS:

8. Well, Senator Daley, the...the bill simply says
9. that they will be repaired within that five day
10. period and that would be correct until they are put
11. in proper mechanical and safe condition, they should
12. not be operated.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Daley.

15. SENATOR DALEY:

16. So, that means if they have a minor problem with the...
17. with the bus, they cannot use that bus for five days.
18. So, the best thing to do is get the Secretary of State
19. to come with every school district and what they'll
20. do is close every school district down for five
21. days because you look at any school bus throughout the
22. State of Illinois, you'll find something wrong with it
23. and I think that's what your bill is going to do.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Glass.

26. SENATOR GLASS:

27. Well, Senator, as I say, this bill came from the
28. Department of Transportation. It pointed out really
29. there are three alternatives, when you find defects
30. discovered in school buses that make them unsafe after
31. unscheduled inspections, it is conceivable that if a whole
32. fleet were inspected at one time, it could be put out
33. of operation and that is one extreme. The other possibility

1. would be to simply notify the bus company that there are
2. defects and...and let it go at that and leave it up
3. to the...the bus company as to when they're repaired.
4. But, the third alternative which the Department
5. suggested was to allow a reasonable and specified
6. time within which they would have to be repaired
7. and retested. And five days was determined. Actually,
8. the bill doesn't say anything about having to take them
9. out of operation, but simply that they will be repaired
10. and...and retested within that five day period.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Daley.

13. SENATOR DALEY:

14. Well, my interpretation of the bill is that the bus
15. cannot be used for five days until they repair it then
16. send it back for the inspection. I mean that's, you know...
17. and that's what you're going to do to the...to the school
18. systems.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Just...just a moment.

21. SENATOR DALEY:

22. I know that isn't your intent, but I think,
23. it seems like it is.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Just a moment, Senator. Would the members please
26. be in their seats. Would the Sergeant-at-Arms clear
27. the aisle, if we can find him? Proceed, Senator Daley.
28. Senator Glass, you wish to respond?

29. SENATOR DALEY:

30. Yeah, I know that isn't your interpretation,
31. but I think that's what could happen.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Glass.

34. SENATOR GLASS:

1. Thank you, Mr. President. Senator Daley, at the
2. present time, if you...I don't know if you have a copy
3. if the bill there, but on line 14 of the bill, in the
4. present law right now it provides that if the test shows
5. that the vehicle is not in safe mechanical condition,
6. it shall not be operated until it has been repaired and
7. retested. That's already the law. So, what we're
8. doing at the request of the Department is requiring
9. the repair and reinspection within five days
10. so as to get the buses back in operation. I think it's
11. simply a way of insuring that the service will not be
12. interrupted and giving a reasonable time to make the
13. repair.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Daley.

16. SENATOR DALEY:

17. I thought they could do it within a reasonable
18. time now, but you're putting five days. See, you're
19. putting a five day limitation on it.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator...Senator Glass.

22. SENATOR GLASS:

23. Yes, we are, as I say, we are requiring that it be
24. done within five days. The Department points out
25. that there...there is a problem and I think you correctly
26. highlighted it and that is, it would be possible to come
27. in for a wholesale test and find a lot of vehicles
28. were not in proper condition and it would...it would
29. put them out of operation and this...this new language
30. would simply say that if they're found not in a safe
31. condition, they must be repaired and resubmitted
32. at an official testing station within five days.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Sommer.

2. SENATOR SOMMER:

3. Senator Glass, I had some complaints about the DOT's
4. inspection of buses. They said that they were simply
5. breaking into the church property and inspecting them without
6. notice which amounts to an unreasonable search and seizure
7. and is DOT still doing that? They were doing that just
8. recently.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Glass.

11. SENATOR GLASS:

12. Senator, I appreciate your calling this to my
13. attention. I was not aware of it, but if they are
14. breaking into church property, I would like to know
15. about it and I'll certainly assist you in putting an
16. end to that.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? I note that the
19. Speaker of the great House of Representatives
20. of the State of Illinois is in our midst. Wants to be my
21. seatmate. Senator Nimrod.

22. SENATOR NIMROD:

23. A question of the sponsor.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Indicates he will yield.

26. SENATOR NIMROD:

27. Senator Glass, I think Senator Daley brings up
28. a good point. What we're saying then, this is a
29. deficiency in the bill about all buses or one bus being
30. stopped during the period of time from an inspection
31. period. Wouldn't it be wise then to provide that once
32. an inspection is made that those buses could be running
33. during that five day period so that we wouldn't have the

1. problem where we have schools that have one or two buses
2. or churches that only have one bus, that they have to stop
3. and not be able to do anything within that five period
4. even though that is the law now as long as we're addressing
5. ourselves to that subject?

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Glass.

8. SENATOR GLASS:

9. Well, Senator Nimrod, I...I think as I covered
10. earlier, the Department of Transportation simply
11. noted that in the law now, you find the language that
12. ...that says if the...if the bus is not in safe mechanical
13. condition, it shall not be operated on the highways until
14. it's been repaired and submitted to a retest. It's
15. a policy, I guess, that we have to debate whether we want
16. vehicles that are considered not to be safe, if we
17. want them in operation. Now, there's no reason
18. the...the vehicle could not be repaired immediately.
19. And in fact, thank you, Mr. President,...

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Just a moment. You can't thank me until we get
22. something accomplished. Would the members please be in
23. their seats. Now, that's better. Proceed.

24. SENATOR GLASS:

25. Thank you, Mr. President. Senator Nimrod, the
26. ...as I say, the problem now is, of course, the policy
27. decision as to whether you want vehicles found to be
28. unsafe in operation or not in operation. I think that's
29. a slightly different question. But, DOT made the
30. ...indicated there really are three alternatives. And that is
31. to simply allow the bus to be repaired or...or insist
32. that it be repaired immediately or to...to give it this
33. five day period and this language would require that it

1. put...be put back in shape at least within five days. Hopefully,
2. it would be done immediately. I...I don't disagree
3. necessarily with what you're saying. It just...it isn't
4. ...it's a different question.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Nimrod.

7. SENATOR NIMROD:

8. Senator Glass, I would agree that this is a
9. different...addresses itself to a different point
10. in your bill, but your bill is the thing that makes this
11. obvious that there is this defect there and it seems
12. to me that municipalities that already have testing
13. lanes for vehicles when they find the vehicle can't pass,
14. they give them a slip saying they failed. Then, they
15. have so many days that they can run their vehicles
16. and then return back for testing. I see nothing wrong
17. with that. But, I think your bill, as long as we're
18. addressing it, we're going ahead with it, I think it
19. ought to take that provision and provide that these buses
20. can run for your five day period and then come back now
21. show that they can meet the standards. Now, this is
22. standard practice. Once before when the Secretary of
23. State did this...had this performancy test and it also
24. is presently a test that I know in the, for example,
25. the City of Evanston.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Glass.

28. SENATOR GLASS:

29. Well, all I can say is that may be a provision that
30. ought to be considered that we consider permitting them
31. to operate when they're not in safe mechanical condition.
32. I don't know that we ought to try to put that on to this
33. bill without a committee hearing and testimony on it because

1. I think it's a serious step if we're going to take it.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? Senator Glass, you
4. may close the debate, if you wish, or do you want a roll
5. call? The question is shall Senate Bill 644 pass.

6. Those in favor vote Aye. Those opposed Nay. The voting
7. is open. Have all those voted who wish? Have all those
8. voted who wish? Take the record. On that question the
9. Ayes are 21, the Nays are 3, 8 Voting Present. Senate
10. Bill 644 not having received a constitutional majority
11. is declared lost. Senate Bill 648. Read the bill,
12. Mr. Secretary.

13. SECRETARY:

14. Senate Bill 648.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Johns.

19. SENATOR JOHNS:

20. Very simply, to the members of the Senate, this
21. bill sets the present rates of county commissioners
22. as the minimum rates and sets the maximum rates for them
23. to govern themselves by. I have the figures on the counties
24. in populations if you would like for me to disclose
25. them. But, I would appreciate a favorable roll call
26. on this bill.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? Senator Wooten.

29. SENATOR WOOTEN:

30. Senator Johns, I notice this...I think I'm
31. reading the Calendar correctly, this did not go to
32. committee? Why is that, Senator? I don't recall the
33. circumstances under which this bypassed committee.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Johns.

3. SENATOR JOHNS:

4. Mr. President and Senator Wooten, I was in another
5. committee and was running over there when you
6. folks adjourned ahead of schedule and I asked leave of the
7. committee chairman the next day if I could bypass
8. committee and leave was granted and I bypassed committee.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Wooten.

11. SENATOR WOOTEN:

12. Well, then I simply want to point out that we are
13. mandating certain...certain salary levels for county
14. commissioners because I believe before your amendment,
15. it says county commissioners shall receive an annual
16. salary to be fixed by the county board and then you add
17. onto that as follows and then set the rates. Are counties
18. in favor of this? Why should we be setting that
19. salary scale for them, Senator?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Johns.

22. SENATOR JOHNS:

23. Senator Wooten, this bill was handed to me and
24. given to me on this basis, that the present salaries
25. of the county commissioners of commission form of government
26. ...county commission form of government was very, very low
27. and not had an increase in many years and they desired a
28. chance to increase it on the vote of their own records.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Wooten.

31. SENATOR WOOTEN:

32. I...forgive my ignorance. How many counties, then,
33. would be affected and how would this pay scale balance

1. with other county officials?

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Johns.

4. SENATOR JOHNS:

5. It's...it's about fifteen counties, I think,

6. throughout the State at most that would be affected,

7. they're in the minimum number in my humble opinion.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Wooten.

10. SENATOR WOOTEN:

11. And how would these salary levels compare with

12. comparable county officials where they have a different

13. form of government?

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Johns.

16. SENATOR JOHNS:

17. I must plead ignorance. I have no...no notes or

18. anything that anybody supplied me with this bill. In fact,

19. I think this bill was dropped on me cause somebody

20. in the House didn't get it in in time. But, I do have

21. county commissioners and you know the score.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Demuzio.

24. SENATOR DEMUZIO:

25. Is there someone else who wishes to speak?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator...

28. SENATOR DEMUZIO:

29. I'd like to yield for just a moment.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Joyce.

32. SENATOR JOYCE:

33. Yes, Mr. President, thank you. I may be able to shed

1. a little bit of light on this. See, the county
2. commissioners, I don't think you can really compare
3. with county board members because there are just so
4. few of them, I think there's like three to five on...
5. on the...the board and they...I'm sure, although I don't
6. have any county...any commission form of government
7. in my district, but I'm sure they have to...they have
8. to put in a lot more time and a lot more work
9. in their...their job than...than regular county board
10. members.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Bowers. Senator Demuzio.

13. SENATOR DEMUZIO:

14. Well, my esteemed friend, Senator Johns, I, quite
15. frankly, think I'm going to oppose this bill. In...in
16. counties according to my sheet of thirty-five thousand
17. individuals and over of population, you're raising
18. the minimum salary, is that correct, from twelve thousand
19. dollars to seventeen thousand five hundred?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Johns.

22. SENATOR JOHNS:

23. My sheet, my digest shows that in counties twenty-
24. five to thirty-five thousand, the salary could be
25. at least six thousand to sixteen five. Thirty-five
26. thousand and over. The reason I touched the thirty-five
27. is because I didn't know which side you were talking
28. about. At least twelve thousand in thirty-five thousand
29. population and over to seventeen seven would be the salary
30. range permissible under this law, if it becomes law.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Demuzio.

33. SENATOR DEMUZIO:

1. Well, my other question is that in commission form
2. of government, the individuals...the county commissioners
3. that you wish to give the increase to, most of these
4. people are, in fact, part time, are they not?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Johns.

7. SENATOR JOHNS:

8. Much like everything else in public life today,
9. it's much heavier than they expect.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Demuzio.

12. SENATOR DEMUZIO:

13. Do you have the list of the counties that this
14. would affect, Senator Johns?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Johns.

17. SENATOR JOHNS:

18. No, Sir. No, Sir, I don't.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. There's a great deal of questions on this bill and
23. I was wondering if rather than have to vote against
24. you, as to whether or not you would take it out of the
25. record, perhaps we could solve some of these...these
26. questions between the two of us.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Take it from the record. Senator Soper, that's
29. by the board. Senator Grotberg, for what purpose
30. do you arise?

31. SENATOR GROTBORG:

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

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. State your point.

2. SENATOR GROTEBERG:

3. I thought the Body would like to know I just talked
4. to George Sangmeister at home and he said if he would have
5. been here, he would have voted for Gene John's good bill
6. and he plans on being back here next week. Good word
7. from George Sangmeister.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. That's...that's good news. Senate Bill 649,
10. Senator Johns. Read the bill.

11. SECRETARY:

12. Senate Bill 649.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Johns.

17. SENATOR JOHNS:

18. Gentlemen, this is a very serious bill. I can tell
19. you that as a child, I used to hate to see my father
20. pick up his lunch bucket and go to work in the mines
21. because I never knew when he was coming back.
22. In those days it was so hazardous as it still is, of course...

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Just...just a moment, Senator. Will the members please
25. be in their seats and we can't proceed until we do have
26. order. Proceed.

27. SENATOR JOHNS:

28. Thank you, Mr. President. I have witnessed my
29. father crushed in the coal dust, dead, revived by
30. artificial resuscitation, smothered in the coal dust,
31. all legs broken, all ribs broken. Had to learn to walk
32. again around a sofa after several years at home, go
33. back into the coal mines, get crushed again, come out with

1. a leg shorter than the other one. I witnessed all these
2. things. I've watched people come out of the coal mines
3. and I can remember the days when they used to
4. send physicians from the north down to study
5. the men that were crippled in the mines. This bill is
6. what we call a Medical Emergency Act. I've worked
7. this out by steadfastness with the operators and the
8. union people. I consider it a very important bill.
9. Senator Glass and I have conferred very frequently
10. about it. According to my knowledge, that side of the
11. aisle has no objections to this bill. It means a great
12. deal and having people well prepared within the confines
13. of the mining industry, both surface and shaft, to have
14. people trained to save lives and to save the crippling
15. effects that could happen without the proper care and
16. attention. I would appreciate most sincerely a favorable
17. roll call.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Senator Glass.

20. SENATOR GLASS:

21. Thank you, Mr. President. There has been some
22. interest on this side, Senator Johns, in knowing
23. the cost involved here and I don't think there's a
24. fiscal note that was requested, but I wonder if you could
25. enlighten us as to that point.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Johns.

28. SENATOR JOHNS:

29. I think it speaks well for the industry to say that they
30. have agreed to pick up the cost of training, they pay
31. the men, to take these courses of first aid and emergency
32. medical training and will pay them time and a half if it
33. so falls into that category because they feel that production

1. will be better, that the safety and morale of the people
2. within the mines will be better and they have agreed to
3. pay the cost of this bill. There will be no cost to the
4. State of Illinois.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Glass. Is there further discussion?
7. Senator Berning.

8. SENATOR BERNING:

9. Just a question of the sponsor. What would be the
10. difference between this quasi professional and the
11. paramedics which we already have provided for statutorily?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Johns.

14. SENATOR JOHNS:

15. I'll do my best. That's a very technical question. An
16. emergency medical technician paramedic is a person who has been
17. certified by Public Health to provide emergency medical
18. treatment. Does that give you the confines and the
19. definition of a paramedic in this particular case?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Berning.

22. SENATOR BERNING:

23. Well, we...we have now paramedics that require
24. training and work in conjunction with cooperating
25. hospitals. And for the most part, they're in direct
26. communication at all times and that's fine. The
27. supervising physician in the cooperating hospital
28. has direct communication via radio or telephone or both
29. with paramedics who are handling and serving anyone
30. who has been injured or in need of emergency service
31. as the result of some kind of seizure. I...we also have
32. available physician's assistants and we make it very specific
33. that a physician's assistant must be under the direct

1. supervision of a physician. Now, I'm wondering what
2. relationship there is between this emergency medical
3. technician and a hospital or doctor. Is there any
4. provision that these people will be supervised at all?
5. And my concern is for the people they conceivably
6. will be treating just as my concern is for those
7. people who will be serviced by a physician's assistant
8. and that we absolutely had to provide that a doctor,
9. a medical doctor, was in direct supervision and so I
10. ask, Senator Johns, what relationship is there here
11. between a doctor and these technicians?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Was that a question, Senator Berning?

14. SENATOR BERNING:

15. Yes, what...

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Senator Johns, you may respond.

18. SENATOR JOHNS:

19. Well, the purpose, the whole purpose is very
20. easy to see. The Public Health people shall make the
21. rules and regulations to train and certify the technicians
22. and the paramedics. Okay. The purpose of this bill is to
23. have people trained there in emergency medical technology
24. that they can possibly save these people from future
25. damage due to neglect right at the accident. Now, you
26. say, what is the difference between these and the
27. paramedics and what's the relationship between the doctor?
28. That will have to be defined by the Public Health Department.
29. They will train these people in what phases and to what
30. limits they think is necessary to protect the men's
31. lives beneath the ground and in the surface mines. Let
32. me tell you this, each coal mine operator shall provide
33. every new employee who has not received the special training

1. provided for in this Act within six months of employment
2. with the opportunity for training as prescribed by Mines
3. and Minerals after consultation with the Public Health,
4. the Federal Mining Enforcement and Safety Administration
5. and representatives of the miners and operators.

6. Refresher first aid training of at least five hours
7. shall be provided within each twenty-four months or two
8. years of employment and the employee, as I said, shall
9. be paid regular wages or overtime pay if applicable
10. for all periods of training. Mines and Minerals, after
11. consultation with Public Health regarding content of the
12. courses shall provide necessary training on a continuing
13. basis of technicians and paramedics in sufficient numbers
14. to satisfy the requirements of this Act and shall present
15. the regulations implementing this Act to the Mining
16. Board which is responsible for implementation. Public
17. Health shall prescribe the procedures for certification
18. of the technicians and paramedics.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Berning.

21. SENATOR BERNING:

22. Mr. President, I'm not at all challenging the need.
23. I think the objectives are laudible, but I am...I called
24. the attention of the sponsor to the queries that were
25. directed toward the physician assistant, namely by Senator
26. Kenneth Hall. Where does the Medical Association fit
27. into this, how does the nursing profession feel
28. about this and is it really not necessary here,
29. as well as with all other paramedics and physician's
30. assistants, to provide or require that a doctor be
31. in direct control and communication?

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. We're running a little long on this bill, Gentlemen.
34. Could we close...would you proceed, Senator Johns?

1. SENATOR JOHNS:

2. Just one word. No physician who in good faith
3. gives instructions to a certified technician or
4. paramedic...now understand this. These men are normal
5. employees who are trained within their limits so
6. prescribed to meet the need of accidents and...and
7. people injured in the mines. No physician who in good
8. faith, gives instructions to a certified technician
9. or paramedic, a registered nurse or physician's assistant
10. shall be liable for any civil damages as a result unless
11. guilty of gross or willful negligence. I think that,
12. too, straightens out some of the fears that you
13. might have towards voting for this kind of law.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Is there further discussion? Just...Senator Berning,
16. your time has expired several times.

17. SENATOR BERNING:

18. I understand that and all I want to do is thank
19. Senator Johns for not answering my question and I still
20. don't know whether the doctors or nurses approve of this.
21. As I said, this was a legitimate inquiry on the physician's
22. assistant. I know it was on paramedics and I thought it
23. was a legitimate question here.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Demuzio.

26. SENATOR DEMUZIO:

27. Well, thank you, Mr. President and members of the
28. Senate. Senator Johns, I thought your explanation of the
29. last question was excellent. I thoroughly understood it
30. from where I was sitting and want to...know that I'm
31. supportive of this bill contrary... (machine malfunction)

32. End of reel.

33.

1. SENATOR COFFEY:

2. Senator Johns, I understand there's Federal funds now
3. that's been made available for a mine rescue stations in
4. five or six locations throughout the State. In what way, if
5. any, will this either add to their assistance or are we
6. duplicating anywhere along the line or what's the situation?

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Johns.

9. SENATOR JOHNS:

10. ... , that's a beautiful saying, Senator
11. Coffey. This helps the men take care of the accident while
12. those men are rushing to fulfill the balance of need.
13. Mining teams like this...if you could only be down there. An
14. accident can be disastrous unless it is...unless the people
15. are controlled and unless there are preventions take, and
16. mining teams and mining examination stations and mine
17. rescue stations, which I have some. All will be part of
18. this overall program. It will just be a...a better network
19. of aid to the injured.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Is there further...Senator Coffey.

22. SENATOR COFFEY:

23. In...in the past,..now, I...I think I understand you
24. to say that...that the...that the rescue stations will advance
25. to the accident or whatever at a later time. This provision
26. that you have here is to give them immediate assistance
27. after the accident, but in the past, has the rescue stations...
28. are they being used now or they...or have they have been
29. worthwhile and is it necessary?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Johns.

32. SENATOR JOHNS:

33. Absolutely being used and is one of the finest things we

1. have going for us. There's men go into that...that office
2. and study and utilize the equipment and practice using it
3. on their own time, so that they will be able to be part of
4. the team if needed.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Mitchler.

7. SENATOR MITCHLER:

8. Well, Mr. President and members of the Senate, I
9. think Senator Johns here is very sincerely in what we
10. wants to do and with the increase in coal mining in the
11. State of Illinois, that we hope is projected in the energy
12. crisis. I think that anything we could do in the direction
13. of medical emergency assistance to those citizens of
14. Illinois no matter if they're in my district or his district
15. and can aid them in their profession, I think it would be
16. laudable. I don't know all of the fine print in this Act,
17. but that would be up to the Department of Mines and Minerals
18. who is going to administer the Act to come in here with
19. some recommendations. If there's Federal funding avail-
20. able to help the State, fine. If the money is not there,
21. that's the Governor's prerogative to do some amendatory
22. vetoing, but I think Senator Johns has a good idea and this
23. is for the health and safety of those people that will be
24. mining coal. I'm going to support the bill.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Johns, you wish to close the debate or have a
27. roll call? Question is, shall Senate Bill 649 pass. Those
28. in favor vote Aye. Those opposed Nay. The voting is open.
29. Have all those voted who wish? All that discussion cleared
30. up some questions. On...take the record. On that question,
31. the Ayes are 56, the Nays are none. Senate Bill 649 having
32. received a constitutional majority is declared passed.

33. Senator Wooten, for what purpose do you arise?

S.B. 653
5-19-77
Mud...ing

- 1. SENATOR WOOTEN:
- 2. Senator, I'd just like to address a question to the
- 3. majority-minority staff on the agreed bill list. I notice
- 4. there is one on there, 693 which was not on the synopsis,
- 5. and I guess this was compiled by the staff and 693 was
- 6. later added. It's...it's a bill that looks like it has considerable
- 7. impact. I...is that a mistake? Is it supposed to be on
- 8. the agreed bill list or...or are we just missing that...
- 9. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 10. Well...
- 11. SENATOR WOOTEN:
- 12. ...explanation on that...
- 13. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 14. ...you have a right to have it stricken.
- 15. SENATOR WOOTEN:
- 16. Well, I don't know if I want...that I want...take upon
- 17. myself that action. I was just curious as to whether it is
- 18. supposed to be on the agreed..agreed bill list or not.
- 19. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 20. Why don't you consult with Senator Rock and Senator
- 21. Glass. I'm not certain as to...we want to proceed.
- 22. Senator Hynes.
- 23. SENATOR HYNES:
- 24. Mr. President, I'd...I'd like to just announce our
- 25. schedule for the rest of the day. We will have food brought
- 26. in about five-thirty and you can let the Secretary of the Senate
- 27. know how you would like steak cooked, and...and we hope to go
- 28. to about ten o'clock this evening. Straight on through on
- 29. 3rd reading. Is our...it is our intention tomorrow to
- 30. come in at eleven o'clock and continue on 3rd reading as...as
- 31. late as we can possibly go.
- 32. PRESIDING OFFICER: (SENATOR DONNEWALD)
- 33. Senate Bills on 3rd reading. Senate Bill 653, Senator

1. Washington. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 653

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Washington.

8. SENATOR WASHINGTON:

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

10. Bill 653 amends the Criminal Identification and Investigative

11. ...Investigation Act to provide for the impoundment of court

12. files in cases where the court has already entered an order

13. of expungement and a record of arrests from records of

14. arresting authorities. It's a logical extension to the

15. expungement law which has been on the books for some several

16. years and simply provides that the court not only may order

17. an expungement but pursuant to petition and notice and

18. hearings, the court also may impound said records. It

19. seemed to be logically inconsistent to expunge records,

20. the purpose of which was to shield them from public view and

21. yet and still have the court files available to the public.

22. Impoundment simply means that the court records will be

23. placed under seal subject only to the order...further order

24. of a judge in order for them to be viewed. There was no descent

25. of this bill in committee. I know of no opposition. I'm

26. ready for questions. I ask your support.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Maragos.

29. SENATOR MARAGOS:

30. Mr. President and members of the Senate, since I was

31. one of the original sponsors of the bill that started this

32. years back with Senator Newhouse in the Senate, I'd like to

33. ask the question of the sponsor if...whether...this requires

1. a petition or is it automatic?
2. PRESIDING OFFICER: (SENATOR DONNEWALD)
3. Senator Washington.
4. SENATOR WASHINGTON:
5. There must be a petition before the court and hearing.
6. The court has the discretion to rule or not.
7. PRESIDING OFFICER: (SENATOR DONNEWALD)
8. Is there further discussion? Senator Washington, you
9. may close the debate or take a roll call. Question is,
10. shall Senate Bill 653 pass. Those...just a moment.
11. Senator Rhoads.
12. SENATOR RHOADS:
13. I'm sorry, Senator Washinton. I was conferring with
14. somebody that...what...what kinds of offenses are we
15. talking about here in the expungement? Any kind of
16. offense?
17. SENATOR WASHINGTON:
18. This bill does not extend the covered Acts. It...you have
19. to be acquitted, or the matter doesn't go to trial under same...
20. under the expungement situation. There's no extension or
21. no broadening of that purview. It takes the existing law
22. which requires an acquittal, first offender who had been
23. found not quilty or for some other reason the process has
24. been truncated. If that is true and that has been an ex-
25. pungement, then pursuant to that the court may issue an
26. additional order pursuant to petition to impound. It only
27. deals with impoundment and nothing else. It leaves the ex-
28. isting intact.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Rhoads.
31. SENATOR RHOADS:
32. So there is no way to find out even if a record has
33. been expunged unless you go to the further step of getting the

1. judge to order that you can get that information.

2. SENATOR WASHINGTON:

3. That's correct. The whole philosophy of the original
4. bill as Senator Maragos could well tell you was to remove
5. these records from public view because there was an acquittal
6. of a first offender, and it was felt it...be somewhat
7. erroneous for public to look upon those records when in
8. effect the person had been found not guilty, but that
9. didn't quite do the job, because as long as the clerk
10. court's records were available, there was no secrecy. This
11. bill simply extends it logically and sequentially to one
12. other degree which provides for impoundment or the sealing
13. of the records pursuant to court order only to be opened upon
14. additional court order.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Question is, shall Senate Bill...oh, just a moment,
17. Senator Glass.

18. SENATOR GLASS:

19. Thank you, Mr. President. Senator Washington, are
20. there any standards in the bill to determine under what
21. circumstances a court would order the impounded file to
22. be released, or is that strictly within the court's
23. discretion?

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Washington.

26. SENATOR WASHINGTON:

27. That would be in the court's discretion, and the same
28. standards non-existent which exist for an...expungement
29. would exist here. It's a matter that I think we would
30. agree with... have to depend upon the discretion of the
31. court who heard the case, knows the facts, et cetera and so
32. forth.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Berning.

2. SENATOR BERNING:

3. Senator, would the effectiveness of this legislation
4. be only prospective. I notice there isn't any effective
5. date. I assume it becomes effective upon becoming law,
6. but what is the effect of the legislation? Would this
7. be able to be utilized to go back and...and...and burden
8. the courts and everybody else impounding and expunging
9. records for one year, two years, twenty years back or is it
10. ...or should it not be, maybe my question is, should it not
11. be prospective as of the date of effectiveness on forward?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Washington.

14. SENATOR WASHINGTON:

15. No, I disagree with you, Senator Berning. When we
16. had passed the original expungment law, I think four or five
17. years ago, there was no tremendous traffic on the courts.
18. There was some activity, but I...there was no indication
19. that the courts were overburdened by a series of petitions
20. to expunge, and you really don't expect that that would
21. happen here. It should be retroactive, I think. There are
22. existing people who...there are people who have been
23. acquitted in the past and who suffered because those records
24. are open to public view in the area of employment primarily.
25. No, I don't think it should be only prospective. I think it
26. should be retroactive, and I think it would not overburden
27. or even burden significantly the court...the court calendar.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Is there further discussion? Question is, shall Senate
30. Bill 653 pass. Those in favor vote Aye. Those opposed Nay.
31. The voting is open. Have all those voted who wish? Take
32. the record. On that question, the Ayes are 52, the Nays are
33. 1. Senate Bill 653 having received a constitutional majority

1. is declared passed. Senator Vadalabene, for what purpose
2. do you arise?
3. SENATOR VADALABENE:
4. Form of an announcement, Mr. President. We always
5. announce the winners of the tennis tournament the next day
6. after they have it at the Racquet Club in Springfield, and
7. I was waiting for all the participants of the Senate to
8. arrive, and in fourth place reminds me of my horse, Senator
9. Harber Hall just arrived and he played last night and he
10. came in fourth along with Representative Sam McGrew. Would
11. you want to stand and be...third place went to Senator
12. Bradley Glass and Representative John Porter, and in second place
13. it went to House members, there's no point in announcing
14. that one, and of course, in first place, the grand prize,
15. two of our colleagues, one on each side of the aisle,
16. Senator Arthur Berman and Senator Robert Mitchler.
17. Thank you, Mr. President.
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Senate Bill 663, Senator Kosinski. Read the bill,
20. Mr. Secretary.
21. SECRETARY:
22. Senate Bill 663
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. PRESIDING OFFICER: (SENATOR DONNEWALD)
26. Senator Kosinski.
27. SENATOR KOSINSKI:
28. Mr. President and members of the Senate, Senate Bill
29. 663 raises the maximum salaries of a full-time State employed
30. court reporter from sixteen thousand to twenty thousand per
31. year. The part-time court reporters are to be paid not less
32. than twelve dollars nor more than twenty-six dollars per
33. half day now twelve to twenty-five dollars. We have to

1. maintain the efficiency rating of the finest court system
2. in the country if not in the world. We must pay our court
3. reporters a salary that is least equal in other states of
4. equal population, so as not to lose them to these states or
5. go out in to private business as a free lance reporter. Last
6. Session I presented the same type of a bill. It passed the
7. Senate 49 to 6, and the House also passed it. It was vetoed
8. by the Governor. In an override it received 34 votes and
9. it would have received 36 if not the unfortunate sickness of two of
10. our Legislators. I would like to quote from the Supreme
11. Court, our Chief Justice, Dan Ward - Official court reporters
12. are hard working dedicated professionals who occupy an
13. important position in the circuit court system. To retain
14. these professionals and to attract additional qualified
15. candidates for the position of official court reporter, it
16. is necessary to maintain a competitive salary structure.
17. Furthermore, the official court reporters are prohibited
18. by our administrative regulation from engaging in private
19. reporting employment. May I shortly quote the amounts received by
20. other states, by the United States District Court, the
21. court reporter receives twenty-two thousand eight hundred and
22. ninety dollars per year plus secretarial staff; in Pennsylvania,
23. twenty-six thousand dollars per year; New York, twenty-five
24. thousand five hundred; District of Columbia, twenty-two
25. thousand seven hundred and forty-four, and so on and so on
26. to Michigan...what else can I say. They deserve a raise and
27. I...

28. PRESIDING OFFICER: (SENATOR ROCK)

29. You could say roll call.

30. SENATOR KOSINSKI:

31. ...and I...roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? Yes, Senator Knuppel.

1. SENATOR KNUPPEL:

2. I don't want...I don't want Senator Kosinski's remarks
3. about what a beautiful court system we have to be misconstrued
4. to extend as far as the judges. I'm sure he was talking
5. about the court reporters and...and secondly...secondly, I
6. do want to say that in some downstate counties they do have
7. difficulties securing court reporters and that's one of the
8. excuses the judges are giving for working short hours, so
9. this would be a good bill to vote in favor of.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Any further discussion? The question is, shall Senate
12. Bill 663. Those in favor will vote Aye. Those opposed will
13. vote Nay. The voting is open. Have all voted who wish?
14. Have all voted who wish? Take the record. On that question,
15. the Ayes are 45, the Nays are 5, 2 Voting Present. Senate
16. Bill 663 having received a constitutional majority is declared
17. passed. 666, Senator Chew. On the Order of Senate Bills
18. 3rd reading, Senate Bill 666. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 666

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Chew.

25. SENATOR CHEW:

26. Yeah, this bill was requested by the officials...the
27. Board of CTA, or Senator Rock, I think you recall last, oh
28. for...before we got back in the quarters where we attempted
29. to put an amendment on it and you suggested that we wait until
30. we got into Regular Session. We passed a bill last year,
31. but we failed to add one word that the CTA requested and the
32. new word is in this new amendment, so I would ask for a
33. favorable roll call.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Hynes.
3. SENATOR HYNES:
4. Would the sponsor yield to a question.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Sponsor indicates he will yield. Senator Hynes.
7. SENATOR HYNES:
8. Senator, what...what is the fiscal impact of this bill?
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Chew.
11. SENATOR CHEW:
12. Actually none.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Hynes.
15. SENATOR HYNES:
16. No fiscal impact at all? You're going to make up the
17. lost revenue?
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Chew.
20. SENATOR CHEW:
21. Senator Hynes, when we met with CTA, we ascertained that
22. the cost would be about thirty-five cents per year per
23. personnel and the county agreed to pick that up. Thirty-five
24. cents.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator Hynes.
27. SENATOR HYNES:
28. Well, Senator Chew, is...is one of the arguments in favor
29. of this bill also that it would contribute to security on the...
30. on the CTA?
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Chew.
33. SENATOR CHEW:

1. Was...that was the original purpose of the original
2. bill to put additional security on the CTA, buses and trains.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Hynes.

5. SENATOR HYNES:

6. And the CTA is now supporting your...your efforts?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Further discussion? Senator Demuzio.

9. SENATOR DEMUZIO:

10. I just have one question. 1975, we had a bill in here
11. that indicated...I think we were giving the senior citizens
12. on the CTA or RTA a free ride and come to learn that the
13. State of Illinois was picking up the...the total cost.
14. You're indicating that there is no cost to this and what
15. cost is involved is being picked up by the county? Is that
16. correct? There's no State funds involved.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Chew.

19. SENATOR CHEW:

20. Absolutely no State funds. Comes under the same section
21. that the Chicago Police Department or...and the CTA operate
22. now. There's no State funds involved whatsoever.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. Mr...Mr. President, is Cook County reached the same low
27. state as Polk County, they can't pay their employees?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Chew.

30. SENATOR CHEW:

31. No, Senator Knuppel, this is not based on any kind of
32. pay bill whatsoever. It's just a...energy crisis and we're
33. trying to accomodate President Carter.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any further discussion? Senator Soper.
3. SENATOR SOPER:
4. Well, thank you, Mr. President. Now, Senator Chew
5. what's that one word you changed?
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Chew.
8. SENATOR CHEW:
9. Shall.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Soper.
12. SENATOR SOPER:
13. You mean from "may" to "shall".
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Chew.
16. SENATOR CHEW:
17. That was requested by CTA, Sir.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Soper.
20. SENATOR SOPER:
21. Well, in other words, the CTA can do it now because they
22. may do it but...but they want to be...be sure that they understood
23. the bill. In other words, it was like the girl that said no...
24. that's when Senator Sours said the only time she said no that's
25. when she didn't understand the question, so this is...this is
26. now "may" and it's going to be "shall" because the CTA doesn't
27. understand that they can do it if they want to do it? Is that
28. it?
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Chew.
31. SENATOR CHEW:
32. No, this would be "shall" in order not to get the present
33. Statute confused at what registered health nurses have in

1. Chicago proper.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Soper.

4. SENATOR SOPER:

5. How did we get the nurses in this one, Charlie?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Chew.

8. SENATOR CHEW:

9. Senator, this doesn't apply in Cicero, but it does in
10. Chicago. You see, the health registered nurses do have the
11. right to use the services of the public conveyance in
12. Chicago. That stature is different from what the police has.
13. Consequently, we...we...we had to make the differential in
14. order not to get it confused with the public health nurses.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Soper.

17. SENATOR SOPER:

18. In other words, you're telling me now that when you
19. change this, the public health nurses in Cicero can't take the
20. CTA free but they can in Chicago? Is that it?

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Chew.

23. SENATOR CHEW:

24. Senator Soper, Chicago is a separate city from Cicero,
25. and what applies in Cicero does not apply in Chicago, what
26. applies in Chicago does not apply in Springfield. If I thought
27. that question was serious, I would give you a better answer,
28. but I know it isn't.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Soper.

31. SENATOR SOPER:

32. Well, the last time I saw the CTA it stopped right at the
33. corner from my office, and I live in Cicero, so I'm just saying

1. if you do something for the CTA or the CTA is supposed to do
2. something, then I think, Charlie, and I'm being serious, it
3. applies to Cicero, too, and it applies to Forest Park, it
4. applies to Berwyn, it applies to the six collar counties.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Chew.
7. SENATOR CHEW:
8. Senator, that can be done by local ordinance, what
9. you're asking.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Any further discussion? Senator Bowers.
12. SENATOR BOWERS:
13. Will the sponsor yield to a question?
14. PRESIDING OFFICER: (SENATOR ROCK)
15. He indicates he will yield.
16. SENATOR BOWERS:
17. Senator Chew, as you know I'm from DuPage County, and
18. some of my constituents are already complaining about the
19. subsidies to the CTA. Now, what do I tell them when I...
20. when they ask me why we cut down their...their revenue by
21. giving free rides to people from Cook County and we have to
22. pay for it? What do I tell them?
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Chew.
25. SENATOR CHEW:
26. Senator, you shouldn't tell them anything, because there's
27. no fiscal responsibility involved. I suppose that would be
28. the question they would ask.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Bowers.
31. SENATOR BOWERS:
32. If the deficit is greater because of the fact that some-
33. body is riding free, I suppose someone has to make it up. Don't

1. they?
2. PRESIDING OFFICER: (SENATOR ROCK)
3. Senator Chew.
4. SENATOR CHEW:
5. You have that confused. That would not add anything to
6. the deficit. Now, you're talking about if there were
7. additional conveyance having to be added in order to accomodate,
8. then I would understand your question to be a...a financial
9. responsibility, but there is no additional whatsoever, so
10. it wouldn't be any monies involved. The bill is already
11. there, Senator. It's just one word change.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Bowers.
14. SENATOR BOWERS:
15. Well, I understand the word change, Senator. I...I
16. ...I wonder then, they're not riding now, so they're not
17. paying anything now. Is that the idea?
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Chew.
20. SENATOR CHEW:
21. It's...it's really a security measure. Let me go a
22. little further, maybe you can understand what I'm saying.
23. In...in Chicago, we have a tremendous crime rate on CTA.
24. In meeting with the Board and the sheriff of the county and
25. the superintendent of police of the City of Chicago, we
26. decided that if we could get more security personnel riding these
27. trains and buses that it would have a great impact on crime
28. reduction and that's the whole purpose of it, Sir.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Bowers.
31. SENATOR BOWERS:
32. Well, is it while they're only on duty? As I read the
33. bill, it sounds like they ride all times free. Is that right?

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Chew.
3. SENATOR CHEW:
4. The Statute requires any law enforcing personnel to
5. be on duty twenty-four hours a day. That's a requirement,
6. Senator.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Bowers.
9. SENATOR BOWERS:
10. I want to thank the sponsor for his answers. Thank you.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Any further discussion? The question is, shall Senate
13. Bill 666 pass. Those in favor will vote Aye. Those opposed
14. will vote Nay. The voting is open. Have all voted who wish?
15. Have all voted who wish? Have all voted who wish? Take the
16. record. On that question, the Ayes are 31, the Nays are 15,
17. 2 Voting Present. Senate Bill 666 having received a constitu-
18. tional majority is declared passed. Senator Rhoads.
19. SENATOR RHOADS:
20. Well, I was talking with Senator Maragos just a minute
21. ago. Senator Maragos, didn't we make a terrible parliamentary
22. error there just a few minutes ago on Senate Bill 653?
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Maragos.
25. SENATOR MARAGOS:
26. I wish the...having voted on the prevailing side, I...
27. wish that the vote by which Senate Bill 653 was approved be
28. reconsidered. Well, the reason being that happened to be
29. the first bill of Senator Washington that passed successfully,
30. and it was not reported at that time.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. We will congratulate Senator Washington at this point in
33. time. 668, Senator Kosinski. On the Order of Senate Bills 3rd

1. reading, Senate Bill 668. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 668

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Kosinski.

8. SENATOR KOSINSKI:

9. Yeah, again. Mr. President and members of the Senate,
10. this bill raises the salaries of the Election Commissioner
11. in municipalities with the population of more than two hundred
12. thousand. The salaries would be from the...the maximum
13. salary of twenty-five thousand to twenty-eight thousand
14. for the commissioners and for the chairman of the board, it
15. would be from thirty-five thousand to thirty-eight thousand.
16. The county board commissioners appoint the...the chairman
17. of the board, and the...it is...they...getting a little
18. messed up here. I believe that the commissioners deserve
19. this...this raise and would like to see this bill passed.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Any further discussion? Question is, shall Senate
22. Bill 668 pass. Those in favor will vote Aye. Those opposed
23. will vote Nay. The voting is open. Senator Hynes, will you
24. vote me Aye, please. Have all voted who wish? Have all voted
25. who wish? Take the record. On that question, the Ayes are 34,
26. the Nays are 10, none Voting Present. Senate Bill 668 having
27. received a constitutional majority is declared passed. 669,
28. Senator Savickas. On the Order of Senate Bills 3rd reading,
29. Senate Bill 669. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 669

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Savickas.

3. SENATOR SAVICKAS:

4. Yes, Mr. President and members of the Senate, Senate
5. Bill 669 creates the Illinois Plumbing Contractors Registration
6. Act, and it provides that the Department of Public Health
7. shall be responsible for developing and enacting the rules,
8. regulations and administrative procedures necessary to enforce
9. the provisions of this Act. It's a Act that's designed primarily
10. for consumer protection. It's an Act that is designed to
11. have plumbing contractors licensed to guarantee the health
12. and workmanship of the jobs that they do. At the present
13. time, plumbers are licensed and registered. This would just
14. add plumbing contractors to that Registration Act. I would
15. solicit your favorable support.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Any discussion? Senator Buzbee.

18. SENATOR BUZBEE:

19. Thank you, Mr. President. Mr. President, two years ago
20. I sponsored this bill, and it was before the Labor and Commerce
21. Committee, Senator Savickas was the chairman of the committee,
22. and he was only the member as I recall that voted in favor
23. of the bill that day, and I was more than happy to relinquish
24. sponsorship to him and his able guidance, and it's a good
25. bill, and we ought to pass it.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Further discussion? Senator Wooten.

28. SENATOR WOOTEN:

29. Senator Savickas, does this not get us into a jurisdiction
30. argument between two...two unions or at least two groups? As
31. I understand it you do not now have to be a plumber to
32. dig a trench from the street up to the house. You can get a
33. laborer to do that, but I have been told...I'm...just been

1. looking in the bill to see if that is indeed the case that
2. that would become...that would come under the jurisdiction
3. of the plumber. The plumber now pretty much operates inside
4. the house. Now, he would be in charge at least of digging
5. that trench and making the outside connection and that would,
6. as I understand it, increase the cost because it costs more
7. to hire plumbers than it does laborers, and we would be
8. getting in the middle of a jurisdictional dispute between
9. two groups of laborers. A...is...is that a correct assumption
10. or not? That's what been told to me back home.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. That is an incorrect assumption. The Plumbing Contractors
15. Registration Act is taken exactly word for word from the
16. Plumbing...Plumbers Registration Act that was established in
17. the 1930's. There is no changes as far as jurisdiction
18. over laborers or plumbers. It's the exact same Act that the
19. plumbers work under now. The exact same wording and all it
20. does is to create the Plumbing Contractors Licensing Act with
21. the same wording that the plumbers are licensed at now, and
22. it's...it's for that purpose that when a contractor is hired
23. to do a job that the job is guaranteed by a...an insurance
24. policy and the Department of Health can take those contractors
25. in to court if the jobs are done faulty or if there is
26. problems with them and it would save each individual home
27. owner or contract party from that expense.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Wooten.

30. SENATOR WOOTEN:

31. So, then, I may tell my laborers that they are suffering from a
32. misinterpretation of the law?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Savickas.

2. SENATOR SAVICKAS:

3. Yes, I would say you may tell them that.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Further discussion? Senator Glass.

6. SENATOR GLASS:

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

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Indicates he will yield. Senator Glass.

10. SENATOR GLASS:

11. Thank you. Senator Savickas, I notice also in my summary of
12. the bill that it provides that a plumbing contractor could
13. only employ certified plumbers. Has that been a problem? Is...
14. is that one of the reasons for the bill?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Savickas.

17. SENATOR SAVICKAS:

18. Not...not that I know of. At this point, all plumbers
19. that are hired and do work are licensed and registered
20. plumbers. I imagine there are some that might go out and do
21. some plumbing work that don't have any licenses and aren't
22. registered, but they...they would have to be to get any home or
23. plumbing work approved by any local zoning board. They would
24. have to have a license and be registered.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Glass.

27. SENATOR GLASS:

28. And as I understand it, the contractors do not oppose
29. the bill after it was amended. Is that accurate?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Savickas.

32. SENATOR SAVICKAS:

33. I have letters here from the Illinois Association of

1. Plumbing, Heating and Cooling Contractors who are totally in
2. support of this bill, letters from the Howtown Plumbing and
3. Heating and Cooling Incorporated from Harrisburg, Illinois,
4. totally in support of this legislation. I would assume that
5. the contractors, the unions and the members are totally in
6. support of this bill.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any further discussion? Senator Newhouse.

9. SENATOR NEWHOUSE:

10. I wonder if the sponsor yield for a question.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Indicates he will yield. Senator Newhouse.

13. SENATOR NEWHOUSE:

14. What...what is the standard for becoming a plumbing
15. contractor?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Savickas.

18. SENATOR SAVICKAS:

19. At this time, he must have...be a registered and licensed
20. plumber.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Newhouse.

23. SENATOR NEWHOUSE:

24. And that's all?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Savickas.

27. SENATOR SAVICKAS:

28. Would have to pay a fee and show his license and his
29. registration card.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Newhouse.

32. SENATOR NEWHOUSE:

33. Senator, what I'm concerned about and I think you know it, is

1. that some of the trades are awfully difficult for ordinary
2. human beings to become a part of, and the plumbing trade is
3. one of them. And if we're going to put some extra restrictions that
4. will keep ordinary citizens from being able to enter into
5. these trades, I would be opposed to that. I suppose though
6. by the time they get to the contractor level, that's already
7. been disposed of, but I'm...I'm...I'm still not certain what
8. ...what...what...you know, what...where we are. You know,
9. if anybody with a plumber's license can walk in and become
10. a plumbing contractor, I'm not sure I understand the need for
11. the legislation.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Savickas.

14. SENATOR SAVICKAS:

15. Well, at this time now, they can become contractors upon
16. payment of the fee and proper application. The idea is how
17. many people want to become contractors when they feel many
18. times it is better to work for someone else. What we're saying
19. here is that a contractor who goes out and contracts the job
20. would be responsible to see that that job is done according
21. to the local zoning code, the local public health laws, that
22. they cannot just go in and put plumbing and all its water in with-
23. out conforming to the local conditions and to the local public
24. health restrictions. As far as the problem with a union
25. member, some people becoming union members, this wouldn't affect
26. a contractor because they must be licensed and registered before
27. they can apply for their contractor's certificate.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Newhouse.

30. SENATOR NEWHOUSE:

31. So, the legislation is geared for the protection of the
32. public and...and not for the control of the industry. Thank you.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Further discussion? Senator Nimrod.
2. SENATOR NIMROD:
3. Yeah, question of the sponsor, Mr. President.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Indicates he will yield. Senator Nimrod.
6. SENATOR NIMROD:
7. Senator Savickas, I'm...I'm concerned that this...this
8. one particular inspection of licensing procedure is different
9. than all others. Most of the other licensing procedures are
10. all done in the Department of Registration and Education, and
11. it's usually a group from within their own group that does
12. the...sets the standards. Now, we've got the Department of
13. Public Health involved in this. Can you tell me why the
14. difference and why we're involved...in the Department of
15. Public Health in this area?
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Senator Savickas.
18. SENATOR SAVICKAS:
19. This section is already in the Plumbing...or in the
20. Public Health Code, in their...in their enforcement area that
21. they have no monies to enforce these provisions in the State
22. Plumbing Code, and Senate Bill 669 would provide the needed
23. revenue by assessing the plumbing contractors a registration
24. fee, and it would also provide for the performance of insurance
25. policy to guarantee his work. This is already part of the
26. duties of the Department of Public Health.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Senator Nimrod.
29. SENATOR NIMROD:
30. Senator Savickas, it's certainly not the...the duty of
31. the Department of Public Health to promulgate rules and regula-
32. tions for registration. Now, that's totally irregular and
33. ...and certainly not in that particular area and that's what

1. this bill seems to call for. Now, the registration of
2. contractors should be done within the Department of
3. Registration and Licensing, not in the Department of
4. Public Health. Public Health would see that they meet
5. certain standards for the work being done, but has nothing
6. to do with the licensing of that particular contractor.
7. This to me seems to be a highly irregular procedure in
8. the process of...of registering contractors. Are we going
9. to then say that the...the next thing will be electricians, and
10. the painters and the carpenters, that they have to do this
11. in order to meet all these standards through the Department
12. of Public Health?

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Savickas.

15. SENATOR SAVICKAS:

16. No, at the present time, the...the Department of
17. Public Health is charged with the responsibility of seeing
18. that all the plumbing work done in the State of Illinois
19. meets with the State Plumbing Code. It is their duty now
20. and the purpose of this is to insure that that department
21. which is already charged with this responsibility will have
22. the authority to take any breaches of this responsibility or
23. breaches of the Code to court and to guarantee those people
24. the proper and safe water supply that our State Code demands.
25. This is the only reason why this is in the Public Health Department
26. and not in Registration and Education because Registration
27. and Education would not police and check the Health Code, or
28. the State Plumbing Code that's in the Department of Public
29. Health.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Nimrod.

32. SENATOR NIMROD:

33. Thank you, Senator Savickas. I think we have two different

1. things that we're trying to mix up here. It seems to me that
2. the Department of Public Health will see that the work is
3. done properly has nothing to do with the licensing and
4. authorizing a contractor to be eligible to a contractor or
5. not, and it seems...that there just seems to be an...irregularity
6. here that is a little confusing.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Further discussion? Senator Soper.

9. SENATOR SOPER:

10. Thank you, Mr. President. In order to alleviate the
11. fears of Senator Wooten, we worked out an amendment on this
12. ...on this bill that took care of that situation that you
13. were concerned about. We saw that and we held it in committee
14. and then our staff, Saul Morse and...and we...we put...put
15. the amendment on that put that in the right perspective.
16. There will be no outside shoulder work done by the plumbers,
17. it will be done by the laborers.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Savickas, you wish to
20. close the debate?

21. SENATOR SAVICKAS:

22. Well, Mr. President and members of the Senate, all I
23. could add to the discussion is that Senate Bill 669 will
24. help the small consumer against bad faulty plumbing, will
25. give us a measure of protection. It's a registration act
26. that's been asked for by the Association of Contractors and
27. the unions and...and to regulate themselves. I think it is
28. a good bill, and I would ask your favorable support.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. All right, the question is, shall Senate Bill 669 pass.
31. Those in favor will vote Aye. Those opposed will vote Nay.
32. The voting is open. Have all voted who wish? Have all voted
33. who wish? Take the record. On that question, the Ayes are

1. 38, the Nays are 11, 3 Voting Present. Senate Bill 669
2. having received a constitutional majority is declared passed.
3. 675, Senator Mitchler. Senator Mitchler, you wish the bill
4. called? Yes. All right. On the Order of Senate Bills 3rd
5. reading, Senate Bill 675. Read the bill, Mr. Secretary.
6. SECRETARY:
7. Senate Bill 675
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Mitchler.
12. SENATOR MITCHLER:
13. Mr. President and members of the Senate, Senate Bill
14. 675 is a bill from the Department of Agriculture and what
15. it does...the objective of the bill is to repeal certain
16. sections in the Illinois Insect Pest and Plant Disease Act,
17. and by adding definitions for broker and landscaper. It
18. also provides for nurseries to be inspected annually prior
19. to October 31st, and a certificate indicating that a nursery
20. has been inspected be issued by the Department prior to
21. December 31 of each year. The certificate will be displayed
22. prominently at the nursery and it also provides authority
23. to the Department to by regulation establish fees after
24. holding a public hearing for the inspection and certification
25. of nurseries, nursery stock dealers, greenhousers, at cetera.
26. I would ask for a favorable roll call.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Any discussion? Question is, shall Senate Bill 675...
29. I beg your pardon, Senator Guidice.
30. SENATOR GUIDICE:
31. Senator Mitchler, is this the bill that takes care of
32. the nematodes?
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Mitchler.
2. SENATOR MITCHLER:
3. These has...we had that nematode problem there in the
4. committee. Now, I think we've eliminated the nematodes.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Guidice.
7. SENATOR GUIDICE:
8. Well, I remember in the committee that you told me
9. that we were being threatened that the nematodes were
10. coming up from the south, and they're coming up north,
11. and I want to make sure we stop those nematodes before
12. they get to Cook County.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Mitchler.
15. SENATOR MITCHLER:
16. The nemotodes were. They emanated from down there
17. around Edwardsville and were coming up towards Springfield,
18. and they got...in all this confusion, I think they got
19. stomped out and I don't think they're going to reach
20. Cook County.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Further discussion? Senator Wooten.
23. SENATOR WOOTEN:
24. You all also be happy to know it takes care of the
25. nematodes, too.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. All right, any further discussion? Senator Buzbee.
28. SENATOR BUZBEE:
29. Well, I was going to speak on this bill, but Senator
30. Wooten put it so eloquently that I just can't improve on that
31. at all.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Further discussion? The question is, shall Senate Bill

1. 675 pass. Those in favor will vote Aye. Those opposed will
2. vote Nay. The voting is open. Have all voted who wish?
3. Take the record. On that question, the Ayes are 51, the Nays
4. are 4, none Voting Present. Senate Bill 675 having received
5. a constitutional majority is declared passed. 679, Senator
6. Mitchler. On the Order of Senate Bills 3rd reading, Senate
7. Bill 679. Read the bill, Mr. Secretary.
8. SECRETARY:
9. Senate Bill 679
10. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER: (SENATOR ROCK)
13. Senator Mitchler.
14. SENATOR MITCHLER:
15. Mr. President and members of the Senate...
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Senator Mitchler.
18. SENATOR MITCHLER:
19. ...Senate Bill...Senate Bill 679 is a bill that many
20. refer to as the Dirty Egg Bill. This bill amends the Illinois
21. Egg and Egg Products Act allowing egg producers to sell dirty
22. eggs without candling or grading, places limits on the sale
23. of eggs which do not meet the minimum requirements of Grade A,
24. reduces restrictions on the sale of eggs by producers who
25. do not have licenses, provides that licenses shall terminate sixty
26. days after the close of the egg handler's fiscal year, provides
27. that any produce dealer who purchases less than a hundred and
28. fifty cases of eggs per year from producers need not file a
29. surety bond, provides for a certificate of deposit to be filed
30. in lieu of a surety bond, et cetera. ...favorable roll call.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Any discussion? Senator Netsch.
33. SENATOR NETSCH:

1. Mr. President, I just want to say to Senator Mitchler,
2. in four years of this bill being here, as I recall, I have
3. never yet heard the explanation over the cackles from the
4. Floor.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further discussion? Any further discussion? Senator
7. Glass.

8. SENATOR GLASS:

9. Senator Mitchler, why did you remove the word "cracks"
10. from the bill?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. Yes, that question is in my comments here. It says -
15. question, why delete "cracks". Well, this...the...it says,
16. one, permits selling of eggs, classified dirties with
17. candling if sold on producer's own premises. This meets
18. USDA approval. Well, I guess the...the eggs would be so
19. dirty you wouldn't see the cracks.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes. As a suggestion, I think maybe the cracks ought
24. to go to the Erecting and Mounting Commission.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Further discussion? Senator Wooten.

27. SENATOR WOOTEN:

28. Well, Mr. President, I believe that this...we hope it is
29. the final correction on the Egg Bill that gave us so many
30. problems, unless you...be misled by the word "dirties". It
31. simply refers to dirt adhering to the outside of the...of the
32. shell and the eggs are in perfectly good condition. They may
33. be sold right on the producer's premise, and I hope that this is last

1. revision we'll need to get this bill in order.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any further discussion? The question is, shall Senate
4. Bill 679 pass. Those in favor will vote Aye. Those opposed
5. will vote Nay. The voting is open. Have all voted who wish?
6. Have all voted who wish? Take the record. On that question,
7. the Ayes are 51, the Nays are 1, 1 Voting present. Senate
8. Bill 679 having received a constitutional majority is
9. declared passed. 681, Senator Mitchler. Do you wish to
10. proceed with 681, Senator...yes...all right. On the Order
11. of Senate Bills 3rd reading, Senate Bill 681. Read the
12. bill, Mr. Secretary.

13. SECRETARY:

14. Senate Bill 681

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. Mr. President and members of the Senate, Senate Bill 681
21. is a bill from the Environmental Protection Agency. The bill
22. has been amended to take out the question about who's going
23. to pay for the water testing, and the key to the whole bill
24. is that this will now give authority which is necessary
25. if the State is to assume primary responsibility for enforce-
26. ment of the Federal Safe Drinking Water Act. The funding will
27. be in the appropriation bill, so that the Illinois EPA can
28. continue to pay for the testing of the sixteen thousand...
29. sixteen hundred water suppliers in Illinois. I would ask for
30. a favorable roll call.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Any discussion? Senator Demuzio.

33. SENATOR DEMUZIO:

1. Senator Mitchler, you said that the appropriation will be
2. in House Bill 1425. What do you mean by will be? In fact,
3. is the Department going to restore that money in the...in the
4. House Bill before it gets over here or is it going to be
5. taken here or...taken care of here, or just what's the
6. procedure?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Mitchler.

9. SENATOR MITCHLER:

10. Senator Demuzio, originally as you and I know, the
11. appropriation was about two hundred and fifty thousand was
12. not included in the original appropriation bill to the Illinois
13. Environmental Protection Agency. The bill is in the House.
14. It's on the 2nd reading. When this bill was first heard
15. and the Director of the IEPA appeared, the desire was that
16. the local municipalities and that would pick up that cost.
17. It would be a user fee type of an operation. The bill would
18. not have passed in that form, so it was agreed to that the
19. two hundred and fifty thousand dollars approximate figure
20. would be restored to the Illinois Environmental Protection
21. Agency budget in 2nd reading in the House and that the
22. State would continue to have the responsibility of funding
23. that. That was an amendment that was given to us by Bern
24. Killian, agreed to by Senator Knuppel and myself.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Demuzio.

27. SENATOR DEMUZIO:

28. Well, under the...understanding that Director Eisel and
29. the Department will restore the money so that the...in...in
30. ...in House Bill 1425 which is to amend into their contingency
31. fund, I suspect, but with the understanding that, in fact,
32. the money will be in the appropriation and the municipalities
33. will not have to be burdened with the cost of the sampling, I will

1. support the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further discussion? Senator Wooten. Senator Davidson.

4. Senator Wooten, did you seek recognition?

5. SENATOR WOOTEN:

6. Of...I'm sorry. I've got distracted, but I just

7. wanted to be sure since there was some question on how this

8. was to be amended, that the State will still test water.

9. I wanted to be sure that's to be done. The State will still

10. test water for municipalities? Is that now in the bill,

11. Senator Mitchler?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. There will be no change in...in that...in the testing

16. and they...they will set up some laboratories that can test

17. it at the discretion of the local municipality, but the State

18. is going to continue to pay, it's my understanding. This is

19. to comply with the Federal Safe Drinking Water Act, and that's

20. the whole key to what the bill as...now as it's been gutted

21. by the amendment and taken away the idea of the user fee as

22. originally intended by EPA.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Wooten.

25. SENATOR WOOTEN:

26. Yeah, I...I understand part of this we must have, and

27. that's why the bill has to pass, but I wanted to be sure that

28. municipalities now get their water tested free, right? Is

29. that not...all right. Will they continue to be able to get

30. that water tested free? Okay. Fine.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. The answer is yes...was...was yes from Senator Mitchler.

33. Any further discussion? All right, the question is, shall

1. Senate Bill 681 pass. Those in favor will vote Aye. Those
2. opposed will vote Nay. The voting is open. Have all
3. voted who wish? Have all voted who wish? Take the record.
4. On that question, the Ayes are 55, the Nays are none, none
5. Voting Present. Senate Bill 681 having received a consti-
6. tutional majority is declared passed. Senator Rupp, on
7. 683. 684. All right. On the Order of Senate Bills 3rd
8. reading is Senate Bill 684. Read the bill, Mr. Secretary.
9. ACTING SECRETARY: (MR. FERNANDES)

10. Senate Bill 684

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Rupp.

15. SENATOR RUPP:

16. May I have...I'll take the roll call as it's now posted.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Oh, we better clear the machines, Mr. Secretary.

19. Senator Rupp.

20. SENATOR RUPP:

21. All right, what this is, is it clears up some of the
22. questions as far as the eligibilty for participation in
23. certain public pension systems. Under this revised set up,
24. the present employees are immediately insured, the new
25. employees are immediately covered, and those new employees
26. who do not elect can so elect on the next eligibility or
27. enrollment period...open enrollment. There is a call for an
28. open enrollment, every two year minimum on group life, open
29. enrollment on the health program every year. There was some
30. question on Senate Bill last...in the 79th General Assembly,
31. Senate Bill 1802, was passed in an effort to amend these
32. definitions to clear up the questions and they inadvertently
33. left off four hundred employees of the Office of Education and

1. Department of Mental Health. This also will permit that
2. ...a device...it is a device to permit clearing up instances
3. like that should they occur again. I ask for a favorable
4. roll call.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any discussion? The question is, shall Senate Bill
7. 684 pass. Those in favor will vote Aye. Those opposed will
8. vote Nay. The voting is open. Have all voted who wish?
9. Take the record. On that question, the Ayes are 53, the
10. Nays are none, none Voting Present. Senate Bill 684 having
11. received a constitutional majority is declared passed.
12. Senator Grotberg on 687. On the Order of Senate Bills 3rd
13. reading, Senate Bill 687. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 687

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Grotberg.

20. SENATOR GROTEBERG:

21. Thank you, Mr. President and fellow Senators. Senate
22. Bill 687 is a result of some of the lawsuits that the
23. Department of Corrections had. They are presently enjoined
24. in three major suits by class actions among the prisoners
25. that claim that the most cruel and...and inhumane punishment
26. they receive is the health standards of our own State prisons.
27. This bill would simply mandate that the Department of Health
28. establish that fact annually and report it back to the Depart-
29. ment of Corrections. It's a bill asked for both by Corrections
30. and the Department of Health and the Attorney General's Office.
31. I'd like a favorable roll call.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Any discussion? Senator Graham.

1. SENATOR GRAHAM:

2. Mr. President and members of the Senate, we're getting
3. ready to embark upon a very serious venture. I have respect
4. for what the sponsor of this bill is attempting to do, but
5. I would like to caution the General Assembly as we consider
6. this, that we are possibly taking the chance of having
7. people inspecting the prisons issuing news releases, going
8. out on a publicity witch hunting thing and causing more
9. problems in the prisons that we have right now. Now, I'm
10. not saying the Department of Mental Health can't do it.
11. I'm saying probably you haven't got the people that are
12. capable of doing it. I want to tell you...or Department of
13. Public Health, and I want to suggest to you some of the
14. reasons for me cautioning you as to this bill. We have certain
15. individuals from the General Assembly that have been self-
16. appointed prison experts through the years, and almost every
17. time without exception when some of these individuals go
18. into the prisons, they go in to make a news release for them-
19. selves and sometimes they cost us a heck of a lot of money
20. to put it back together when they leave. I know one instance
21. in the Stateville where a representative...a State Representa-
22. tive went in after we was having trouble in Stateville
23. Penitentiary, and all she succeeded in doing that day was
24. contributing to some more unrest and some more tearing down
25. of an institution and cost the taxpayers of this State a
26. hundred and fifty thousand dollars to put it back together.
27. Now, I'm saying to you, I'm not sure that they have the
28. capabilities of doing this. I'm not saying that our prisons
29. shouldn't be...inspected, but I'm saying to you that I don't
30. believe the Department of Public Health has the people that have
31. the capabilities to make the kind of decisions that will keep
32. the Federal Government from rendering suits against us. I'm
33. scared of this bill. I don't want to oppose my friend, Senator

1. Grotberg. I know what he's trying to do. His cause is
2. laudable, but I am afraid that we're going to get some
3. people that are so-called and self-appointed psychologists
4. going in these prisons and telling us what's wrong with
5. them and I'm going to tell you that I don't think we're
6. going to be able to afford the bill when they cause the uprisings
7. that I suggest they may cause after they prevent that
8. inspection and sent out their news release. Think about
9. that. Think about the possibility. Think about the
10. quality of the people that may be doing this, and think
11. about the results if they do it.

12. (end of reel)

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. Further discussion? Senator Demuzio.

3. SENATOR DEMUZIO:

4. Thank you, Mr. President. I'd like to, if I
5. may, direct my question to either Senator Ozinga
6. or to Senator Graham and since the commission to
7. visit and examine State institutions, there is
8. a penal subcommittee, I think, of the commission.
9. I was wondering just how the commission would
10. relate to this bill if it were passed and if,
11. in fact, it would be a duplication of...of
12. what is currently going on.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Graham.

15. SENATOR GRAHAM:

16. I don't think it necessarily would be this
17. and I'm not saying that a duplication would be
18. bad. I'm saying to you, probably the commission
19. can't, as a result of our excessive time we've spent
20. in Springfield, make the number of trips that
21. we should, and I've been through every one of these
22. jails a lot of times, but I'm telling you, a
23. duplication isn't good. I'm telling you and I'm
24. suggesting to you people, I'm telling you because
25. of my experience, that every time we go into a
26. prison and inspect it, we also build up the...the
27. potential of excessive riotous conditions by the
28. militants in there and we give attention to what
29. they think are their problems and what they think
30. we should do with regard to providing country
31. clubs for them for killing people and we put
32. them away. I...I...I just don't think the
33. Department of Public Health is the one to do it.

1. If we want to set up some law enforcement officers
2. or other people, have the committee go in there,
3. fine with me. But, I just don't want to turn this
4. over to the Department of Public Health.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further discussion. Senator Washington.

7. SENATOR WASHINGTON:

8. Mr. President, if the Department of Health
9. isn't qualified to do this job, I don't know
10. who in God's name is qualified to do it. This
11. is an area of constant irritation and I think
12. everyone here knows it. We read about it and they've been subject to
13. law suits. I think it's a very sensible bill, it
14. almost defies the necessity for debate. We build
15. those institutions and presumably we're responsible
16. for their maintenance, health, et cetera, and so
17. forth. Our repository of health intelligence
18. happens to be the Department of Health. If it's
19. not adequate, we should beef it up. I think, Mr.
20. Grotberg, you've come forth with one of the most
21. sensible bills I've seen in my twelve years down
22. here. I think it's an excellent bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Further discussion. Senator Hynes.

25. SENATOR HYNES:

26. Mr. President, will the sponsor yield to a
27. question?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Indicates he will yield. Senator Hynes.

30. SENATOR HYNES:

31. Senator, you may have mentioned this in your
32. opening remarks, but I...I missed it. What...what
33. is the position of the administration on this bill?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Grotberg.

3. SENATOR GROTBORG:

4. This is an administration bill.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Hynes.

7. SENATOR HYNES:

8. So, it's being supported then by the administration
9. and by the Director of the Department of Corrections
10. and the Director of the Department of Public Health.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Grotberg.

13. SENATOR GROTBORG:

14. There are two positions budgeted in the Depart-
15. ment of Public Health for this purpose.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Hynes.

18. SENATOR HYNES:

19. Well, first of all, is it not possible to do
20. this already voluntarily, and secondly, what kind
21. of man power will be necessary to fully implement
22. the provisions of this bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Grotberg.

25. SENATOR HYNES:

26. And thirdly, what about the Department of
27. Mental Health and so far as their facilities
28. are concerned.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Grotberg.

31. SENATOR GROTBORG:

32. I think this is a first, Senator Hynes, in
33. that the State institutions, in general, we inspect
34. every other private institution in the State before

1. we bring our own State institutions up to standard,
2. which I think gets at your mental health question.
3. I can't speak for the Department of Mental Health.
4. There are two positions budgeted in the Department
5. of Public Health for this job. I would remind you
6. and the previous speakers, and my colleague, Mr.
7. Graham, who is one of wisest of all men I know
8. on the subject of prisons, that we have three
9. branches of government running the prisons now.
10. Right now, the courts are our health inspectors,
11. and the prisoners. I think if we could narrow
12. it down to the administration and the Legislature
13. and begin with this bill, it would be a good start.
14. With all due reference to Senator Graham and his
15. remarks, I share some of his concern, but you've
16. got to start by beginning somewhere. Did I answer
17. your question, Senator Hynes?

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Hynes.

20. SENATOR HYNES:

21. You did, except for the question of the manpower.
22. There are two positions budgeted and how many
23. institutions are there that would be covered by
24. this bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Grotberg.

27. SENATOR GROTBURG:

28. I think we have thirteen or fourteen, Senator
29. Graham, and...and if two people can't get around
30. those once a year, we can all hang it up.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Hynes.

33. SENATOR HYNES:

1. Well, I...it seems to me that if we're going
2. to do this, we ought to do it. And I...I really
3. question whether two individuals are going to be
4. able to handle a job of this magnitude. And if
5. this...if this goes into effect, the obligation
6. is there immediately. I'm not saying it shouldn't
7. be done. I'm not saying that perhaps the Depart-
8. ment of Correction shouldn't have its own staff
9. to do it.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion. Senator Netsch.

12. SENATOR NETSCH:

13. I was just going to elaborate on the request
14. from it. When the bill was heard in committee,
15. it was made clear that the Department of Corrections
16. had originally requested the bill. Now, the
17. Department of Public Health cooperated in it,
18. but it was the Corrections Department itself,
19. which requested that this be made available.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right. Any further discussion? Senator
22. Graham.

23. SENATOR GRAHAM:

24. I, too, feel as Senator Hynes feels, we should
25. do something. I'm not fighting that fact, but I
26. am saying again, that we have no, we have no built-
27. in qualification for those two spots that are
28. supposed to be created, as to the kind of credentials
29. these people will have that make these inspections.
30. Now, I'm suggesting to you, I don't...matter to
31. me, it doesn't matter to me who the administration
32. is, you cannot, and we dare not, send people into
33. these prisons that go in, not understanding the

1. facts, causing more troubles than we already have there,
2. and that's what I'm fearful of. Yes, I think we
3. need to do something. The Federal Government is
4. sticking their nose into this problem. I think
5. we ought to do something, but I'm not sure that
6. this is the way to do it, and I'm not sure the
7. people that are suggested may have the credentials
8. to do it, and that bothers me.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any further discussion? Senator Soper.

11. SENATOR SOPER:

12. Thank you, Mr. President. I...I'd like to
13. ask Senator Graham a question. Are you fearful
14. that the people that send in their...if they
15. send inspector, say a nurse, or...or someone
16. that really doesn't understand the mentality
17. and the...the psychology of...of the prisoners
18. in there that they might, as they
19. say snatch one of these people and keep them
20. as hostage or something, and cause a riot in
21. the prison is that what you're fearful of?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Graham.

24. SENATOR GRAHAM:

25. No, I didn't say that. I would doubt that
26. these people would ever get far enough in to
27. be grabbed, but if they weren't fearful when
28. they went in, they shouldn't be there. I'm
29. saying to you that I think that if we pick
30. out the so called sociologists and psychiatrists,
31. and such, those people to go in and perform
32. this kind of a...of a inspection. We are
33. going a long ways down the wrong road. Now,

1. doggone it, people, those guys are not in prison
2. because they skipped Sunday school. I don't know
3. of any of them are there because they skipped
4. Sunday school. I'm not saying that our prisons
5. are up to the standards they should be, but I'm
6. saying to you, very definitely, that an unqualified
7. person going into a prison that doesn't understand
8. the problems, can cause us more trouble than we
9. want. And there's no restrictions in this bill,
10. there's no specification, we're depending upon
11. someone to appoint those persons to do that
12. jobs and they may not be qualified to do it.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Any further discussion? Senator Grotberg
15. may close the debate.

16. SENATOR GROTBORG:

17. Well, thank you, Mr. President. I would make
18. this commitment that, to you, Senator Graham, that
19. if this thing needs a little fixing up over in
20. the House so that this report goes to our visitation
21. committee or some source other than to the public,
22. I think that is our greatest concern in this, that
23. I'd be glad to work with the House sponsor on
24. such an amendment, but I think in the interest of
25. time we should just ask for a roll call, Mr. President.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. All right. The question is shall Senate Bill
28. 687 pass. Those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have
30. all voted who wish? Have all voted who wish?
31. Take the record. Sponsor has requested Postponed
32. Consideration. So ordered. Senator Schaffer, are
33. you ready on 689? Okay. On the Order of Senate

1. Bills 3rd reading, Senate Bill 689. Read the bill,
2. Mr. Secretary.
3. SECRETARY:
4. Senate Bill 689.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator Schaffer.
9. SENATOR SCHAFFER:
10. This bill clarifies the language in the Juvenile
11. Court Act to allow the court to notify foster
12. parents by mail. You recall, a couple of years
13. ago, we did agree to notify foster parents about
14. certain types of custody hearings and other hearings
15. involving foster children and this allows for that
16. notification to be by mail. There's been a fair
17. amount of confusion on that. The County of Cook
18. already does do the notification by mail and they
19. make up the very lion's share of this type of
20. notification.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Hynes.
23. SENATOR HYNES:
24. Mr. President, our file indicates that an
25. amendment was called for on this bill to make
26. it certified mail and is that amendment been...
27. apparently that is incorrect.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Schaffer.
30. SENATOR SCHAFFER:
31. I would defer to Senator Berman on that question.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. All right. Senator Berman.
34. SENATOR BERMAN:
35. We checked into that question regarding

1. certified mail and the response from the County
2. of Cook indicated that the cost would be
3. prohibitive and it really wasn't off-set by any
4. exposure regarding a lack of notification, so
5. with discussions after the committee, we
6. indicated that we would go with the bill as is.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. All right. Senator Rhoads.

9. SENATOR RHOADS:

10. Just to echo the comments of Senator Berman.
11. He and I both had requested that amendment and
12. I think we were both persuaded later by the
13. Foster Parent's Association and by the Depart-
14. ment that that may add an extra cost and wasn't
15. necessary. Although, I did raise the point that
16. I don't trust anything to regular mail.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Any further discussion? The question is
19. shall Senate Bill 689 pass. Those in favor
20. will vote Aye. Those opposed will vote Nay.
21. The voting is open. Have all voted who wish?
22. Take the record. On that question, the Ayes
23. are 50, the Nays are none, none Voting Present.
24. Senate Bill 689 having received a constitutional
25. majority is declared passed. Senator D'Arco on
26. 691. All right. On the Order of Senate Bills.
27. 3rd reading, Senate Bill 691. Read the bill,
28. Mr. Secretary.

29. SECRETARY:

30. Senate Bill 691.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator D'Arco.
2. SENATOR D'ARCO:
3. Senate Bill 691 amends Section II of the
4. Common Trust Fund Act to permit custodians of
5. accounts established under the Uniform Gifts to Minors
6. Act of Illinois to invest in common trust funds. This
7. is consistent with the Internal Revenue Code of
8. 1954 as amended. Which does provide that custodians
9. of accounts can, in fact, invest these funds in
10. common trust funds and I would move for its
11. adoption.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Any discussion? The question is shall Senate
14. Bill 691 pass. Those in favor will vote Aye.
15. Those opposed will vote Nay. The voting is
16. open. Have all voted who wish? Take the record.
17. On that question the Ayes are 55, the Nays are
18. none, none Voting Present. Senate Bill 691
19. having received the constitutional majority
20. is declared passed. On the Order of Senate
21. Bills 3rd reading is Senate Bill 695. Read the
22. bill, Mr. Secretary.

23. SECRETARY:

24. Senate Bill 695.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Davidson.

29. SENATOR DAVIDSON:

30. Mr. President, and members of the Senate. The
31. bill does just exactly what the synopsis says.
32. This is a request by the Department of Transportation
33. because presently senior citizens and disabled

1. persons who are going to workshops or for additional
2. education by the present law are required to be
3. hauled in school buses rather than in the special
4. equipped vans or vans for them. I don't...excuse
5. me, I'll be glad to answer any questions. I
6. ask for a favorable roll call.

7. PRESIDENT:

8. (Machine cut-off) discussion? If not, the
9. question is shall Senate Bill 695 pass. Those
10. in favor will vote Aye. Those opposed will
11. vote Nay. The voting is open. Have all
12. voted who wish? Have all voted who wish?
13. Take the record. On that question, the Ayes
14. are 49, the Nays are none, none Voting Present.
15. Senate Bill 695 having received a constitutional
16. majority is declared passed. Senator Davidson.

17. SENATOR DAVIDSON:

18. Point of personal privilege.

19. PRESIDENT:

20. State your point, Senator.

21. SENATOR DAVIDSON:

22. I would like to introduce to the Senate, a
23. distinguished visitor from the Country of Denmark.
24. Happens to be a little slight relative of my own.
25. But, a second cousin who's here in the United
26. States visiting from Denmark in the rear gallery.
27. I'd like to present to the Senate, Mr. Hogarth,
28. Frank Hogarth..

29. PRESIDENT:

30. Will our guests please rise. With leave of
31. the Body, we will now consider the Agreed Bill List.
32. Agreed Bill List No. 1. Is leave granted? Leave
33. is granted. The...the bills on this List No. 1

1. were chosen in accordance with the procedures
2. that we...we outlined last week. Five bills have
3. been removed from the Agreed Bill List because of
4. objections filed in writing by three or more
5. Senators. Those bills are Senate Bills 169, 462,
6. 464, 1129 and 1131. We will now consider the
7. remaining bills on the Agreed Bill List No. 1
8. which are shown on your Calendar. I ask the
9. Secretary to read those bills for a third time.
10. And before he does that, I would announce that
11. the food is available in the President's Office
12. and the priority will be members of the Senate
13. first, so while the Secretary is reading those
14. bills, you can start with the...with the food.
15. If you'd read those bills a third time, Mr.
16. Secretary.

17. ACTING SECRETARY: (MR. FERNANDES)

18. Senate Bill 3.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. Senate Bill 103.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. Senate Bill 112.

25. (Secretary reads title of bill)

26. Senate Bill 172.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. Senate Bill 229.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. Senate Bill 231.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.
2. Senate Bill 30...310.
3. (Secretary reads title of bill)
4. 3rd reading of the bill.
5. Senate Bill 349.
6. (Secretary reads title of bill)
7. 3rd reading of the bill.
8. Senate Bill 415.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. Senate Bill 416.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. Senate Bill 450.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. Senate Bill 463.
18. (Secretary reads title of bill)
19. Senate Bill 507.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. Senate Bill 523.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. Senate Bill 524.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. Senate Bill 549.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. Senate Bill 613.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. Senate Bill 631.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. Senate Bill 640.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. Senate Bill 647.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. Senate Bill 686.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. Senate Bill 694.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. Senate Bill 699.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. Senate Bill 702.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. Senate Bill 715.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. Senate Bill 724.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. Senate Bill 766.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. Senate Bill 816.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

SB 1163
3rd
Agreed Bill List
5/19/77

1. Senate Bill 843.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. Senate Bill 917.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. Senate Bill 1013.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. Senate Bill 1040.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. Senate Bill 1069.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. Senate Bill 1137.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. Senate Bill 1163.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. 1168.
23. (Secretary reads title of bill)
24. 3rd reading of the bill.
25. Senate Bill 1169.
26. (Secretary reads title of bill)
27. 3rd reading of the bill.
28. Senate Bill 1190.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. Senate Bill 1191.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

*SB 1281
3rd Reading
Agreed Bill List
5/19/77*

1. Senate Bill 1192.
2. (Secretary reads title of bill)
3. 3rd reading of the bill.
4. Senate Bill 1193.
5. (Secretary reads title of bill)
6. 3rd reading of the bill.
7. Senate Bill 1196.
8. (Secretary reads title of bill)
9. 3rd reading of the bill.
10. Senate Bill 1225.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. Senate Bill 1281.
14. (Secretary reads title of bill)
15. 3rd reading of the bill.
16. 1329.
17. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. Senate Bill 132...1367.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.
22. PRESIDENT:
23. With the unanimous consent of this Body, a record
24. vote will now be taken on the bills which have just
25. been read for a third time. Any Senator who has
26. indicated to the Secretary of the Senate pursuant
27. to our earlier announced procedure, that he or she
28. wishes to vote No or Present on any bill just read,
29. will have that vote so reflected on the Journal of
30. the Senate. A separate record vote, as to the
31. Yeas and Nays on each of the bills just read, will
32. be entered on the Journal. There will be no debate
33. on Agreed Bill List No. 1. Do I have the unanimous

1. consent of the Senate to follow this procedure as
2. to the bills just read. The answer being in the
3. affirmative, leave is granted. Leave being granted,
4. the question is, shall the following Senate Bills
5. pass; Senate Bill 3, 103, 112, 172, 229, 231, 310,
6. 349, 415, 416, 450, 463, 507, 523, 524, 549, 613,
7. 631, 640, 647, 686, 694, 699, 702, 715, 724, 766,
8. 816, 843, 917, 1013, 1040, 1069, 1137, 1163, 1168,
9. 1169, 1190, 1191, 1192, 1193, 1196, 1225, 1281, 1329,
10. 1367. Those in favor will vote Aye. Those opposed
11. will vote Nay. The voting is open. (Machine cut-off)
12. voted who wish? Have all voted who wish? Take
13. the record. On the aforementioned bills the Ayes
14. are 57, the Nays are none, none Voting Present,
15. with the following exceptions, Senator Bowers will
16. be recorded No on Senate Bill 702, Senator Buzbee
17. will be recorded No on Senate Bill 1163, Senator
18. Regner will be recorded No on Senate Bill 231 and
19. Senate Bill 246 and Present on Senate Bill 1040,
20. Senator Roe will be recorded No on Senate Bill
21. 715. These bills having received a constitutional
22. majority are declared passed. (Machine cut-off)
23. does Senator Newhouse arise?

24. SENATOR NEWHOUSE:

25. Would you be good enough to read those numbers
26. off again, please.

27. PRESIDENT:

28. In just a moment, Senator. Senate Bills, 3rd
29. reading. For what purpose does Senator Joyce arise?

30. SENATOR JOYCE:

31. While there was a lull, Mr. President, I
32. thought I might waive the Six Day Rule on some
33. bills. For...to be heard Tuesday, May 24th in

1. Local Government Committee. House Bill 1456, 1457,
2. 1458 and 1459.

3. PRESIDENT:

4. Senator Joyce has moved to suspend the rules
5. for the purpose of waiving the Six Day Notice
6. requirement as to Senate Bills 1456, 57 and 58...
7. House Bills 1456, 57, 58 and 59, so that they
8. may be heard in Local Government next week.
9. All those in favor signify by saying Aye. Opposed.
10. The Ayes have it. Senate Bill 696, Senator Roe.
11. Senate Bill 700, Senator Weaver. Read the bill.

12. SECRETARY:

13. Senate Bill 700.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Weaver.

18. SENATOR WEAVER:

19. Thank you, Mr. President. The text of this
20. bill brings the Illinois Architectural Act more
21. in conformity with the National Congress of
22. Registration Boards. Our failure to change this
23. Act may result in rejection of Illinois architects
24. for reciprocity registration in other states.
25. I know of no objections to this bill. It's
26. been amended to delete some superfluous language.
27. If there's any questions, I'd be happy to try
28. to answer them.

29. PRESIDENT:

30. Is there any discussion? If not, the question
31. is shall Senate Bill 700 pass. Those in favor
32. will vote Aye. Those opposed will vote Nay.
33. The voting is open.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Have all voted who wish? Take the record.

3. On that question the Ayes are 52, the Nays are 1,
4. none Voting Present. Senate Bill 700 having
5. received the constitutional majority is declared
6. passed. Senate Bill 712, Senator Sommer. Any of
7. that series? 713, Senator Sommer. Read the bill,
8. Mr. Secretary.

9. SECRETARY:

10. Senate Bill 713.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Sommer.

15. SENATOR SOMMER:

16. Mr. President, this bill is intended to provide
17. a way for small water companies to obtain rates from
18. the Commerce Commission without having to go through
19. full blown legal hearings unless the Commerce
20. Commission specifically requests that they do.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there further discussion? The question is
23. shall Senate Bill 713 pass. Those in favor vote
24. Aye. Those opposed 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
27. 32, the Nays are 2, 7 Voting Present. Senate
28. Bill 713 having received the constitutional
29. majority is declared passed. Senate Bill 717,
30. Senator Sommer. Read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 717.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Sommer.

4. SENATOR SOMMER:

5. Mr. President, in the last Session, we increased
6. the requirements for insurance for private detectives,
7. thereby creating a situation where well over a
8. majority of licensed private detectives in this
9. State cannot get their licenses back because they
10. can't afford the insurance. There's only one
11. insurer presently in the State who will insure
12. these people and it's extremely high rate. In effect,
13. what we did last year, is we just knocked out all
14. the independent private detectives for the most
15. part and have maintained only those big large
16. security companies. This was brought to my
17. attention by both the department and certain
18. individual private detective.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Senator Maragos.

21. SENATOR MARAGOS:

22. What are the requirements, Senator Sommer,
23. pertaining to the...their being licensed in the
24. first place? What safeguards do they have?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Maragos. Senator Sommer.

27. SENATOR SOMMER:

28. There is...there's a private detective's Licensing
29. Act under R and E and there's all sorts of require-
30. ments. One of the requirements, however, is that
31. they have insurance. And if they can't buy the
32. insurance, they don't get their license every year
33. when it's renewable.

1. SENATOR MARAGOS:

2. What are the present...what is the present Act
3. state as far as insurance coverage is concerned?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Sommer.

6. SENATOR SOMMER:

7. I believe, but I can look here. I think it's
8. five hundred thousand for personal liability and
9. and five hundred thousand for property.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Maragos.

12. SENATOR MARAGOS:

13. And are you reducing this now to, what, about a
14. hundred and seventy-five thousand? To what...you
15. said one third according to synopsis?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Sommer.

18. SENATOR SOMMER:

19. No Senator, the bill has been amended, it drops
20. it from to one hundred thousand liability and fifty
21. thousand property.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Maragos.

24. SENATOR MARAGOS:

25. I have some qualms about it because of the fact
26. that's a hundred thousand dollars in today's market. If
27. was a misfeasance or malfeasance by any or nonfeasance
28. by one detective or something in the course of duty,
29. it can affect a lot of people, especially if he
30. has...he's authorized to use a gun. And I have some
31. doubts as to reducing it that low.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Sommer.

1. SENATOR SOMMER:

2. Well, the problem remains that if it gets too
3. high, then you'd put these people out of business,
4. and the vast majority of them are independent
5. operators who chase divorcee's around and look
6. then to that sort of thing. And we're not
7. really talking about security companies, which
8. I imagine are both bonded and would maintain
9. the insurance just to protect their company.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there further debate? The question is...
12. Senator...Kenneth Hall.

13. SENATOR HALL:

14. Just one question. Would the sponsor yield
15. to a question? Senator, did you say there's
16. only one insurance company now that insures, is
17. that correct?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Sommer.

20. SENATOR SOMMER:

21. That is the information given to me by the
22. Department of Registration and Education. In
23. attempting to help some private detectives become
24. insured we discovered that there was only one
25. company writing it.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Kenneth Hall.

28. SENATOR HALL:

29. Yes, I'm interested in that, because I have
30. some small firms down there that want to have that.
31. Now, what would be the name of that insurance
32. company. Would you know?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Sommer.

2. SENATOR SOMMER:

3. No, I do not. I did...know, we wrote it down
4. and gave it to the detectives. The Department of
5. Registration and Education would be able to give
6. it to you.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Kenneth Hall.

9. SENATOR HALL:

10. That's it.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Any further discussion? The question is shall
13. Senate Bill 717 pass. Those in favor vote Aye.
14. Those opposed vote Nay. The voting is open. Have
15. all voted who wish? Take the record. On that
16. question the Ayes are 51, the Nays are none, none
17. Voting Present. Senate Bill 717 having received
18. a constitutional majority is declared passed.
19. Senate Bill 719, Senator Lemke on the Floor?
20. Senate Bill 722, Senator Knuppel. Senate Bill
21. 730, Senator Maragos. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 730.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Maragos.

28. SENATOR MARAGOS:

29. Mr. President, and members of the Senate. Senate
30. Bill 730 is another of a series of sunset bills on
31. funds which are not permanent in nature. The synopsis
32. may not contain the full extent of the bill because
33. the amendment that has been put on the bill, No. 2,

1. is really the Act in itself, because it states in
2. effect, what permanent funds will not be affected,
3. it's quite extensive, and also what funds that are
4. also funded by the...and have matching funds with
5. the Federal government will not be affected, but,
6. in effect, will give the Comptroller an opportunity
7. to put funds that are no longer in use and put
8. them back in the General Revenue Fund where it
9. belongs. And I ask for the favorable support
10. of all the members of the Senate.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further debate? The question is shall
13. Senate Bill 730 pass. Those in favor vote Aye.
14. Those opposed vote Nay. The voting is open.
15. Have all voted who wish? Take the record. On
16. that question, the Ayes are 45, the Nays are 3,
17. 4 Voting Present. Senate Bill 730 having received
18. the constitutional majority is declared passed.
19. Senate Bill 732, Senator Joyce. Read the bill,
20. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 732.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Joyce.

27. SENATOR JOYCE:

28. Thank you, Mr. President. The ...fellow members.
29. The need for this commission arose, well, it's...there's
30. several reasons why we need it and it is somewhat of
31. an emergency. It...for years, in Indiana, the Kankakee
32. River comes, well, it starts in Indiana for...cause...in
33. there several hundred miles, and back in the thirties

1. the Corp of Engineers channelized a bunch of the
2. river in Indiana, right up to the Illinois State
3. line. Now, it is...they are clearing more land
4. in Indiana every year and it is causing siltation of
5. the river and the river is, there's a dam in
6. Kankakee, it...River, well, it's about twelve miles
7. from the Indiana border and it is just filling up
8. with silt. In places where there...it was fifteen
9. feet deep at one time now, it's only
10. a foot and two feet deep. It's...the City of
11. Kankakee gets their water from the river and...and
12. it's a real problem and now, what has just
13. happened, is that Indiana has just formed a
14. Kankakee River Basin Commission and it was just
15. passed and signed by the Governor in Indiana and
16. it is...they are talking about several proposals
17. with the Corp of Engineers to channelize more...
18. more land...the river more and drain more land
19. and it would just cause all kinds of problems.
20. And we need some kind of an umbrella agency to
21. look over this situation and act for...for the
22. residents of Illinois. Now, the commission
23. is formed of four members. Be two Republicans,
24. two Democrats, Legislative members and six
25. public members. There is a twenty thousand
26. dollar appropriations that is coming up in the
27. next bill and it is a one year, July of '78. It
28. goes out of...becomes inoperative. I'd be glad
29. to answer any questions if...there are.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there debate? Senator Mitchler.

32. SENATOR MITCHLER:

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

34. What Senator Joyce is saying could very well be

1. true, but, you already have a commission in existence,
2. Senator Joyce, that does this very thing to look
3. after what you want looked after. And that's the
4. Illinois Water Resources Commission. Now, I'm not
5. chairman of it. Senator Wooten is Vice-Chairman.
6. The Chairman is Representative Jack Williams. But,
7. this commission if charged with the responsibility
8. of doing just what you want. This could be, serve
9. as a subcommittee if you have any problems, you
10. bring it to this commission. They can check into
11. it, just as the Transportation Study Commission,
12. Insurance Laws Study Commission or Pension
13. Laws Study Commission. That's what the responsibility
14. of the commission is for. Now, you got all these
15. rivers and streams, you going to have a commission
16. of ten, twenty thousand dollars for every one of
17. them, well, you're going to get into hundreds and
18. hundreds of thousand of dollars. I have no quarrel
19. with what you want done, but all you have to do
20. is talk to your seatmate right ahead of you there.
21. He can put it on the agenda and your problems will
22. be watched. That's the only comment I have, the
23. Body can do what they want to do.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Grotberg.

26. SENATOR GROTBURG:

27. I'll yield.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. Well, Mr. President, Senator Mitchler is...is
32. correct in saying that there is an Illinois Water
33. Resources and Water Pollution...Pollution Com-
34. mission, of which I'm a member and they probably

1. would at some point address this among other problems.
2. However, this...this particular problem is such...is
3. of such an emergency nature, that...that Senator
4. Joyce feels that it's necessary to have this
5. problem addressed by its own commission immediately.
6. It is a self-destruct sort of commission. It'll
7. go out...it'll go out of operation in about a
8. year. At that time, they could turn their findings
9. over to the Illinois Water Resources and Water
10. Pollution Commission and if anything further
11. needs to be done, perhaps that commission could
12. follow up from there. But, this is a problem
13. that's of such magnitude in his district that
14. it has to be addressed immediately and it has
15. to be address separately and I think it's all
16. together fitting and proper. I would point out
17. to you that we have other commissions that deal
18. with water problems specifically. The Chain of
19. Lakes Commission is an example, which has...there is a lot
20. of question about their efficacy. They've been
21. in business for several years, why don't we put
22. them out of business and...and let their problems
23. fall under the Water Pollution and Water Resources
24. Commission. This...this one is one that Senator
25. Joyce says, I want it to self-destruct in a year,
26. but, in the meantime, let's address the problem
27. and stand up to Indiana and that...that paragon
28. of ever deepening dredging operations, the
29. U. S. Army Corp of Engineers, and let's let them
30. know that we have some problems in Illinois
31. which we're going to address and I think it's
32. a good bill.
33. PRESIDING OFFICER: (SENATOR BRUCE)

SB 733
3rd
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1. Senator Soper. Senator Wooten.

2. SENATOR WOOTEN:

3. Mr. Chairman, yes, it is, I think Senator
4. Buzbee covered all the points I was going to make.
5. We have established for Senator Schaffer,
6. Chain of Lakes Commission, although that could
7. properly be handled by the Water Resources Com-
8. mission. Both, Senator Mitchler and I discussed
9. this when that came up. This is a much smaller
10. item in terms of fiscal impact and also it will
11. direct a very specific problem involving another
12. state and the Corp of Engineers and I urge the
13. passage of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further discussion? The question is
16. shall Senate Bill 732 pass. Those in favor vote
17. Aye. Those opposed vote Nay. The voting is
18. open. Have all voted who wish? Take the record.
19. On that question, the Ayes are 46, the Nays are 2,
20. none Voting Present. Senate Bill 732 having
21. received the constitutional majority is declared
22. passed. Senator Joyce on 733, do you wish to
23. proceed? Senate Bill 733, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 733.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Joyce.

30. SENATOR JOYCE:

31. Yes, thank you, Mr. President. This is the
32. appropriation for the proceeding bill of twenty
33. thousand dollars.

34. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? The question is shall
2. Senate Bill 733 pass. Those in favor vote Aye.
3. Those opposed vote Nay. The voting is open.
4. Have all voted who wish? Take the record. On
5. that question, the Ayes are 42, the Nays are 7,
6. 4 Voting Present. Senate Bill 733 having received
7. a constitutional majority is declared passed.
8. Senate...Senate Bill 734, Senator Egan, Senator
9. Egan on the Floor? Senate Bill 738, Senator
10. Knuppel. Read the bill, Mr. Secretary.

11. SECRETARY:

12. Senate Bill 738.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. The bill in its amended form does what the
19. caption says that it does. It was amended to meet
20. the objection of Senator Davidson. It provides
21. that public schools may now offer instruction
22. in energy topics in addition to health, economics,
23. humanities, science, et cetera.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further discussion? The question
26. is shall Senate Bill 738 pass. Those in favor
27. vote Aye. Those opposed vote Nay. The voting
28. is open. Have all voted who wish? Take the
29. record. On that question the Ayes are 54, the
30. Nays are none, none Voting Present. Senate Bill
31. 738 having received a constitutional majority
32. is declared passed. Senate Bill 740, Senator
33. Knuppel. Senate Bill 743, Senator Philip. Read

1. the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 743.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Philip.

8. SENATOR PHILIP:

9. Thank you, Mr. President, and Ladies and
10. Gentlemen of the Senate. The synopsis is not
11. correct at all in your Calendar. We did amend
12. out the provision for fine from one hundred to
13. five hundred dollars. And what the bill does,
14. it provides, with the Director of R and E to
15. censure or reprimand a salesman who has violated
16. the law. Under the present law, all he can do
17. is take away the license or not take away the
18. license, and of course this gives the...the department
19. some more discretion. It's been agreed upon with
20. the director of the department and the industry
21. so I ask for your favorable consideration.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? The question is shall
24. Senate Bill 743 pass. Those in favor vote Aye.
25. Those opposed vote Nay. The voting is open.
26. Have all voted who wish? Take the record. On
27. that question, the Ayes are 53, the Nays are none,
28. 1 Voting Present. Senate Bill 743 having
29. received a constitutional majority is declared
30. passed. For what purpose does...what purpose
31. does Senator Berning arise?

32. SENATOR BERNING:

33. Just a point of observation on a point of

1. personal privilege, Mr. President.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Thank you, Senator...

4. SENATOR BERNING:

5. The last two bills have indicated that they were
6. amended. Most of us, I think, are unaware of
7. what the amendments are. I know we operate a
8. good deal here in the Senate on faith and I hope
9. that our faith is not misplaced. But, it would
10. seem appropriate that we ought not to be acting
11. on bills on the final passage stage unless the
12. amendments are in our books.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Our rules so require, Senator Berning, and
15. if there is an objection, the bill will not be
16. called. Senate Bill 744, Senator Philip. Read
17. the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 744.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR PHILIP)

23. Thank you, Mr. President, and Ladies and Gentlemen
24. of the Senate. This bill has not been amended at
25. all. The synopsis in your Calendar is absolutely
26. correct. It amends the Real Estate Brokers Act
27. to provide that an Act shall not apply to attorneys
28. as long as attorneys do not sell, improve or lease
29. real estate property. So, I ask for your favorable
30. consideration.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there discussion? Senator Wooten.

33. SENATOR WOOTEN:

1. Just curosity, Senator, why is it necessary to
2. do this?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Philip.

5. SENATOR PHILIP:

6. Mr. President, I will yield to my cosponsor,
7. Senator Vadalabene.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Vadalabene.

10. SENATOR VADALABENE:

11. I make a motion Do Pass.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Wooten.

14. SENATOR WOOTEN:

15. What...I just was, just curious, you know. I
16. don't know anything about the bill and I just
17. wondered why it was...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President. This is...one...one
22. is an attorney in fact when one has received a written
23. power of attorney from another. And what has
24. happened in the past is the department relates
25. is that certain individuals in institutions use
26. the vehicle of a power of attorney and represent
27. themselves to be an attorney in fact and then
28. engage in activities that would otherwise be
29. proscribed to them unless they were properly
30. licensed. That's the purpose of it.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Is there further debate? The question is shall
33. Senate Bill 744 pass. Those in favor vote Aye, those

1. opposed vote Nay. The voting is open. Have all
2. voted who wish? Take the record. On that
3. question the Ayes are 55, the Nays are none,
4. none Voting Present. Senate Bill 744 having
5. received a constitutional majority is declared
6. passed. Senator Philip, do you wish to call
7. 745, without questions? Senate Bill 745.

8. SECRETARY:

9. Senate Bill 745.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Philip.

14. SENATOR PHILIP:

15. Thank you, Mr. President, and Ladies and Gentlemen
16. of the Senate. This...bill also amends a part of
17. the Real Estate Brokers and Salesman Licensing Act
18. which deals with the Real Estate Recovery Fund.
19. Provides that when an individual suffers damages
20. as a result of a unlawful act by a real estate
21. broker or salesman that the court would order that
22. they would recover from the fund. This has been
23. agreed to with the industry and with the Department
24. of Registration and Education.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there discussion? The question is shall
27. Senate Bill 745 pass. Those in favor vote Aye.
28. Those opposed vote Nay. The voting is open.
29. Have all voted who wish? Take the record. On
30. that question the Ayes are 55, the Nays are none,
31. none Voting Present. Senate Bill 745 having
32. received a constitutional majority is declared
33. pass. Senate Bill 746, Senator Philip. Read the

1. bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 746.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Philip.
8. SENATOR PHILIP:
9. Thank you, Mr. President, Ladies and Gentlemen
10. of the Senate. Senate Bill 746 merely defines the
11. word employee, employers, et cetera for the Internal
12. Revenue Service. I know of no opposition. I ask
13. for your favorable consideration.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Is there discussion? The question...Senator
16. Newhouse.
17. SENATOR NEWHOUSE:
18. Just a matter of information, Senator. Who
19. wanted these bills and where did they come from?
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Philip.
22. SENATOR PHILIP:
23. They came from the Illinois Real Estate
24. Association and they have worked out the amendments
25. and the bills with the Department of R and E.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Bower.
28. SENATOR BOWERS:
29. Well, thank you, Mr. President, I'd like to
30. rise in support of the bill. This problem arises
31. for those of us who have tried to come up with some
32. sort of documentation that would make it clear
33. that a salesman is, in fact, an independent contract,

1. and I think this clearly sets out the status for
2. Internal Revenue purposes and I would think its
3. a good bill and would appreciate support of the
4. Senate.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further debate? Senator Vadalabene.

7. SENATOR VADALABENE:

8. Yes, as Senator Bowers just said, this bill
9. would serve to make the salesman free, independent
10. agents and remove the onus and legal responsibility
11. of supervising salesman trade practices from the
12. real estate brokers who employ them. It's a
13. good bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rhoads.

16. SENATOR RHOADS:

17. A question of the sponsor. I support the
18. bill and it...it is a problem. But, I'm wondering,
19. do we have any guidance from Internal Revenue
20. Service or the Federal government. Have they
21. ruled that this can be done in other states?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Philip.

24. SENATOR PHILIP:

25. Senator, I really don't know.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there further debate? The question is shall
28. Senate Bill 746 pass. Those in favor vote Aye.
29. Those opposed vote Nay. The voting is open. Have
30. all voted who wish? Take the record. On that question
31. the Ayes are 51, the Nays are none, none Voting Present.
32. Senate Bill 746 having received a constitutional
33. majority is declared passed. Senate Bill 751, Senator

1. Kenneth Hall. Read the bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 751.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. Senator Kenneth Hall.
8. SENATOR HALL:
9. Thank you, Mr. President, and Ladies and Gentlemen
10. of the Senate. This bill is amended and the amendment
11. changes it from fifteen years or more to twenty years.
12. Now, this bill is cosponsored by my cousin, Senator
13. Harber Hall and look at him drop his paper. Yeah,
14. well, I started to say that. You know, that after
15. twelve years, we finally found a bill that we both
16. could agree on. But, at the...the idea of this
17. bill is that it will establish a minimum of one
18. hundred and fifty dollars per month retirement
19. allowance for those who have obtained age sixty-
20. five and have twenty or more years of creditable
21. service. Now, it was suggested in the committee
22. that we change it from fifteen to twenty which
23. we have done and the amendment is on the bill
24. and that's what the amendment is. Now, I have
25. from the State Employees Retirement System of
26. Illinois and it says here, "Dear Senator Hall,
27. as you requested during Thursday's meeting of
28. the Pension and Personnel Committee, the refiled and
29. revised costs applies to Senate Bill 751 as
30. amended, twenty years minimum service requirement.
31. The number of retirees affected would be three
32. hundred and eighty-eight. The annual pay out
33. cost is a hundred and twenty-eight thousand, seven

1. hundred and eighty dollars. I think this is a very
2. small amount for these people who are in bad financial
3. plight and so therefore, I'd ask your most favorable
4. support of this bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further debate? Cousin Harber Hall.

7. SENATOR HARBER HALL:

8. Thank you very much, Mr. President. I certainly
9. rise to support Kenneth's bill here, but, I have
10. asked him time and again not to refer to our
11. relationship when there are members of the press
12. in the box, but, he keeps forgetting about that and
13. I have to suffer with that. It's a good bill, I
14. hope, and I support it.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further discussion? Senator Berning.

17. SENATOR BERNING:

18. Well, thank you, Mr. President. The amendment
19. does minimize the adverse financial impact on the
20. system, but, here again, regardless of the meritorious
21. objective in accommodating what is implied to be a
22. few people, we are forgetting that we are again
23. impinging on the financial stability of the pension
24. systems. Laudable as it may be to attempt to accomodate
25. those who are not able to accommodate everything for
26. themselves. We are doing a disservice to those
27. who have the obligation on down the road to bring
28. the funding of these systems up to a sensible level.
29. Every time we grant additional benefit, we are
30. going in the wrong direction. I repeat, I don't
31. know the exact total liability now with the
32. amendment, but, as originally introduced and it's
33. not going to be that great a difference if crude
34. unfunded liability was three million six hundred

1. thousand dollars, and that is a lot of money, even
2. if you cut it in half.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further debate? Senator Rock.

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6. End of Reel 6

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1. SENATOR ROCK:

2. Thank you, Mr. President, Ladies and Gentlemen
3. of the Senate. I reluctantly rise in opposition
4. to Senate Bill 751. My understanding is that the
5. Pension Laws Commission has not approved this proposed
6. change. Additionally, I would point out that it appears
7. that the Illinois State Employees Association is...is
8. mistakenly in favor of this, if, in fact, the intent
9. is to help currently retired annuitants by raising their
10. monthly allowance, that is a laudible objective as
11. Senator Berning has pointed out, but certainly a costly
12. one. We are at the same time saying that these underpaid
13. annuitants have to pay in to the system in a lump sum
14. at any time, an amount equal to one percent of his monthly
15. average final compensation multiplied by the number of
16. full years of creditable service. So, I think the
17. State Employees Association is doing a great disservice
18. to these retired annuitants, as I read this legislation.
19. They are saying on the one hand, we have done you a service,
20. we have increased your monthly benefit. The catch is that
21. you have to pay a pretty good hunk of money in to the fund
22. in order to qualify. And if, in fact, these annuitants
23. are so bad off, how in the world are they going to be able to pay
24. this lump sum in to qualify. I just...I think the proposal
25. is ill-advised and I...I, for one, do not intend to
26. support it.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator D'Arco.

29. SENATOR D'ARCO:

30. Thank you, Mr. President. I rise in support of Kenny
31. Hall's bill. I think it's a good bill. I don't know where
32. they're going to find the money, but these people were
33. employees of the State at a time when the annual salary

1. was far below what it cost to live on today. And they are
2. receiving less than a hundred and fifty dollars under
3. their pension benefits that they're receiving now and all
4. it would do would raise it up to a maximum of a hundred
5. and fifty dollars and where there's a will, there's
6. a way and they'll find a lump sum to pay into the
7. retirement system to bring whatever substantial need
8. is necessary to give them the money they need to survive.
9. Thank you.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Glass.

12. SENATOR GLASS:

13. Well, thank you, Mr. President. I, too, am rising
14. in opposition to the bill because I think among other
15. things, the pension system of this State is...as we all
16. know, is not adequately funded and this would simply
17. aggravate the problem. Maybe not in and of itself, but
18. it is one of a number of bills that go in this direction
19. as Senator Berning has indicated and in addition to what
20. Senator Rock pointed out about the pay in, as I understand
21. it and I address this question to Senator Hall,
22. as I understand the bill, the annuitant...Senator Harber
23. Harber H. Hall, the annuitant by taking this option
24. would also forfeit a two percent annual increase that
25. he otherwise would get. Is that correct, Senator Hall?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Harber Hall.

28. SENATOR HARBER HALL:

29. That is absolutely correct and of the three hundred
30. and forty-seven present eligible members to take advantage
31. of this bill, only those who would weigh the advisability
32. of giving up their two percent plus paying in their
33. own portion of back...to contribute their portion, would do

1. so. So many of those three hundred and forty-seven
2. would not do so. Now, Mr. President, I want to bring to
3. your attention that I have served on the Personnel
4. and Pensions Committee ever since I was elected here in 1966,
5. continuously in both Houses. No one has been more
6. thrifty, conservative, no one has voted No more than I have
7. when it comes to pensions and increasing them.
8. But, I want to say, Mr. President, that in this case,
9. there was one other case very similar to it and it was
10. teachers back six years ago when we found that some of
11. our teachers who had retired and had become quite
12. elderly were living on fifty-five, sixty dollars retirement
13. after thirty years of teaching and that's all they had
14. and we wisely in controvening the recommendation of the
15. Pension Laws Commission, which I respect and very frequently
16. agree with, we voted those similar pension to this
17. situation here. I submit to you that this nominal number
18. with a very nominal cost, the maximum of which would have an impact of
19. less than two hundred thousand dollars, is something
20. that we perhaps ought to do and look at what we are
21. doing for a few number of people. Now, this will continually
22. go down as the years pass. It will go down rapidly
23. and then that impact will eliminate itself.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Bloom. Senator Weaver.

26. SENATOR WEAVER:

27. Question of the sponsor. Senator Hall, why did you
28. preclude them from participation in the two percent
29. increment?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Kenneth Hall.

32. SENATOR KENNETH HALL:

33. This is mandatory. It's...it's as Senator Harber

1. Hall has told you. It's optional on their part.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Senator Weaver.
4. SENATOR WEAVER:
5. But, if they choose to take this five hundred
6. and fifty, then there are precluded from an increase
7. of two percent annually, is that right?
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. Senator Kenneth Hall.
10. SENATOR KENNETH HALL:
11. Did you say five hundred and fifty or one hundred
12. and fifty?
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. Senator Weaver.
15. SENATOR WEAVER:
16. One fifty.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Hall.
19. SENATOR KENNETH HALL:
20. As Senator Harber Hall has told you, this is
21. optional on the person. There will be a number of them
22. that won't choose to do this. Yeah, we just had it for
23. those who so choose.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. Is there further debate? Senator Soper.
26. SENATOR SOPER:
27. Thank you, Mr. President. I know we all feel for
28. different...of the employees of the State teachers and
29. so forth and...and when this teacher thing came
30. up, we...we warned. I was on the...on the Pension Laws
31. Commission at that time. We warned that...can open
32. up the flood gates on this thing, and the first thing you're...
33. that's going to happen is that these funds will not be

1. properly funded. And the whole pension system will go
2. down. Now, you know what the teachers' pension...they're
3. about, oh I don't know if there...maybe two or three or
4. four hundred million dollars...take about three or four
5. hundred million dollars to put them in the sixty percent
6. bracket...be sixty percent funded and I understand
7. about a billion dollars to fund them up to a hundred
8. percent. And we worked out a proposition where it would
9. be possible to bring them up to a sixty percent funding
10. in forty years. Now, if you do this at this time again,
11. you're not going to help anybody. You're going to hurt
12. ...you're going to hurt the people that come along.
13. I know it's going to...you say it will hurt these people,
14. but I think these people are...will be able to get enough
15. money through other means and most of them will be able
16. to and this, what you term is a little bit of money,
17. is going to cost maybe the failure of the pension
18. system. So, you've got to be careful...what you're
19. doing these things. You've got to be a little hard
20. hearted once in a while or seem hard hearted because
21. you'll kill the goose that laid the golden egg and you're
22. going to impose something on the rest of the annuitants...
23. will not be able to get their money in the future and I think
24. if you went to all the parties that are involved in these
25. pension programs and you would explain to them what this
26. could do to their pension program, I don't think they'd
27. ...they'd want you to vote for this.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there further discussion? Senator Kenneth Hall
30. may...Senator Egan.

31. SENATOR EGAN:

32. Yes, I would just like to say this, Mr. President
33. and members of the Senate, that the...the matter that
34. is attended to here is in a strata that is...one in which

1. practically is self-defeating. The recipients of the
2. benefit have so little that they barely can contribute
3. the required amount of money that is necessary.

4. However, it is...it is a matter which we discussed in
5. the commission and the committee to be what over the
6. entire spectrum of the problem of pensions in the
7. public sector is de minimus and if they make this
8. request because of the extremity and because of the
9. de minimus nature of the matter, that it was passed
10. upon favorably and it's left to the Body. And the
11. commission supports it because of that as did the
12. committee.

13. PRESIDING OFFICER: (SENATOR BRUCE)

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

16. SENATOR KENNETH HALL:

17. Thank you, Mr. President, Ladies and Gentlemen
18. of the Senate. Now, this bill was introduced at the
19. request of Mr. Alan W. Luttrell. He's Director of the
20. Senior Citizen Program of the Illinois State Employees
21. Association. Now, as I told you, we're talking about
22. people who have attained the age sixty-five and have
23. twenty or more years of creditable service. Now, don't
24. tell me that you would begrudge anybody getting up to
25. a hundred and fifty dollars a month. Now, most
26. of these people and naturally that...by their age...it's
27. going down now. As we told you, if everyone and everyone
28. isn't going to apply, if everyone applied, it would only
29. be three hundred and eighty-eight people. And the cost
30. would only be one hundred and twenty-eight thousand
31. seven hundred and eighty dollars. And that's got to
32. go down. And that comes from the State Employee's
33. Retirement System of Illinois. Now, a lot of these people

1. won't choose to even that. We don't even know if there's
2. going to be as many as a hundred. But, are you going
3. to sit here and say that you don't want a person to
4. have up to a hundred and fifty dollars when a cup of
5. coffee, the price of coffee alone today. Think what
6. you're saying. Think what you're doing here.
7. Imagine any of you if you had to live on a hundred
8. and fifty dollars a month. How many of you have
9. had to live on a hundred and fifty dollars a week?
10. Now, this is a very good bill. We're only asking
11. you to...to keep in mind the people who have labored
12. long in the vineyards. They're entitled to this.
13. The cost is so small and it's going to decrease
14. as has been explained to you by Senator Egan, this was
15. heard in committee. It was thoroughly discussed and
16. that's why we reduced it from fifteen to twenty years.
17. I ask for your most favorable support for this bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The question is shall Senate Bill 751 pass. Those
20. in favor vote Aye. Those opposed vote Nay. The voting
21. is open. Senator Hall. Have all voted who wish?
22. Take the record. On that question the Ayes are 44,
23. the Nays are 10, none Voting Present. Senate Bill 751
24. having received a constitutional majority is declared
25. passed. Senate Bill 756, Senator Regner. Read the bill,
26. Mr. Secretary.

27. SECRETARY:

28. Senate Bill 756.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Regner.

33. SENATOR REGNER:

1. Yes, Mr. President and members of the Senate.
2. This bill rectifies a problem that was caused by the
3. overtime bill that passed out of here and was signed into
4. law a year ago. The airline ticket agents have had
5. a standing agreement with the employers that they may
6. trade days off and use those long weekends or whatever
7. they are, four or five days, to take advantage of the
8. policy of free travel for vacations and such.
9. Under the overtime laws that was amended last year,
10. anything over forty-hours has to receive time and a half.
11. So, the ticket agents came to me and asked if I would
12. put a bill in exempting them from the forty hour
13. overtime law so that they can trade days off and
14. take these long weekends. And that's to resolve that
15. problem. I'd urge a favorable roll call.
16. PRESIDING OFFICER:(SENATOR BRUCE)
17. Is there debate? Senator Wooten.
18. SENATOR WOOTEN:
19. Does the amendment have anything to do with
20. right to work?
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Regner.
23. SENATOR REGNER:
24. And it doesn't even have anything to do with
25. Lincoln County.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Is there further discussion? The question is shall
28. Senate Bill 756 pass. Those in favor vote Aye. Those
29. opposed vote Nay. The voting is open. Have all voted
30. who wish? Take the record. On that question the Ayes
31. are 50, the Nays are none, none Voting Present.
32. Senate Bill 756 having received a constitutional majority
33. is declared passed. Senate Bill 762, Senator Ozinga.
34. Read the bill, Mr. Secretary.

1. SECRETARY:

2. Senate Bill 762.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Ozinga.

7. SENATOR OZINGA:

8. Mr. President and members of the Senate. This bill
9. amends the act concerning the practice of optometry.
10. It adds certain considerations to the appointment
11. of members of the Optometric Examining Committee.
12. This bill makes various changes in the law regulating
13. optometrists which is presently regulated by the
14. Department of Registration and Education. In the first
15. place, it provides for a five member examining
16. committee made up of optometrists, each serving with
17. a staggered term of five years. The Director of the
18. Department must give consideration to recommendation
19. for the appointment to this committee and from the
20. profession and its professional organization.
21. This is somewhat similar to the present law but the
22. bill goes on to provide that no member may be
23. eligible to serve for more than two successive terms
24. and the Director can only remove a member from this
25. committee on the recommendations the committee from
26. misfeasance, malfeasance or willful neglect.
27. Since these terms are for five years, it is...it is
28. possible that members of this board appointed by
29. a previous administration can continue to serve
30. although they may be in opposition to the policies
31. of the present administration. This may not be a bad
32. change, however. The bill creates a new board of
33. three members to be called the Optometric Disciplinary

1. Board. This board would have...this board, with no
2. members allowed to sit for more than two consecutive
3. terms...with no member allowed to sit for two
4. consecutive terms. It hears complaints against members
5. of the profession and decides upon the appropriate
6. discipline. The...the purpose of the disciplinary
7. committee shall be to conduct informal hearings on
8. consumer and department instituted complaints
9. along the hearing officer. The committee will then
10. make its recommendations on the examining committee
11. and the director for action. I would appreciate a favorable
12. roll call.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. I think there is a question. Senator Wooten.

15. SENATOR WOOTEN:

16. Senator Ozinga, I was wondering, we started a few
17. years ago trying to put public members on boards.
18. Do you not think it would be appropriate for the public
19. to be represented one or two members on this board?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Ozinga.

22. SENATOR OZINGA:

23. These would be public members. All of them.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Wooten.

26. SENATOR WOOTEN:

27. I suppose I should have clarified that. Representing
28. consumers...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Can we have some order, Gentlemen? Senator Wooten.

31. SENATOR WOOTEN:

32. I...I had reference to consumers rather than practitioners.
33. I note that you emphasize in the bill that the director

1. shall give due consideration to the recommendations
2. of the Optometric Society and indeed they must been
3. informed when there is a vacancy. Am I correct in that
4. you don't specify anything further than that? In
5. other words, you can give due consideration, in other
6. words, he can ignore their recommendations as well.
7. Cause I would hate to have him locked into the
8. recommendations of the Optometric Society.
9. Also, are the members of the disciplinary board
10. separate from the members of the board itself?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Ozinga.

13. SENATOR OZINGA:

14. The answer is Yes.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there further debate? Senator Berning.

17. SENATOR BERNING:

18. Well, unless there's been an amendment on this
19. bill, which I'm not aware of, I'd like to ask the
20. ...the sponsor then, what...what possible limitations
21. there are for the director when it says on the bottom
22. of page 4 and the top of page 5, the director shall
23. set his rate of compensation having observed what
24. occurred with Mr. Pikarski and the Regional
25. Transportation Authority, where even a board has
26. some obligation, I'm a little bit hesitant where
27. it says that the director shall set his own compensation
28. and then we see there is an optometric coordinator
29. who obviously is going be paid...I wonder what could
30. be the financial impact of this, Senator?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Ozinga.

33. SENATOR OZINGA:

34. This is left to the discretion of the director

1. I will admit. However, these categories are similar to
2. other categories under the Personnel Code. Per diem
3. is usually what it is.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Berning.

6. SENATOR BERNING:

7. I...I just...I'll have to accept your explanation

8. that it would be somewhat guided by other rates.

9. But, I think we have directors that run from twenty thousand
10. to as high as sixty thousand and it...it seems unwise
11. on our part to leave an open ended appointment here.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further debate? Senator Netsch.

14. SENATOR NETSCH:

15. May I ask a question of the sponsor?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Indicates that he will yield.

18. SENATOR NETSCH:

19. To several questions as a matter-of-fact. Is this
20. a, Senator Ozinga, a bill that was requested by the
21. Department of Registration and Education?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Ozinga.

24. SENATOR NETSCH:

25. Do they have a position on it? Does the Dental
26. Examining Committee have a position with respect to the
27. bill?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Ozinga.

30. SENATOR OZINGA:

31. I sent the bill down to the Department, had
32. them go over it. They've had for a period of time
33. and from what I gather, they can live with it. They
34. sent no...no exceptions back to me.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator...Senator Netsch.
3. SENATOR NETSCH:
4. They did not initiate the legislation, though?
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Ozinga.
7. SENATOR OZINGA:
8. The legislation was initiated by the Illinois
9. Optometric Association. They asked for this and
10. just as a quick note, that they gave me here regarding
11. this coordinator, "because of the recent Supreme
12. Court decision regulating the fitting of contact
13. lenses, the requirement for continuing education,
14. the mandate of Public Aid Department and the Examining
15. Committee, that a consumer is entitled to a minimum
16. examination as spelled out in the rules, it becomes
17. more imperative than ever before that a professional
18. is on the scene at a full time basis to protect the
19. consumer and administer the provisions of this Act."
20. And that's the coordinator that we're talking about.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. Senator Netsch.
23. SENATOR NETSCH:
24. Another question. I know that the disciplinary
25. board is new to the Act. Is the examining committee also
26. new to the Act, that is a separate optometric
27. examining committee, is that a new part of the Act?
28. PRESIDING OFFICER: (SENATOR BRUCE)
29. Senator Ozinga.
30. SENATOR OZINGA:
31. Yes, it is. But, it is in the same fashion as
32. what have been established with reference to the others.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Well, then a comment or two. There are several
4. of us who have been trying for a long period of time
5. since we've been in the Legislature, to change the whole
6. scope and thrust of licensing. One of the
7. modest steps as a beginning is to see that every
8. examining committee has public members and by that
9. I do mean consumer members on the board.
10. I...I, for one, think I have not voted for any
11. new licensing act, that is a pure licensing act that
12. has not had public members on the board and on several
13. occasions in the last couple of years, this
14. Legislature has insisted that they be included.
15. So, it seems to me that it is completely contrary
16. to at least the modest steps that we have been making
17. to open up the licensing process to create a new
18. licensing board without any consumer public members
19. on it. And for that reason, I would oppose the bill.
20. I also think that it is very unfortunate for any
21. licensing bill to spell out that the appointing
22. authority must consult with the members of a professional
23. society even though they are not compelled to accept
24. those recommendations. The...that is really using
25. the government licensing procedure for the economic
26. self interest of the profession. In most cases, the...
27. the professional societies do not have the total number
28. of people who are in that profession among their membership
29. and that is true, I am sure, of this society as it is
30. of the Bar Associations and all. And I think it is
31. very unfortunate to...to build that into a licensing
32. statute so that the whole licensing scheme ends up
33. apparently being run for the benefit of the established

1. members who...who are heard through their professional
2. society. I think it is exactly the wrong way to go
3. in a licensing scheme particularly where we are introducing
4. some brand new provisions and I think the bill should
5. not be approved on that basis.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Davidson.

8. SENATOR DAVIDSON:

9. Mr. President and members of the Senate. I rise
10. in support of this bill and let's get part of it out
11. correctly. The only new part that's being added is
12. the disciplinary board. The Examining Committee has
13. been part of the Optometric Act ever since it was
14. enacted. The disciplinary board is a new procedure
15. which has arisen out of the punishment, I shouldn't
16. say punishment, but the discipline that needs to be
17. done on those individuals who have particularly
18. violated in public aid area. This is following
19. through in the other licensing act in the health care
20. system, following up on the disciplinary board which
21. was enacted to the Illinois Medical Practice Act...
22. two years ago when we overrode the Governor's veto.
23. It has nothing to do with the consumer part on the
24. Examining Committee and I might be inclined to listen
25. to the possibility of a consumer on an examining committee
26. but not on a disciplinary board cause the disciplinary
27. board is dealing with the professional competency of the
28. individual who is being charged. I therefore...incompetency,
29. malfeasance, or mistreatment of a patient or fraud.
30. And if it's under fraud, he comes under the criminal penalty
31. and his license is either suspended or revoked
32. automatically. The only new part of this disciplinary
33. board, it's a good bill and I ask...urge all of you to vote

1. for it.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? The question is shall
4. ...the question is shall Senate Bill 762 pass. Those
5. in favor vote Aye. Those opposed vote Nay. The
6. voting is open. Have all voted who wish? Have all
7. voted who wish? Take the record. The sponsor has asked
8. that further consideration of Senate Bill 762 be postponed.
9. The bill is placed on the Order of Postponed Consideration.
10. Senate Bill 770, Senator Glass. Read the bill, Mr.
11. Secretary.

12. ACTING SECRETARY: (MR. FERNANDES)

13. Senate Bill 7...Senate Bill 770.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Glass. Senator Glass.

18. SENATOR GLASS:

19. Thank you, Mr. President and Ladies and Gentlemen.
20. Senate Bill 770 deals with the suspension and expulsion
21. of children from school. It brings the Illinois
22. law into compliance with the United States Supreme
23. Court decision which sets forth minimum requirements
24. before a pupil may be suspended. He must be given
25. oral or written notice of the charges against him
26. and if he denies them, an explanation of the evidence
27. the authorities have and an opportunity to present
28. an explanation and other relevant information.
29. We also provide that where a student's presence poses
30. a continuing danger to persons or an ongoing threat of
31. disrupting the academic process, the suspension may
32. be immediate with a hearing thereafter as soon as
33. practical. As I say, it does almost parrot the

1. the language of the Supreme Court decision and I would
2. urge a favorable roll call.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there debate? Senator Buzbee. Senator Buzbee. Can we...

5. SENATOR BUZBEE:

6. Well, Mr....

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. ...have some order, please, Gentlemen? Senator
9. Buzbee.

10. SENATOR BUZBEE:

11. Mr. President, in the Education Committee when
12. we heard this bill, it was heard at 7:30 in the
13. morning and I was tired and I...I was the only No vote
14. on the bill. It's now 7:30 in the evening, I'm still
15. tired. The bill is even lousier now than it was then
16. at 7:30 in the morning that day. Now, if we're going
17. to have to go around and not give the disciplinary rights
18. to the administrators and the teachers who are running
19. our schools, let me tell you it's getting more and
20. more like a jungle in there every day. The four letter
21. words you can hear in our public schools today would...would
22. burn some of our ears. My wife told me yesterday about
23. an experience she had with a fourteen year old girl
24. where she had to call the girl's mother in and say, now is
25. this the kind of language that you want her talking to your...
26. speaking to your teachers...to her teachers? If we
27. keep on insisting that we're going to allow students
28. to run the schools, well, maybe we ought to start electing
29. the eleven and twelve year olds to the school boards
30. and hiring them as the teachers and...and let them be the
31. superintendents. I don't care what the United States
32. Supreme Court said, this is ridiculous and it's stupid.
33. I'm not aiming that at Senator Glass, certainly, but he thinks

1. that this bill is bringing us in compliance with
2. the U.S. Supreme Court ruling. Now, if we've got to
3. give all kinds of legal notice and legal action to
4. a student to tell them that you are disrupting school,
5. the other ninety-eight percent of the students who are
6. here that want to be educated, the teachers that are here
7. that want to teach you, the administrators that are here
8. that want to see that you have the proper educational
9. facilities available, the school board members who run
10. and get elected for no compensation to try to provide
11. you with an adequate education, if you don't want to
12. comply with the rules and regulations, then I say, let's
13. get rid of them and good riddance. And if they...if they
14. want to be troublemakers, let them be troublemakers
15. but not on my tax dollar. And I think this is stupid.
16. I think we ought to vote the bill down and send a message
17. to the U.S. Supreme Court that you can go ahead and hold your
18. ...hearings all you want to, but we'll run our schools
19. in Illinois.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there further debate? Senator Daley.

22. SENATOR DALEY:

23. Will the sponsor yield to a question?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Indicates that he will yield.

26. SENATOR DALEY:

27. In regards to that U.S. Supreme Court decision,
28. how are you getting around when you're giving notices
29. to a minor?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Glass.

32. SENATOR DALEY:

33. Do you have to give notice to their parents?

1. SENATOR GLASS:

2. Senator, the...as I said, the language of the bill
3. does not specify that it has to be given to the parents
4. since the only requirement of the Court is that the pupil
5. be given a notice of the charges against him and if
6. he denies them, an explanation of the evidence presented
7. against him. The parents are given notice, I think,
8. under the present law. Presently, Illinois has the
9. procedure for this and the new language is not very different.
10. As a matter-of-fact, well, I'll wait to respond to
11. Senator Buzbee a little further. Go ahead, if you have any
12. other...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Daley.

15. SENATOR DALEY:

16. No, that's all I was inquiring, whether or not
17. the parents receive notice because if you're giving
18. notice to a minor...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Thank you, Mr. President. I can appreciate
23. Senator Buzbee, your feelings on this matter and I think
24. they're feelings probably a lot of us share, but
25. as I read the bill, it seems to me this is something
26. anybody with common sense would do whether the Supreme
27. Court had said anything or not. The law simply says
28. you tell the kid you're going to be suspended and why.
29. Unless you're in a situation where the kid is a danger
30. or giving you extreme problem, then you just bounce him
31. out and I don't see anything wrong with that. That's
32. just plain common sense and I believe it's the way
33. responsible school administration, principal or teacher

1. would proceed.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator...Senator Walsh. Is there further debate? Senator
4. Buzbee.

5. SENATOR BUZBEE:

6. Well, I'd like to respond to Senator Wooten's...
7. this requires written notice, as I understand it and
8. most of them we're talking about can't even read anyhow.
9. I don't really understand if the superintendent
10. decides the kid needs to be kicked out, all he's got to
11. do, as far as I'm concerned, is say you're done, son.
12. I don't want you back in my school. And I'm just telling
13. you that in my opinion, that we ought to let the school
14. people run the schools and not be so concerned about the
15. courts.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there further debate? Senator Glass may close
18. the debate.

19. SENATOR GLASS:

20. Thank you, Mr. President. I would like to correct
21. Senator Buzbee. The bill does not require written
22. notice, but it requires oral or written notice.
23. As the Senator knows, there have been some very elaborate
24. proposals made in this area by the Commission on Children
25. to establish a lengthy hearing procedure for the suspension
26. of children which I think went way overboard. Instead
27. of having something like that facing us or getting that
28. on the books, what I'm suggesting is let's bring
29. our law into compliance as Senator Wooten says. This
30. is probably what would happen in most cases anyway.
31. I think it is a good, reasonable proposal and as I say,
32. does bring us into compliance and I'd urge a favorable
33. roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. The question is shall Senate Bill 770 pass.
3. Those in favor vote Aye. Those opposed vote Nay.
4. The voting is open. Have all voted who wish?
5. Take the record. On that question, the Ayes are 16,
6. the Nays are 23, 1 Voting Present. Senate Bill 770
7. having failed to receive a constitutional majority
8. is declared lost. Senate Bill 773, Senator Sommer.
9. Read the bill, Mr. Secretary.
10. SECRETARY:
11. Senate Bill 773.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. Senator Sommer.
16. SENATOR SOMMER:
17. Mr. President and members. This bill provides
18. as amended that ancient records prior to 1916 in the
19. possession of counties can be examined by members of the
20. public under the supervision of those people who
21. maintain those records. In some counties it's allowed
22. now and some counties it isn't. This is of some
23. interest to genealogists who wish to trace their
24. families and that's the reason for the bill.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Is there further debate? The question is shall
27. Senate Bill...Senator McMillan.
28. SENATOR McMILLAN:
29. Question of sponsor.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Indicates he will yield.
32. SENATOR McMILLAN:
33. My question is does this act, in fact, allow a person

1. who has been adopted to get back into what would ordinarily
2. be confidential information to...to find out who his
3. natural parent may have been?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Sommer.

6. SENATOR SOMMER:

7. No. Because it only applies to county clerks.
8. County clerks do not maintain or hold adoption records.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator McMillan.

11. SENATOR McMILLAN:

12. Well, if that is the case and if, in fact, it does
13. not open up records for that kind of information, then
14. I have no objection to it.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Kenneth Hall.

17. SENATOR KENNETH HALL:

18. Well, are you saying, Senator, that if some families
19. have adopted children back some time ago and that the
20. person could come in, you mean that the county clerk
21. has no record of those things?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Sommer.

24. SENATOR SOMMER:

25. That is correct, Senator. The circuit clerk may,
26. the courts may, but the county clerk does not.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Kenneth Hall.

29. SENATOR KENNETH HALL:

30. Well, I mean who...who wants this bill? That's
31. the next thing.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Sommer.

1. SENATOR SOMMER:

2. I do. But, more specifically, it's...it's of
3. interest to people who wish to trace their ancestries
4. in particularly smaller counties in this State. They
5. would like to go back through old deeds, you know,
6. they have some old settler who came here in 1820 and
7. they've lost track of that family. If they can
8. find a tract of deeds, they maybe can get on line
9. as to where their...where their ancestors are or tracts
10. of old...old other documents that county clerks have.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Kenneth Hall.

13. SENATOR KENNETH HALL:

14. Well, you...are you trying to get to Roots?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Sommer.

17. SENATOR SOMMER:

18. I don't think my ancestors go back that far in
19. this country, Senator Hall. But, some people are and
20. that's...that's why they would like to get into these
21. records.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. I have a question, Senator Sommer, as it pertains
26. to the adoption records in a county court house. It's
27. my understanding under the present law that upon a child's
28. reaching his majority, he may go, in fact, to the circuit
29. clerk's office and check the adoption records as to the
30. ...his...his biological parentage. Is that correct under
31. the present law?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Sommer.

1. SENATOR SOMMER:

2. I don't know because this bill does not apply in
3. any way to those kind of records because they're not
4. held by the county clerk.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Well, I...I am not trying to quarrel with you.
9. I'm trying to find out. And if...if it pertains in
10. any way to opening up the adoption records to the
11. general public, I submit to you that is not the general
12. public's...it's none of their business. And...and...
13. again, I'm not trying to be argumentive, but the
14. question of adoption records came up earlier which
15. concerns me. I have two adopted children and it's nobody
16. else's business other than mine and theirs when they
17. reach their majority.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Nimrod.

20. SENATOR NIMROD:

21. Yes, Senator Sommer, I think that the clerk is responsible
22. for birth certificates and I do know that they go...
23. we have some problems about not only the adopted
24. records, but I think records...other records
25. that they have there impounded. Now, I think if
26. your bill would exclude those records that have been
27. impounded, I think we would eliminate this problem that's
28. confronting us...several of us about the adoption records
29. and maybe...but the county clerk does have birth
30. certificates and you can trace and go through them and
31. you go to the clerk and he'll tell you, I'm sorry, but
32. that information is impounded and you'll have to go to
33. the Department of Vital Statistics with the State. But,

1. he does have those original records of all the birth
2. certificates, I know in our county.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Sommer.

5. SENATOR SOMMER:

6. Well, we hope to forestall this. This...this bill
7. only applies to records prior to 1916, one. Number two,
8. the law currently allows you to get into the indexes
9. of these records and requires that they be made public
10. to you and all this does is allow you to examine the
11. record itself. Currently, if you pay three dollars
12. you can get any record off of the tract or off of the
13. index prior to 1916. The confusion arises where someone's
14. name is Smith and they see four hundred records
15. involving someone named Smith and they don't know whether
16. it's their family. They would simply like to look
17. at the record itself and determine whether it is.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President and Ladies and Gentlemen
22. of the Senate. It seems to me we've wasted an inordinate
23. amount of time on this legislation. As I read the amendment,
24. pardon me, the amendment has...has in fact, been adopted,
25. has it not? The amendment, one, strikes out that authority
26. to permit examination by members of the general public.
27. That's not even in the bill anymore. So the only thing
28. left is that records prior to...prior to 1916 instead
29. of the indexes of those records, the records themselves
30. can be examined, but can be examined only...or made available
31. only to members of Illinois geological...geneological
32. societies, period. I don't know how many of those guys
33. there are, but this bill, in effect, does virtually
34. nothing.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator McMillan, did you wish to speak a second
3. time? The question is shall Senate Bill 773 pass.
4. Those in favor vote Aye. Those opposed vote Nay.
5. The voting is open. Have all voted who wish?
6. Take the record. On that question, the Ayes are
7. 49, the Nays are 5, 1 Voting Present. Senate Bill 773
8. having received a constitutional majority is declared
9. passed. Senate Bill 779, Senator Vadalabene.
10. Read the bill, Mr...Senate Bill 785, Senator Netsch.
11. Senate Bill 788, Senator Donnewald. Read the bill,
12. Mr. Secretary.
13. SECRETARY:
14. Senate Bill 788.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Donnewald.
19. SENATOR DONNEWALD:
20. Yes, Mr. President and members of the Senate. This
21. increases the amount of 2.4 million to 6 million, the
22. amount of annual transfers to the grade crossing
23. protection fund and that, of course, is...is...the
24. grade crossing protection fund is spent by the DOT
25. but upon order of the Illinois Commerce Commission.
26. Senator Weaver placed an amendment on this on the
27. Order of 2nd reading wherein the effective date was
28. made to January 1st, 1979. I would appreciate your
29. support.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Is there discussion? Senator Glass.
32. SENATOR GLASS:
33. Senator Donnewald, did you indicate the amount of

1. money that would be involved here then transfer, if not,
2. would you?
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Senator Donnewald.
5. SENATOR DONNEWALD:
6. Well, it...something like three million.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Glass.
9. SENATOR GLASS:
10. All right. And what did the amendment do, I'm
11. sorry.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. Senator Donnewald.
14. SENATOR DONNEWALD:
15. The amendment at Senator Weaver's request moved
16. it to...the effective date to January 1, 1979.
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Glass. Is there further debate? The
19. question is shall Senate Bill 788 pass. Those in favor
20. vote Aye. Those opposed vote Nay. The voting is open.
21. Have all voted who wish? Take the record. On that
22. question the Ayes are 52, the Nays are 1, none Voting
23. Present. Senate Bill 788 having received a constitutional
24. majority is declared passed. Senate Bill 790, Senator
25. Grotberg. Read the bill, Mr. Secretary.
26. SECRETARY:
27. Senate Bill 790.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Grotberg.
32. SENATOR GROTBORG:
33. Thank you, Mr. President and members of the Senate

1. and Senator Graham. Senate Bill 790 is a bill that is
2. derived out of a problem that I doubt even if the
3. Insurance Industry of the State was aware of it, but
4. certainly the Livingston County State's Attorney
5. and Grand Jury discovered last fall that as they ran
6. into problems with insurance salesmen who did not
7. segregate their funds, they had an agent that was
8. working over senior citizen insurance and did not
9. segregate his funds properly. They caught up with all
10. of that but they found there was nothing in the statute
11. to convict him on. And this Senate Bill 790, therefore,
12. simply adds to the Insurance Act that it is a crime
13. and there's a penalty involved if you violate same.
14. Everybody seems to be pretty much agreed on...on
15. the concept of this bill including the Director of
16. Insurance and the Insurance Industry and it simply
17. says that any agent or broker receiving such premiums
18. as fiduciary shall segregate the monies into separate
19. accounts and shall submit them. It also says...and this
20. is what the State's Attorneys were looking for.
21. No, it's a good bill. Good bill. Says each days
22. violation shall constitute a separate offense, the State's
23. Attorney of the county in which the violation occurred or
24. if the violations have occurred in more than one county,
25. then the State's Attorney of any such counties.
26. That was the legal problem. They had no...no place
27. to place the jurisdiction and I'll answer any other
28. questions that come up.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? I have Senator Rock,
31. Senator Soper and Senator Berman. Senator Rock.

32. SENATOR ROCK:

33. Thank you, Mr. President, Ladies and Gentlemen
34. of the Senate. Senator Grotberg, if the sponsor will

1. yield, Mr. President.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Indicates that he will yield.

4. SENATOR ROCK:

5. What...what...what is the purpose of Amendment No. 1

6. which was adopted, I'm told?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Grotberg.

9. SENATOR GROTEBERG:

10. Amendment No. 1, there was only one amendment as

11. I recall on this bill and that changed one word from

12. "such actions" to "any...it was a...no...typographical

13. error.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rock.

16. SENATOR ROCK:

17. Well, I must have the wrong file with the wrong

18. amendment then because you are stating that you are

19. mandating the brokers and agents to segregate premiums

20. and then if they fail to do that, that's a crime

21. and then Amendment No. 1, as I read it, deletes the

22. provision that they must segregate the premiums

23. so we're setting up a...we're setting up a mandate

24. crime if you don't do it and then we take the mandate

25. out by Amendment No. 1. I...I am thoroughly confused.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Grotberg.

28. SENATOR GROTEBERG:

29. As I read the bill, Senator, they're already

30. mandated to segregate the funds. They're enough

31. insurance men here that know that. The problem

32. was that there was no way for the Grand Jury to

33. bring any charges because there was no...delineation

34. of jurisdiction or a description of the offense for same.

1. And that is the purpose of the whole bill.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. Senator...Senator Rock, have you concluded?
4. SENATOR ROCK:
5. Well, I...my reading of the bill and the amendment
6. indicates to me that it does virtually nothing and I rise
7. in opposition to Senate Bill 790.
8. PRESIDING OFFICER: (SENATOR BRUCE)
9. All right. Senator Soper.
10. SENATOR SOPER:
11. Yes, what this bill really says, that if you're
12. a burglar and you steal, you've got to separate the funds
13. from each burglary. Or otherwise, you won't have a
14. license to burgle. Now, it seems asinine to say that
15. the fellow that's not licensed and he can be prosecuted
16. for not having a broker's license and selling insurance
17. that he...he can't be prosecuted if he separated the
18. money that he stole. Now, this is so laughable that
19. ...reminds me, where is Charlie Chew? Are the nurses
20. included in on this? That's...I think Senator Rock explained
21. it all, but to me here's a fellow that hasn't got a license
22. to steal and because he didn't separate the money,
23. you can't prosecute him for stealing but you got to
24. prosecute him for not separating the money.
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Berman.
27. SENATOR BERMAN:
28. After the great explanation of Senator Soper and
29. Senator Rock, it must be a terrible bill.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Wooten. Is there further debate? Senator
32. Grotberg may close the debate.
33. SENATOR GROTBORG:

1. I think with the wisdom of previous speakers
2. being around here and having the chiding that is involved
3. in this bill I would like to remove it from the record.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Oh, Senator Grotberg, we may not get back to
6. this one again.

7. SENATOR GROTBORG:

8. Walsh...Walsh is my cosponsor and you'll notice
9. how...you'll notice how anxious he was to get
10. involved.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. You sure you don't want to vote on it right now?

13. SENATOR GROTBORG:

14. Take it out of the record.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Take it out of the record. Senator Grotberg on
17. 791. Senator Grotberg on 791, the next bill. Read
18. the bill, Mr. Secretary.

19. SECRETARY:

20. Senate...Senate Bill 791.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Grotberg.

25. SENATOR GROTBORG:

26. I would just remind the Senate on that previous
27. bill, that's the State's Attorney of Livingston County
28. that we go through in Pontiac and many of us owe
29. him a lot that we better give some thoughts to as we
30. come back from Postponed Consideration. We'll figure
31. out the answer. Now, we're on a different bill, right?
32. 791? Mr. President, members of the Senate. 791 is the
33. bill that says that the Department of Public Aid
34. can now send their checks to their recipients directly to

1. their bank or to a savings and loan rather than to their
2. homes provided the recipient makes such a request.
3. We've all heard the mailbox raids and the people that have
4. to stand around and wait for...for their check...for
5. the safety of their check and this is a convenience
6. that the Department of Public Aid will allow.
7. I've talked to the larger banks in Chicago and the larger
8. savings and loans and not just...it would be Chicago.
9. It would be a Statewide bill, but that's probably
10. where some of the problems are...most of the problems.
11. They would be all for it. It's at the recipient's
12. request and they could sign the permission to do that
13. and from then on, their checks would be mailed directly
14. to the finance insitution to stop...question that's going
15. to be asked. The check itself has to be sent to the
16. bank. They cannot group them under our present warrant
17. system.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President. I think this is a bill
22. that deserves further study and I would highly recommend
23. that it be put back in the Committee on Public Health
24. and Welfare. I understand the department does, in fact,
25. have a pilot program which they initiated in a couple
26. of districts in the County of Cook and the program is
27. intended to go Statewide at some later date. But, this
28. bill doesn't provide for any negotiation between the
29. department and the financial institutions. I think we
30. ought to wait and see how the pilot program works.
31. For that reason, I'd recommend that it go back for further
32. study.

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. Senator Soper.

1. SENATOR SOPER:

2. Well, I would recommend, too, that when you're
3. sending these checks out to various banks, that they
4. find...and see that the bank is insured so when the
5. account gets over twenty thousand dollars that...that
6. we ought to take them off relief.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. I have Senator Berman, then Senator Moore.
9. Senator Berman. Senator Moore.

10. SENATOR MOORE:

11. Yes, I agree with Senator Rock. There are two
12. pilot programs that the department has tried
13. within the City of Chicago. It is their intention to
14. expand this program Statewide. The reason for it, of
15. course, because of the large number of checks that are
16. stolen out of mailboxes. The department has no statutory
17. authority at this point to allow them to make these
18. deposits. The...the bill merely gives the department
19. the authority at the recipient's request to deposit
20. the check. I see nothing wrong with...with the bill and
21. I would urge its support.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there further debate? Senator Schaffer.

24. SENATOR SCHAFFER:

25. Well, unless someone can correct me, I'm under
26. the impression the Department of Public Aid is in
27. support of this bill and...and the testimony in committee
28. we found no opposition. I think it's an idea that
29. has been tried out and seems to be working and I don't
30. think it's involved in the branch banking issue, Senator
31. Rock, and I think it ought to pass.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Glass.

1. SENATOR GLASS:

2. Well, Mr. President, just to point out that as
3. Senator Moore has indicated, there is no mandate as I
4. ..as I read the bill on the department. It simply
5. gives them the authority and therefore, leaves up to
6. them the decision of how far to expand this program. I think...
7. I also think it's a good bill and ought to be passed.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Harber Hall.

10. SENATOR HALL:

11. Well, it occurs to me that it may possibly not go
12. far enough. I...I see what the intent is here is to
13. get the check in the banking account, but I just wonder
14. if they shouldn't expand it and have them send those
15. checks to their investment brokers, stock brokers
16. and margin accounts at the commodity exchange. You know,
17. some people have advanced the concept, I suppose it's
18. clear out of the realm of conception that we'd
19. ever do this, but some people have suggested that
20. we might actually ask the recipients of the taxpayer
21. to come to the Department of Public Aid and pick up
22. their check just to make sure we know who they
23. are. This would seem to take it farther away from
24. that approach and I don't believe I'll be voting for it.

25. PRESIDING OFFICER: (SENATOR BRUCE).

26. Senator Demuzio.

27. SENATOR DEMUZIO:

28. Well,... if the sponsor will yield. Is there any
29. cost involved here? Is the...for example, is the
30. financial institution, or the bank, what...what kind
31. of agreement has to be worked out between the financial
32. institution and the Public Aid Office and the recipient
33. and the Public Aid Springfield Office and the Comptroller's
34. Office? What's the procedure?

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Senator Grotberg.
3. SENATOR GROTBORG:
4. Just like with Social Security. You go in and sign
5. a blanket endorsement of that check once and from then
6. on the thirteen cent stamp takes it to the...to the bank.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Demuzio.
9. SENATOR GROTBORG:
10. It's at the recipient's request.
11. PRESIDING OFFICER: (SENATOR BRUCE)
12. Senator Demuzio.
13. SENATOR DEMUZIO:
14. I...I yield.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Berman. Senator Berning.
17. SENATOR BERNING:
18. Thank you, Mr. President. I think my...my question
19. is somewhat a follow-up of Senator...Senator Demuzio.
20. When it says that the...at the request of the recipient,
21. I'm concerned about the authenticity of the request knowing
22. that we have had at least one authenticated case where
23. a recipient was operating under twelve or twenty or fifty
24. aliases and I'm concerned about the assurance that
25. a request from a recipient is a bonafide beneficiary and
26. this doesn't give us any clue as to what steps to prevent
27. diversion of funds from...from the Public Aid Department
28. into a bank account for...of someone who is not an entitled
29. recipient. Is there some protection that I don't see?
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Senator Grotberg.
32. SENATOR GROTBORG:
33. There are all kinds of other provisions in the Public
34. Aid Code. I think that it's no secret in this State

1. that we're trying to get on top of all of the
2. violations of the Public Aid Code. This gives a direct
3. track to a check to a bank. The criminal penalties
4. for forgery are far and above with a bank what they
5. are already with Public Aid and it's a double indemnity
6. situation for anybody that would violate it. There's
7. been some levity about the matter so far, Senator, not
8. from you and as a serious answer, I'll try to address
9. that in my closing remarks. If you have another question,
10. go ahead.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Let's see, I have Senator Collins, Philip and Hickey.
13. Senator Collins.

14. SENATOR COLLINS:

15. I rise in support of this bill because I see it as
16. just giving the ADC recipients another option to
17. send in their checks to a currency exchange. I see no
18. more problems involved with sending it to a savings or
19. checking account or to a bank then sending it to a
20. currency exchange and I think they should be entitled to
21. that option.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Philip. Senator Philip.

24. SENATOR PHILIP:

25. Will the sponsor yield for a question?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Indicates that he will yield.

28. SENATOR PHILIP:

29. Senator Grotberg, I'm under the impression by
30. your explanation that you can either have the check
31. deposited in a savings account or checking account. Well,
32. what happens...I understand in most banks that if you don't
33. have a minimum balance of four hundred, five hundred dollars,

1. that they charge you for each check. So, my question is
2. to you, has the department worked some situation out
3. with the banks or is that Public Aid recipient going
4. to be charged for each check that they write on that
5. savings account?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Grotberg.

8. SENATOR GROTBORG:

9. Senator Philip, there's nothing in this legislation
10. that tells a bank to do anything nor does it tell
11. the participant to do anything. It...the banks are run
12. by bankers and I would presume that they would be
13. just as careful in screening any one of these people for
14. their opportunity of receiving their checks and opening
15. a checking account as they would you or me. If it's
16. a ten cent a check bank, and a minimum balance, sobeit.
17. I...there is nothing in this legislation that would
18. interfere with that operation of a bank and their
19. discriminating ability as to who they are going to serve.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Philip.

22. SENATOR PHILIP:

23. Yeah, am I also led to believe that you could also have
24. your check sent to a currency exchange? Did I...am I led
25. ...did I hear that correctly?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. There's...there's already an experiment going on
30. where the checks are delivered...in batches of checks are
31. delivered to currency exchanges rather than to these
32. other institutions. That's an experimental project. The
33. department would like this authorization to do that plus

1. what we're talking about here.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Philip.

4. SENATOR PHILIP:

5. Well, I'm not very familiar with currency exchange,
6. very honestly. How do the recipients get their money
7. out of the currency exchange? Did you write a check
8. or...I'm assuming they don't have a savings account.
9. I don't know. If they have a...have a checking account
10. I'm not aware of it. And I'm just wondering how
11. the recipient gets their money back out of the...out
12. of the currency exchange.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Well, I would just point out that the questions
15. on currency exchange are not relevant to this bill,
16. but Senator Grotberg.

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End of reel

1. SENATOR GROTEBERG:

2. To answer his question, it is my understanding the
3. checks are physically mailed to a currency exchange. The
4. recipient goes over and picks it up there without taking
5. the risk of walking around with a check and does...buys
6. their money order or his money orders or whatever he does
7. at a currency exchange. It's all a matter of safety of
8. carrying around money, is what we're talking about.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Philip.

11. SENATOR PHILIP:

12. I...I have this question. Is...what is the fee for
13. the currency exchange to provide this service?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Well...well, Gentlemen, I...I think we've gone well
16. beyond what this bill is involved with. Senator Hickey.

17. SENATOR HICKEY:

18. Mr. President, it seems to me that we may find that
19. not very many public aid people have bank deposits, either...
20. either checking accounts or saving accounts, and I think that
21. it would be a good thing to encourage them to do so rather
22. than going to a currency exchange and getting all their
23. cash and having it in hand and be tempted to spend it all at
24. once. It might do two things. One, it might...help
25. develop a little fiscal responsibility, and secondly, Senator
26. Rock, I think that if some of these people did start banking,
27. we would need more branch banks.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Let's see, Senator Wooten.

30. SENATOR WOOTEN:

31. Well, Mr. President, although it...it may be...it may be
32. something off the mark, but I when discovered first from
33. Senator Collins and Senator Pate Philip that we now send

1. checks to currency exchanges, it amazes me that we should
2. hesitate for a moment in sending them to banks. That's...I
3. think the proper institution for them.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Smith.

6. SENATOR SMITH:

7. Mr. President and Ladies and Gentlemen of the Senate. I
8. tried to follow my usual practice of not having anything to say
9. except if and when in my own immediate judgment it seems pertinent
10. and necessary that I should take the little remaining energy left
11. me to try and enter a course of discussion. May I say that it is my
12. humble opinion that the purpose of...that...touch him there, will
13. you...may I...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Grotberg, Senator Smith wishes your attention.

16. SENATOR SMITH:

17. ...may I say that I think that your intent with regards to the
18. bill that has elicited such serious discussion here and taken up such
19. length of time is altogether wholesome and good. First, may I
20. answer Senator Philip's question with reference to the currency
21. exchange, Senator. There is no fee. The currency exchange does
22. not request nor do they receive a fee for the cashing of the check.
23. Now, with all due respect to the earners...may I...may I say with all
24. due respect to the learned gentlemen who have elaborated so lengthy
25. here about the humble people, many of whom are humble and not all
26. are like the lady that...my Senate...the Senate referred to, thieves,
27. crooks, cheats and deadbeats. Whatever you do here with regards to
28. this bill, and I think it would be well and good if they were all
29. sent, but it would have no more import legally than if you didn't
30. enact it. Now, I could wish that it would pass and would become
31. effective, but we here in Illinois, like all other States, we are
32. bound on all sides by the ruling, Senator, of Health, Education and
33. Welfare. It's true as the President of the Advisory Commission said, that

1. there are pilot programs in effect and in operation here in
2. the State of Illinois. He doesn't know...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Excuse me, Senator Smith. Can we have some order,
5. particularly the caucus behind Senator Guidice. Senator Smith.
6. Senator Smith.

7. SENATOR SMITH:

8. ...I'm glad that you didn't do as is so often done,
9. state that I have exceeded the time limit, because I've paid
10. attention, I haven't paid attention to the length of time,
11. but I know that nearly everyone that has spoken thus far
12. has taken up more time than I have, and I certainly intend
13. to be brief before Senator Ozinga says that I've started out
14. on one of my long talks, but whatever you do here, Health,
15. Education and Welfare has not authorized the Department,
16. whatever the Department may have said to you, Senator, to
17. do that, that your bill, I think, rightly suggests would be
18. a proper and pertinent thing to do, but until and unless
19. it is endorsed by Health, Education and Welfare, it would just
20. be an addition to the Statute. It may be that you have in
21. mind or you think that Health, Education and Welfare having
22. started these pilot programs would do that that you suggest,
23. and I could wish that the pilot program system that's now
24. being studied...I could wish that Health, Education and
25. Welfare had already endorsed it and ordered it redone, and
26. if and when they do and order it be done, well and good, it
27. then be done, but the passage of this legislation here,
28. it isn't worth the time that you gentlemen have taken insofar
29. as any instructions to the Department of Health, Education and
30. Welfare, not here, the branches here in the State of Illinois,
31. but in Washington will have ordered it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Newhouse.

1. SENATOR NEWHOUSE:
2. Would the sponsor yield to a question, please.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. ...Indicates he will yield.
5. SENATOR NEWHOUSE:
6. Senator, does the Department want this bill?
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Grotberg.
9. SENATOR GROTBORG:
10. Yes, the Department agrees with this bill, and they're not
11. jumping up and down over...over the whole project, but they
12. helped us draft it, till we put it together, and they
13. Public Aid Advisory Commission is for the bill. The...the
14. ...it's a beginning, Senator Newhouse..
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Newhouse.
17. SENATOR NEWHOUSE:
18. Thank you. Thank you, Mr. President. I think for...
19. for one moment we ought to put this whole thing back into per-
20. spective. The facts of life are that any person who is
21. receiving a Public Aid check or Welfare check is not going
22. to have any access and what that person has to do is try
23. to decide how he's going to cut up those few dollars he's
24. got, and how he's going to make up the deficit after that's
25. done, and someone is going to go unpaid and something is
26. going to go undone, so to...I think that we are little un-
27. fair ourselves to over estimate the kinds of benefits that
28. are being awarded by the State of Illinois, mostly to
29. persons who are just too unfortunate to be able to do it on
30. their own. Put that...put back into that perspective, it
31. seems to me that it would be a good idea that to have these
32. checks delivered to banks on request of the recipient. It
33. may...I don't know how the bank is going...is going to handle

1. the whole question of overdrafts, because I...I am fairly
2. certain that it's going to happen pretty frequently,
3. but that's the bank's problem. If they want to under-
4. take, so be it. I think it is a good idea. It'll save us
5. a lot of difficulty. It means that some of the aged
6. don't have to venture out into the streets. They can
7. simply write the checks and get it done with it, so they
8. don't have to venture out, so that the vultures who gather
9. on the first and the fifteenth, every time those checks are
10. issued, the vultures who hang around the currency exchanges,
11. the vultures who hang around those centers waiting to prey
12. upon people who have very little and who have very little
13. excess left over for entertainment and the like, and who
14. are likely to be induced to spend the rent money or the
15. food money to do some things to bring them some temporary
16. gratification which every human being needs from time to
17. time. I think it is a good bill, and I would move that
18. we pass it out.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there further discussion? The question is, shall
21. Senate Bill 791 pass. Those in...Senator Smith is recognized.

22. SENATOR SMITH:

23. I'm told that I said while standing here that the
24. currency exchange does not make a charge for the service
25. rendered them. What happens is, Senator, if and when the
26. check is sent to the currency exchange, the check is cashed
27. there, and the currency exchange does exact a certain sum
28. for the actual cashing of the check. As Senator Newhouse
29. just said, it would be easier and better and certainly cheaper
30. if the checks were sent there, but the passage of this bill
31. will not compel it to be sent there.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Grotberg to close the debate.

1. SENATOR GROTEBERG:
2. Just one last word. It costs the Department of Public
3. Aid about three million dollars a year to reissue lost and
4. stolen checks. And if we...I have a theory in life, you
5. start by begining. That is all this bill does is enable
6. them to start program if they want to, and if the people
7. don't want to participate it, sobeit. Just don't let it
8. say Grotberg didn't try. I'd ask for a favorable...
9. PRESIDING OFFICER: (SENATOR BRUCE)
10. All right...question is, shall Senate Bill 791 pass.
11. Those in favor vote Aye. Those opposed vote Nay. The
12. voting is open. Senator Carroll. Have all voted who wish?
13. Take the record. On that question, the Ayes are 48, the
14. Nays are 2, 2 Voting Present. Senate Bill 791 having
15. received a constitutional majority is declared passed.
16. Senate Bill 792, Senator Grotberg. Senator...Senate Bill
17. 792. Read the bill, Mr. Secretary. Senator Grotberg...
18. SECRETARY:
19. Senate Bill 792...
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Go right ahead, Mr. Secretary.
22. SECRETARY:
23. ...Senate Bill 792
24. (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER: (SENATOR BRUCE)
27. Senator Grotberg.
28. SENATOR GROTEBERG:
29. Thank you, Mr. President, Senators. This is another
30. outstanding piece of legislation, but this an important piece
31. of legislation affecting almost all of the not-for-profit
32. 501 C-3 agencies in your district and mine. I assume that
33. a communication in support of the Community Fund of Chicago

1. has been placed in your mailbox. I put a fact sheet on
2. my desk. It simply establishes an insurance trust fund
3. controlled by the Insurance Department or monitored by
4. the Insurance Department with their agreement to make it
5. possible for all of the private agencies in the State
6. of Illinois to purchase insurance from a pooled risk...
7. risk pooled fund at...at a great saving. The facts are
8. before you. We debated the last bill a long. I can go
9. on and on on this one.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Hynes.

12. SENATOR HYNES:

13. Mr. President and members of the Senate, reading this
14. bill, I think it...I've come to the conclusion that it's
15. a great bill. I think it...it does accomplish a very,
16. very important purpose, and more than that, Senator Rock
17. is a cosponsor, and when he and Senator Grotberg can get
18. together on a bill after the last two, I think it deserves
19. our support.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Nimrod.

22. SENATOR NIMROD:

23. Mr. President and fellow Senators, I, too, think this
24. is a great bill, but I would like...I would like to tell you...
25. I would like to call your attention to one thing, however,
26. that the workmen's compensation coverage has been eliminated
27. from this bill, and the reason that it's eliminated is because
28. the insurance companies under the present benefits and the
29. present laws cannot determine what their exposure is, and
30. cannot make that insurance available, and so on that basis,
31. I would think we need to address that subject next week.
32. Just a reminder.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Demuzio.

2. SENATOR DEMUZIO:

3. With that explanation, I'd like to be a cosponsor of

4. 792 with the leave of the Body, please.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is...is there leave? Leave is granted. ...Senator

7. Berning asks to be added as a cosponsor. Is there further

8. debate? The question is, shall Senate Bill 792 pass.

9. Those in favor vote Aye. Those opposed vote Nay. The

10. voting is open. Have all voted who wish? Take the record.

11. On that question, the Ayes are 55, the Nays are none, none

12. Voting Present. Senate Bill 792 having received a consti-

13. tutional majority is declared passed. 793, Senator Maragos.

14. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 793

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Maragos.

21. SENATOR MARAGOS:

22. Mr. President and members of the Senate, Senate Bill 793

23. merely does what it says in the synopsis that anyone who does

24. ...does not ask for a credit card should not be given one and

25. should be unsolicited. I move for your...for a favorable

26. roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there further discussion? The question is, shall

29. Senate Bill 793 pass. Those in favor vote Aye. Those opposed

30. voted Nay. The voting is open. Have all voted who wish?

31. Take the record. On that question, the Ayes are 54, the Nays

32. are none, none Voting Present. Senate Bill 793 having received

33. a constitutional majority is declared passed. Senate Bill 794, Senator

SB 794
5/19/77
3rd

1. Vadalabene. Read the bill, Mr. Secretary.

2. SECRETARY:

3. Senate Bill 794

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. Yes, thank you, Mr. President. 794 as amended,
10. stipulates the removal of signs which express information
11. regarding religious houses of worship is to be deferred
12. into the interest of...of religious opportunity and also
13. declares the tourist business to be a major and critical
14. importance to the economic well-being of the State.
15. The bill is also sponsored by the Illinois Hotel and Motel
16. Association, and I appreciate a favorable vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? Senator Mitchler. Is there
19. leave to add Senator Bruce as a cosponsor? Leave is granted.
20. Senator Mitchler.

21. SENATOR MITCHLER:

22. Well, that's the first thing I want to ask is, that
23. I have leave to be added as a cosponsor.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there leave? Leave is granted.

26. SENATOR MITCHLER:

27. I've watched this billboard and advertising thing ever
28. since it was foisted on us by the Federal Government with a
29. threat that they withhold our highway funds, and I think it
30. is a great big farce. You see billboards and we were
31. supposed to be taking them down, putting them up, and every
32. time you see a new business establishment come up...I see
33. several around Pontiac. They get all new signs, so you

1. write over to them and ask them...oh, they're exempt from
2. the Act. I think it's a...a...a...it's really a rip off
3. that Billboard Act and I think we ought to have a...a bill in
4. here soon to have it repealed in its entirety. People that
5. have product to sell should be able to advertise if they
6. want to pay for it.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Do other Senators wish to be added as cosponsors?
9. Senator Coffey, I got you. Senator...Senator Carroll.
10. Senator Lemke.

11. SENATOR LEMKE:

12. Being a member of the Tourism Commission in the State,
13. this is a good bill because what...the problem we have now
14. is we have out-of-staters that drive down roads and they
15. don't know...the signs are down, they don't know where a
16. motel is to stay, and this helps local, and especially in
17. small town, motels to get the business so they don't go
18. where the...the big large ones are and it helps local industry,
19. and I think this is a...a bill to stimulate. I'm not that
20. crazy about having billboards all over the place, but I
21. know there is a necessity to have some billboards, and I
22. think this bill allows us to have some, and I think it is
23. a good bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further debate? Senator Coffey.

26. SENATOR COFFEY:

27. Mr. President and members of the Senate, I rise in favor
28. of this bill, and I would like to only say that for a part
29. of this bill as far as the church signs are concerned, I
30. have four different churches in my district that have been...
31. problems have been caused because of...of the Federal
32. regulations. I think this is a good bill. I think it will
33. protect those people. In some cases, it hasn't been con-
34. sistent, but they're paying eight or nine hundred dollars to

1. get either a picture of a church taken off of a sign, or to
2. get the time that the church services convene off of the
3. signs. First of all, I think it is a waste of money to
4. pay them to remove those churches...pictures of the churches
5. off the sign and number two, I think it's ridiculous to ask
6. them to take the time off and spend that kind of money to
7. eliminate that information to the public, and I'd certainly
8. ask your favorable vote.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there leave to add the following gentlemen as co-
11. sponsors: Senators Demuzio, Knuppel, Coffey, Carroll,
12. Johns, Joyce, and Harber Hall? Senator Guidice. Is there
13. leave? Leave is granted. The question is...Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President. I just wish to advise the
16. Body of possible conflict of interest.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further debate? The question is...Senator
19. Berning.

20. SENATOR BERNING:

21. Just a question for point of clarification. I...I
22. cannot quickly determine what the impact of this is retro-
23. spectively versus prospectively. I see a date in here.
24. May 5th, 1976. But what is the impact on all of those
25. advertisers and billboard owners whose signs have been taken
26. down in the last three years? Will they be putting them back up?
27. Are they authorized to do so or...or what does this do in
28. that regard?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Vadalabene.

31. SENATOR VADALABENE:

32. I really don't know what the impact would be. What we're
33. trying to do now is defer any further dissemination of these

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1. signs.
2. PRESIDING OFFICER: (SENATOR BRUCE)
3. All right. Is there further debate? The question is,
4. shall Senate Bill 794 pass. Those in favor vote Aye.
5. Those opposed vote Nay. The voting is open. Have all
6. voted who wish? Take the record. On that question, the
7. Ayes are 52, the Nays are 1, 3 Voting Present. Senate Bill
8. 794 having received a constitutional majority is declared
9. passed. Senate Bill 801, Senator Guidice. Read the bill,
10. Mr. Secretary.
11. SECRETARY:
12. Senate Bill 801
13. (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Guidice.
17. SENATOR GUIDICE:
18. Thank you, Mr. President and members of the Senate.
19. I'd like to start by saying that this is not a no-fault
20. bill, okay. A not a no-fault divorce bill. This bill
21. retains the existing eleven fault grounds and seeks to re-
22. form the balance of the provision of the Divorce Act
23. pertaining to marriage and divorce. This bill provides that
24. the grounds for divorce need only be stated by designating
25. the name of the ground and that the supporting facts need
26. not be alleged unless the respondent requested by filing a
27. bill of particulars prior to a trial. Keeping in mind that
28. ninety-five percent of the cases which are filed in divorce
29. are settled. The...the dirty linen will not have to be
30. laundered in the pleadings. Sections authorizing the court
31. to adjudicate property rights, 503-C, maintaining for the
32. wife, child support, the court is required to set the same
33. without regard to marital conduct or misconduct. This is

1. merely consistent with the existing case law. Under
2. existing law, the present situation is that we cannot bifurcate
3. the issue of grounds from the financial and custody issues
4. in the case unless the parties agree to it. Frequently,
5. the plaintiffs will not agree on that theory. The court
6. hears all the evidence pertaining to grounds, finances
7. and custody, the court will be less likely to deny a
8. divorce. This bill requires the court to try the grounds
9. first. If grounds do not exist, the case is dismissed
10. and the court is saved the time of having heard evidence
11. on issues on custody and financial matters. If the court
12. finds that the grounds do exist, the court is directed to
13. continue the case for not less than forty-eight hours for
14. the parties to settle the remaining issues. Failing that,
15. the trial is to be resumed. This allows an additional
16. opportunity for the parties by themselves to amicably
17. to dispose of their differences. This bill incorporates
18. sections of the existing Divorce Act. These include
19. provisions pertaining to petition, collusion, notice
20. procedure for hearings on default, provisions requiring
21. defenses to be pleaded, manner of approving foreign
22. marriages, real estate liens provisions, and provisions
23. for filing a certificate of dissolution or invalidity of
24. a marriage with the Department of Public Health so that
25. there will be...there will continue to be a central place
26. in the State to contain knowledge of divorces and annulments
27. which may have been entered in counties of the State. These
28. are essential provisions to the administration of divorce
29. cases. This bill also contains within its provisions the
30. Uniform Child Custody Jurisdiction Act which creates the
31. standards for accepting jurisdiction in interstate custody
32. disputes. This is...an extremely sensitive area of the law
33. and these provisions would discourage child snatching by

1. parents. This bill also provides that the court may appoint
2. attorney to represent the interest of the children. This
3. provision for the appointment of attorneys provide children
4. with the attorney-client privilege which may be as certain in
5. any proceedings, thus insuring greater...confidentiality
6. between a child and his court appointed attorney. This is
7. particularly important in the sensitive areas of child in
8. custody suits. Ladies and Gentlemen of the Senate, no
9. material changes have been made in the Divorce Act since
10. 1874. We've done nothing in this particular area. What
11. we're attempting to do here is to codify the existing law,
12. the case law. This bill has been put together by attorneys,
13. judges. It's been taken into consideration with social
14. workers and the like. I think this will help solidify
15. our position on this particular area. I seek your favor-
16. able roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there debate? Senator Berman.

19. SENATOR BERMAN:

20. Thank you, Mr. Speaker. I just want to clear up one
21. question that has been raised by a number of people. There
22. was a question as to a section dealing with marriages where
23. in the original bill as drafted, it did not call for
24. a ceremony. It was really addressed to that section to the
25. question of the legal capacity of the performer of the
26. marriage to conduct the marriage. Senator Guidice has amended
27. this bill so that that section only pertains to marriages
28. where there has, in fact, been a...a defacto ceremony which
29. took place. This should avoid any of the questions that have
30. been raised as to whether this legalizes common law marriages
31. or other types of marriages which we don't presently recognize
32. in Illinois. I believe this has been cleared up by the
33. amendment offered by Senator Guidice, and I...that's on the

1. bill now.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? The question is, shall
4. Senate Bill 801 pass. Senator Hynes.

5. SENATOR HYNES:

6. Mr. President, I simply wanted to rise in support of
7. this bill. I think it is a very significant improvement
8. in our divorce laws. It is not a no-fault bill, and I
9. think it is...it makes a big step forward in removing some
10. of the very undesirable features in our present law. I
11. think it is...well, it does not make it easier to get a
12. divorce. I think it does remove the bitterness and acrimony
13. from the proceedings, and I think it's a...a measure that
14. we ought to support.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Nimrod.

17. SENATOR NIMROD:

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

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Indicates that he will yield. Senator Nimrod.

21. SENATOR NIMROD:

22. Since, Senator, I do not have a...a legal background to
23. make the decision...this does not refer to any of the sexes.
24. I would hate for us to be passing a bill that we think does
25. certain things which I do concur in, however, we are, I think,
26. approaching, and I would like an answer whether or not this
27. could be considered a Gay Bill, whether we would be, in fact,
28. supporting that type of...accepting that kind of marriages
29. to exist and allow those kind of marriages to be divorced.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Guidice.

32. SENATOR GUIDICE:

33. Senator Nimrod, I can assure you that this bill was not

1. in that area at all. It had nothing...no contemplation of
2. it at all and doesn't provide for it. Pardon me.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Nimrod.

5. SENATOR NIMROD:

6. They are excluded?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Guidice.

9. SENATOR GUIDICE:

10. Included.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there further debate? The question is, shall Senate
13. Bill 801 pass. Those in favor vote Aye. Those opposed
14. vote Nay. The voting is open. Have all voted who wish?
15. Have all voted who wish? Take the record. On that question,
16. the Ayes are 45, the Nays are 3, 3 Voting Present. Senate
17. Bill 801 having received a constitutional majority is de-
18. clared passed. Senator, you can put the purple lights
19. on the marriage ceremony. Senate Bill 803, Senator Harber
20. Hall. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 803

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Harber Hall.

27. SENATOR HARBER HALL:

28. Mr. President and fellow Senators, this bill and the
29. next two following are Auditor General bills concerned with
30. his office. Senate Bill 803 provides that the Auditor
31. General may have access to confidential records, those that he
32. needs in the performance only of his task of making sure
33. our financial audits are complete and accurate. In the

1. Committee on Executive, Senator Terry Bruce recommended a
2. change which was made and he submitted the amendment which
3. tightened up further and perhaps better the responsibilities
4. the Auditor General have in respect to handling of con-
5. fidential documents. I believe the bill is in good shape,
6. and I solicit your support of it.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there further debate? The question is, shall Senate
9. bill 803 pass. Those in favor vote Aye. Those opposed vote
10. Nay. The voting is open. Have all voted who wish? Take
11. the record. On that question, the Ayes are 52, the Nays
12. are none, 4 Voting Present. Senate Bill 803 having received
13. the constitutional majority is declared passed. Senate
14. Bill 804, Senator Harber Hall. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 804

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Harber Hall.

21. SENATOR HARBER HALL:

22. Mr. President, this bill relates to the Auditor General's
23. issuance of regulations and it provides that he may adopt
24. and repeal regulations subject to a majority of the Legisla-
25. tive Audit Commission, and these regulations will have the
26. effect of law. It's necessary that he provide all the
27. essential regulations for the operation of audits because
28. as you know most of the audits of State agencies are conducted
29. by Certified Public Accountants and the regulations need to be
30. uniform and direct so that they may do the audit in accordance
31. with our desires here in the Legislature. I know of no
32. opposition. I solicit your support.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? The question is, shall Senate Bill
2. 804 pass. Those in favor vote Aye. Those opposed vote Nay.
3. The voting is open. Have all voted who wish? Take the
4. record. On that question, the Ayes are 56, the Nays are
5. none, none Voting Present. Senate Bill 804 having received
6. a constitutional majority is declared passed. Senate Bill
7. 805, Senator Harber Hall. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 805

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Harber Hall.

14. SENATOR HARBER HALL:

15. Mr. President, this last of these three bills submitted
16. for the Auditor General on behalf of the Legislative Audit
17. Commission involves the Auditor General's authority to contract
18. with other governmental agencies joint audits. I give for...
19. for a...an example of these joint audits would be the audit
20. of the...the Public Aid Department. In this case, the
21. Federal governments have to make substantial and lengthy
22. and costly audits as does the Auditor General. In this case,
23. it would be possible with the passage of this bill that the
24. Federal Government would undertake and only do a portion of
25. the audit and the Auditor General would conduct the other
26. part and that way the cost of this large audit would be
27. shared with the Federal Government. This bill came out of
28. committee with no dissenting votes, and I know of no other
29. opposition either. I solicit your support for it.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berman.

32. SENATOR BERMAN:

33. Will the sponsor yield?

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Indicates he will yield. Senator Berman.

3. SENATOR BERMAN:

4. I should have probably asked this question on the Senate
5. Bill 805, but in 803...I'm sorry, I should have asked this
6. on 803. In 803, we've allowed the Auditor General access
7. to confidential records and prohibited the disclosure of those
8. confidential records by the Auditor General. Now, in 804,
9. we talk about contracting out to CPA's, and in 805, we
10. talk about joint audits where other governmental employees...
11. some governments other than even the State of Illinois, for
12. example the Federal Government, participate. What kind of
13. checks do we have regarding a, the manned disclosure of
14. confidential material by CPA's or these other governmental
15. employees?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Harber Hall.

18. SENATOR HARBER HALL:

19. To provide for the continued confidentiality of con-
20. fidential records. By the Auditor General and his employees,
21. we have done that in the bill. In respect to auditing of
22. confidential records by any other agency even under the
23. authorization of the Auditor General, these bills would not
24. provide that and they would not be doing it.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Berman.

27. SENATOR BERMAN:

28. Let me understand that a little more carefully. If there's
29. confidential records, it can only be looked at by the Auditor
30. General himself or...or whom?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Harber Hall.

33. SENATOR HARBER HALL:

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3rd reading
5-19-47

1. The direct employees under the Auditor General. Only
2. selected employees as provided in Senate Bill 803, only
3. with his specific direction, only to the extent that he is
4. aware and only necessary, and not with any particular confidential
5. record by name, and he may not select these. He can only
6. do it in batches, so these are selective audits and any
7. audit of such agencies of the Public Aid, the confidential
8. records would not be authorized to the Federal Government
9. or to any private auditing firm with other employees,
10. only the Auditor General's on a selective test basis.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any further discussion? The question is, shall Senate
13. Bill 805 pass. Those in favor will vote Aye. Those opposed
14. will vote Nay. The voting is open. Have all voted who wish?
15. Have all voted who wish? Take the record. On that question,
16. the Ayes are 53, the Nays are none, 1 Voting Present. Senate
17. Bill 805 having received a constitutional majority is
18. declared passed. 807, Senator Philip. On the Order of
19. Senate Bills 3rd reading, Senate Bill 807. Read the bill,
20. Mr. Secretary.

21. SECRETARY:

22. Senate Bill 807
23. (Secretary reads title of bill)
24. 3rd reading of the bill.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Philip.

27. SENATOR PHILIP:

28. Thank you, Mr. President and Ladies and Gentlemen of
29. the Senate. Senate Bill 807 as amended amends the Forest
30. Preserve District Act, raises the maximum tax rate which the
31. board of the forest preserve district downstate and all
32. underlying downstate may levy, increases from .025 to .06,
33. provides a backdoor referendum. This puts us in the same shape

1. as Cook County. We allowed in 1975 Cook County to go to .06.
2. So, I ask for your favorable consideration.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Any discussion? All right, the question is, shall
5. Senate Bill 807 pass. Those in favor...oh, I beg your pardon.
6. Senator McMillan.
7. SENATOR MCMILLAN:
8. I have a question of the sponsor.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Indicates he will yield. Senator McMillan.
11. SENATOR MCMILLAN:
12. As I read the bill, I find that the backdoor referendum
13. involved is...is somewhat different from most backdoor
14. referendums in that there is no publication procedure required
15. and so forth. I'm not that familiar with them, but...but I
16. am very hesitant about supporting something that doesn't have
17. adequate backdoor referendum procedure.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Philip.
20. SENATOR PHILIP:
21. My understanding of the backdoor referendum is five
22. percent of the registered voters file a petition within thirty
23. days of the announcement, and I think that's, generally speaking,
24. par for the course.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. Senator McMillan.
27. SENATOR MCMILLAN:
28. And how's the announcement made under this particular bill?
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Senator Philip.
31. SENATOR PHILIP:
32. Very honestly, I can't answer that. I don't how we make
33. the announcement when we increase, other than it's public

1. record. It...it's voted on by the forest preserve district at
2. their board. The press is there. It's not a secret meeting.
3. It ends up in the newspapers way ahead of time, and I would
4. assure you of this that in my county, the county forest
5. preserve district board is made up of all of the members of
6. board of supervisors. Everybody's on it. And...oh, excuse
7. me. There is a legal publication requirement. So, in other
8. words, it is printed in the papers.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Any further discussion? Senator Hynes.

11. SENATOR HYNES:

12. Senator, the same question. Where...where is it that
13. the legal publication requirement is set forth?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Philip.

16. SENATOR PHILIP:

17. I believe it's already in the Statute, Senator.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Hynes.

20. SENATOR HYNES:

21. This bill, if passed, will become a statute and it simply
22. says that there must be an announcement at a meeting. Does
23. not require publication, which is the...is the traditional
24. language in a backdoor referendum.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Philip.

27. SENATOR PHILIP:

28. I will yield to Senator Moore on this point, Mr. President.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Don Moore.

31. SENATOR DON MOORE:

32. Thank you, Mr. President. I believe we will find in
33. other sections of the Code that whenever an ordinance is passed

1. which does, in fact, increase a tax levy, there is a publication
2. requirement in that section of the...of the Statute. That is
3. my understanding as far as municipalities, park districts,
4. and et cetera, and so forth. Whenever there is a tax levy
5. increase, before it become effective, it has to be published.
6. PRESIDING OFFICER: (SENATOR ROCK)

7. All right, any further discussion? Senator Berning.

8. SENATOR BERNING:

9. Thank you, Mr. President. I'd just like to observe that
10. a backdoor referendum is without doubt better than no
11. referendum, but I submit to you that five percent of the
12. residents...registered voters in my county is just an in-
13. ordinate number of signatures to achieve somewhere in the
14. neighborhood of five thousand within a period of thirty
15. days and it presents the voters with just a terrific burden
16. in order to give them the option of voting.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. All right, any further discussion? Senator Philip may
19. close the debate.

20. SENATOR PHILIP:

21. Thank you, Mr. President and Ladies and Gentlemen of
22. the Senate. I might remind you that particularly in DuPage
23. County which is one of the fastest growing counties in the
24. State of Illinois, we have a tremendous problem with the
25. cost of buying property that here in the other day and we're
26. talking about Oak Brook where they're selling property in
27. Oak Brook now at between thirty-five and forty-five thousand
28. dollars per acre. At the rate we're going in our county
29. with building, there will be nothing but blacktop, shopping
30. centers and concretes. There won't be anything left to buy,
31. and our forest preserve and our county board feels very
32. strongly. We need this increase. We're not asking for anymore
33. than what Cook County already has. In 1975, we gave Cook

1. County the same authority we're asking for now. The last time
2. the rate was increased, believe it or not, was in 1913, was
3. the last time we had an increase in that rate. I happen to
4. think it's long overdue. It's a serious problem in the
5. collar counties. We need the money. I think it will be
6. spent well.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. All right, the question is, shall Senate Bill 807 pass.
9. Those in favor will vote Aye. Those opposed will vote Nay.
10. The voting is open. Have all voted who wish? Have all
11. voted who wish? Take the record. Senator Philip.

12. SENATOR PHILIP:

13. Take it out of the record, Mr. President.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Well, ...we can place it on the Order of Consideration
16. Postponed. So ordered. 814, Senator Carroll. 817, Senator
17. Washington. On the Order of Senate Bills 3rd reading is
18. Senate Bill 817. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 817

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Washington.

25. SENATOR WASHINGTON:

26. This bill is a part of the currency exchange package, but
27. it's so far down the line. The other bills are in the 400
28. series, Mr. Campbell, that perhaps we should dispose of it
29. now. There's some...there's some...there may be...there may
30. be some danger that...that we may get back to bills this
31. high on the Calendar. Am I correct?

32. PRESIDING OFFICER: (SENATOR ROCK)

33. No. I...I think it...

1. SENATOR WASHINGTON:

2. We okay.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. ...my understanding of the President's ...is that we're

5. going to go all the way through and then start over again.

6. Senator Bruce, for what purpose do you arise?

7. SENATOR BRUCE:

8. Senator Shapiro isn't here. Perhaps we could ask leave

9. of the Body to consider this bill with the whole series so that

10. it is, in fact, considered at the same time.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. I'm sure leave will be granted. Is leave granted?

13. SENATOR BRUCE:

14. Leave.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. So ordered. Take it out of the record, Mr. Secretary.

17. 819, Senator Nimrod. 823, Senator Hickey. 24. All right.

18. On the Order of Senate Bills 3rd reading, Senate Bill 824.

19. Read the bill, Mr. Secretary.

20. SECRETARY:

21. Senate Bill 824

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Hickey.

26. SENATOR HICKEY:

27. Mr. President and members of the Senate, this bill allows

28. the handicapped to vote on election day and not have to vote

29. by absentee ballot if they are unable to ascend or descend stairs

30. to the polling place, in case there are paper ballots or voto-

31. matic devices in that polling place. If so, two election judges,

32. one from each party can carry either the paper ballot or the

33. votomatic device up to the handicapped person, and the pro-

34. visions, otherwise, is the same as those for handicapped persons

1. when they have to have assistance in the voting booth. This
2. doesn't happen very often, but it does happen, and I was
3. requested to do this by the Rockford Chapter of the National
4. Paraplegic Association and was...they were joined by the Cerebral
5. Palsy Association and the Division of Vocational Rehabilitation.
6. These people say, yes, it is true we can vote by absentee ballot;
7. but some of the most important campaigning takes place the very
8. last days before the election, and I submit to you that these people
9. have such terrible...indignities to undergo all the time which it
10. would be very difficult for us to understand, and I think by this
11. simple way we could help remove one of those from them, and I ask for
12. a favorable roll call.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Regner.

15. SENATOR REGNER:

16. Mr. President and members of the Senate, I think this is a very
17. risky operation to go through. I think there could be a tremendous
18. amount of fraud involved, and these people can be taken care of
19. under the existing code right now, simply by getting a physician's
20. statement and...voting absentee, and I think the potential and the
21. opening of the door of the fraud that could be under a bill such as
22. this, is just horrendous, and I would urge a No vote on Senate Bill
23. 824.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Chew.

26. SENATOR CHEW:

27. Sponsor will yield for one or two questions, Mr. President?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Sponsor indicates she will yield, Senator Chew.

30. SENATOR CHEW:

31. In the City of Chicago, most of our precincts are on voting
32. machines which weigh probably two tons, and you didn't say any-
33. thing about taking those out to the...to the prospective

1. handicapped voter, and we don't have paper ballots to take
2. out. What remedy would you use in that, Senator.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Hickey.

5. SENATOR HICKEY:

6. Senator Chew, we are not able to solve that very
7. difficult situation because we don't think that we could
8. carry those out, but the small votomatic device and the
9. paper ballot could be carried out by the two judges, one
10. from each party, the same as now they can go into a booth to
11. help them if they can come in. I tell you that the last
12. time that Senator Keegan voted it was in my precinct, it
13. was down the stairs where she was unable to come and the
14. election judges legally or illegally took the voting device
15. up to her, I witnessed this, and she was able to vote, and
16. if...I think that if all of you had been at the committee
17. hearing and had seen the paraplegics and the people who are
18. victims of cerebal palsy come in and passionately implore
19. this kind of consideration for their difficulties, you
20. might be sympathetic to this. I don't think there are
21. enough of these people to constitute vote fraud of any
22. magnitude at all.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Chew.

25. SENATOR CHEW:

26. Well, I'm not speaking on the issue of vote fraud. I'm
27. merely saying that the voters of the City of Chicago would
28. not be allowed to participate in this kind of election
29. procedure, and I'm simply looking for a way to equalize it
30. throughout the State of Illinois. I...I...I think...

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Hickey.

33. SENATOR HICKEY:

1. There...I'd be very glad, Senator Chew, to help you
2. solve your...your problem if I could. I just don't know of an
3. answer.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Chew.

6. SENATOR CHEW:

7. I was just told by one of my staff members here that
8. possibly you could amend it whereby each precinct, say in
9. the City of Chicago, could, in fact, have a maximum or
10. minimum of ten paper ballots which could be counted.
11. I...I'm just trying to find a way where Earleen Collins
12. would not be discriminated against, see. You think you
13. could amend it to...to do that?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Hickey.

16. SENATOR HICKEY:

17. It would take us a long time, Senator Chew, to get that
18. amendment drawn up, and then we'd have to delay the voting
19. on this issue, but I'd certainly be glad to try to help you
20. work it out for the next time around.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Rhoads.

23. SENATOR RHOADS:

24. Mr. President and members of the Senate, when this bill was
25. heard in committee, I was in a...a great...quandry about it, and
26. I still am. Senator Hickey is very sincere about this bill. The
27. problem that she is trying to attack here is a very real problem
28. and she is absolutely correct that many of the new votomatic
29. machines have been designed in such a way that they are to a
30. degree portable, however, I do still have doubts about the bill.
31. Director Jeffers of the Deivision of Vocational Rehabilitation
32. told me that he was in principle in...in support of this idea,
33. but we've had a lot of experiences in the metropolitan areas

1. concerning the presence of election judges in a polling
2. place. This bill if I understand it correctly, Senator
3. Hickey, would the require the absence of at least two of
4. the judges from the polling place away from the other
5. judges are. Is...am I correct in...in that reading of the
6. bill?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Hickey.

9. SENATOR HICKEY:

10. You are correct, Senator Rhoads.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Rhoads.

13. SENATOR RHOADS:

14. That, I think, presents a problem and a risk that I, for
15. one, ...am unwilling to take. It's...the...the problem that
16. you're trying to get at it is...is a real problem and I
17. sympathize with it, and I want you to know that I sympathize
18. with it, but I think that...I didn't have an answer for you
19. in committee and I don't know have an answer for you...now
20. as to how else to attack that problem, but I think this bill
21. is too risky, and therefore, I...I'll be voting No.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Johns.

24. SENATOR JOHNS:

25. Well, I just wanted to rise and thank you, Senator Hickey,
26. for doing something that I've always wanted to do. I have a
27. brother that's paraplegic. I've had to try to work a wheel-
28. chair up into a building and get him to vote, and believe you
29. me, that gives him some feeling of being a human being and
30. participating in the...in the public policies and I'm proud
31. of you. Thank you very much.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Berman, did you wish recognition? Senator...

1. Senator Collins.

2. SENATOR COLLINS:

3. I've a question for the sponsor.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Sponsor indicates she will yield. Senator Collins.

6. SENATOR COLLINS:

7. Senator Hickey, isn't...isn't provisions now under the
8. current election laws that would allow people that's unable
9. to come to the polls to vote for whatever reasons to vote
10. by absentee ballot?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Hickey.

13. SENATOR HICKEY:

14. Senator Collins, you are absolutely right. These people
15. could vote by absentee ballot, but as I say, they...they are
16. second class citizens...undergo all kinds of indignities as
17. far as the way they feel a great deal of time. They want to
18. be first class citizens and be able to vote on election day.
19. These are people who can move around. Some of them drive
20. automobiles. They can get around. They simply can't get
21. up and down stairs. And so don't want to be treated as...as
22. complete...completely disabled by not being allowed to vote
23. election day. As I said a minute ago, they feel that some
24. of the most important campaigning happens those few days in
25. between the time you have to...you have to send your absentee
26. vote in. They want to be like everybody else and this is
27. their only chance.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Collins.

30. SENATOR COLLINS:

31. I guess my...my problem of understanding is if you took
32. the ballots to the house on election day or you went to their
33. homes during the time that they could...could register...I

1. mean vote by absentee ballot, what would be the difference?
2. And then I would also like to know, how could the judges of
3. election on election day whose responsibility is to be there
4. in the polls from the time the polls open and close, how
5. could they go to the homes to...to vote...to...for the
6. people to vote? Where...
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Senator...
9. SENATOR COLLINS:
10. ...where?
11. PRESIDING OFFICER: (SENATOR ROCK)
12. ...Senator Hickey.
13. SENATOR HICKEY:
14. Senator Collins, they do not go to the homes, they go
15. to the top of the stairs, or at...at most to the driveway,
16. to a car just outside. But principally, at the...to the
17. to the top of the stairs, not to anybody's home, and there
18. are so few of these people that it would be really very,
19. very undistruptive, and I think that anybody who was there
20. to vote would be willing to wait the five minutes that it
21. might take to service a...a single paraplegic and...and
22. certainly in any precinct my guess is there aren't more
23. than...there's...I doubt if there are half a dozen in...in
24. every...in every precinct. The time element is not really
25. important, and it's...an entirely it's...it's a very possible
26. feasible thing to do and we are...we are talking about people
27. who are...then...they will take a oath that they are dis-
28. abled, and that will be marked down, so that we're not...I
29. ...I...I really don't invision hundreds of people coming in wheel-
30. chairs to vote to exercise fraud on election day.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Collins.
33. SENATOR COLLINS:

1. With that explanation, I...I...I didn't quite under-
2. stand. You're talking about the people coming to the
3. polling place, and if there's stairs, they couldn't go
4. up the stairs, then I have no problems with it.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Hickey.

7. SENATOR HICKEY:

8. I know that all polling places are supposed to be
9. where they are easily accessible, but in my own precinct
10. ...I've tried and tried to find a place that isn't down
11. in the basement, and there simply isn't a heated place in
12. my old part of town that's on the level, and people do
13. have to go downstairs and we're scared to death half the
14. time that some of the old people are going to fall and
15. ...break their legs, because it's...it's a very difficult
16. thing for them to...to do.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Further discussion? Senator Clewis.

19. SENATOR CLEWIS:

20. Just a question of the sponsor, Mr. President.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Indicates she will yield. Senator Clewis.

23. SENATOR CLEWIS:

24. You mentioned a group of people who are ambulatory to
25. the point where they drove cars and they just couldn't go up
26. and down stairs, rised the question in my mind, how do they
27. get to the car?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Hickey.

30. SENATOR HICKEY:

31. Well, wheelchair people can get in cars by themselves
32. and drive cars. I have a...I have a picture here of the girl
33. who asked me to do this, who teaches school but doesn't have

1. use of any of her four...either her arms or her legs. She
2. can get in and out of a car, but she...the only way she can get
3. up or down stairs is to be carried, and it is very, very
4. dangerous.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any further discussion? Senator Kenneth Hall.

7. SENATOR KENNETH HALL:

8. Thank you, Mr. President and Ladies and Gentlemen of
9. the Senate. I've been a committeeman for over twenty-eight
10. years and I've been chairman of the city central committee.
11. This is a problem we have wrestled with for a long time.
12. We have voting machines in our area like you have in Chicago.
13. Naturally, we couldn't bring a voting machine out to these
14. people, but this is something that we've wrestled with for
15. a long time. We have the voting machines located in the
16. schools. Now, I have had people who were ambulatory as we
17. are saying, and they have a very difficult time getting into
18. the narrow passageways, going up the steps, getting down
19. into the places where we could do it. Even though we're not
20. able to do it at area because of the machines, but this
21. would be so beneficial to people that could be given this
22. opportunity. You know, it's easy to say that people can do
23. something by absentee ballots. I wonder how many of you
24. have ever gone around and tried to get a doctor's certificate
25. and go through the process of getting an absentee ballot sent to a
26. home, get it marked up, have it mailed back. You'd be
27. surprised if you have lived through this. I'm telling you this is
28. a very beneficial piece of legislation. And I think that we
29. should give an opportunity to the people who have this...I
30. wish that we had this type of machine, but because even though
31. we're not able to do it, we should give to to some areas that
32. can benefit from this and I think that this is a very beneficial
33. piece of legislation, and I urge your support for this vote...

1. for this bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Further...further discussion? Senator Guidice.

4. SENATOR GUIDICE:

5. Thank you, Mr. President. In...in looking at this
6. legislation, will the sponsor yield to a question?

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Sponsor...sponsor indicates she will yield. Senator
9. Guidice.

10. SENATOR GUIDICE:

11. All right, I...I see that it's for a paper ballot or
12. for the votomatic machine. How about in instances where we
13. have a...a regular voting machine? How can we handle that?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Hickey.

16. SENATOR HICKEY:

17. Talked about that quite a little bit here. Of course,
18. that does not apply. This applies only in two instances, and
19. I wish that we had some solution to your problem, but I'd
20. be glad to help you work it out if you come in with some
21. solution for the...for those regular machines because they
22. do...I'm sure it's a problem for you as it is for anybody
23. else, but here there is a...we...we do have solution for
24. other places.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Guidice.

27. SENATOR GUIDICE:

28. Well, Senator Hickey, I...I do support this legislation.
29. I...I just wonder to myself though if...if I were the sponsor
30. of this particular bill being what's termed a Regular
31. Democrat or perhaps maybe somebody on the other side of the
32. aisle, who would be a Regular Republican if...if you would be
33. voting for this bill yourself.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Any further discussion? Senator Hickey, you wish to
3. close the debate? All right, the question is, shall Senate
4. Bill 824 pass. Those in favor will vote Aye. Those opposed
5. will vote Nay. The voting is open. Have all voted who
6. wish? Have all voted who wish? Take the record. On that
7. question, the Ayes are 42, the Nays are 8, 4 Voting Present.
8. Senate Bill 824 having received a constitutional majority is
9. declared passed.

10. (end of reel)

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1. PRESIDING OFFICER: (SENATOR ROCK)

2. On the Order of Senate Bills 3rd reading, Senate
3. Bill 819. Read the bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 819.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Nimrod.

10. SENATOR NIMROD:

11. Yes, thank you, Mr. President, and fellow Senators.

12. This bill provides for the practice of podiatry,
13. provisions within their Act which will provide for
14. sure enforcement of the high standards within the
15. profession, permit the podiatrist to practice in
16. corporations or associations or in partnership.

17. It has provisions in there for continuing education
18. and also for protective measures for the public and
19. working in relationship for the examining committee
20. in the Department of Registration and Education.

21. It also provides for a provision in the...the...
22. definition of physician. It has the support of
23. both the Illinois Medical Association and I have
24. worked out the problems that existed between
25. the Department of Registration and Education.

26. I know of no opposition to the bill. Be happy
27. to answer any questions and I ask for a favorable
28. roll call.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Any discussion? Senator Wooten.

31. SENATOR WOOTEN:

32. I just noticed by the summary, we still...we're
33. now exempting podiatrist from any liability if they

1. give emergency care. I don't exactly know under what
2. situations a podiatrist would be stopped to give
3. emergency care, but I really don't think that that
4. kind of exclusion is warranted. I...you stub a toe
5. and require, you know, it just...I don't see why
6. that's in there. I don't think it's needed.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Further discussion? The question is shall
9. Senate Bill 819 pass. Those in favor will vote
10. Aye. Those opposed will vote Nay. The voting is
11. open. Have all voted who wish? Have all voted
12. who wish? Take the record. On that question,
13. the Ayes are 44, the Nays are none, 7 Voting Present.
14. Senate Bill 819, having received a constitutional
15. majority is declared passed. 826, Senator Bruce.
16. On the Order of Senate Bills 3rd reading is Senate
17. Bill 826. Read the bill, Mr. Secretary.

18. SECRETARY:

19. Senate Bill 826.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Bruce.

24. SENATOR BRUCE:

25. Thank you, Mr. President. This relates to the
26. pilots who work for the Division of Aeronautics and
27. increases their service retirement allowance. They,
28. along with the State police, are the two groups in
29. State employment that are required to retire at
30. a given age and because of that they have an increased
31. service retirement allowance. We increased that two
32. years ago for the State police. There are only seven,
33. I believe, State pilots, and they don't have a
34. full time lobbyist and no one happened to pick up

1. the fact that their service retirement allowance
2. should be increased also. The bill has gone
3. before the Pension Laws Commission and it has
4. their approval. It also has the approval of
5. the Pensions Committee of the Senate.
6. PRESIDING OFFICER: (SENATOR ROCK)

7. Any...any discussion? The question is
8. shall Senate Bill 826 pass. Those in favor
9. will vote Aye. Those opposed will vote Nay.
10. The voting is open. Senator Hynes, will you
11. vote me Aye, please. Have all voted who wish?
12. Take the record. On that question, the Ayes
13. are 46, the Nays are 3, none Voting Present.
14. Senate Bill 826 having received a constitutional
15. majority is declared passed. 828, Senator...
16. Senator Buzbee, for what purpose do you arise?
17. SENATOR BUZBEE:

18. I just thought I'd point out to those three
19. Senators who voted No on that bill that perhaps
20. they would not want to bother to ride the State plane
21. in the future.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. 833, Senator Buzbee. On the Order of Senate
24. Bills 3rd reading, Senate Bill 833. Read the
25. bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 833.

28. (Secretary reads title of bill)

29. 1st reading...3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Thank you, Mr. President. This is one of the series

1. of some forty-three bills that were recommended
2. by the Energy Resources Commission to bring about
3. the implementation of a energy policy for the
4. State of Illinois. We started out with the
5. commissions getting started in 1975, we did
6. thirteen state-wide hearings and then we
7. appointed some one hundred and twenty-one
8. persons to...experts in the various fields
9. of energy, to six study panels, who then in
10. turn met regularly. Came back with recommenda-
11. tions to the commission as to what they thought
12. should be contained in a state-wide energy
13. policy. The commission then took their recommen-
14. dations. The commission staff wrote up
15. proposed bills. Then the commission itself, took
16. each one of these proposed bills and voted as
17. to whether they wanted to support them as the
18. commission. There were some forty-three bills
19. that cameout that they did want to support and
20. this is one of those. This would amend the
21. Capital Development Board Act, require the
22. Capital Development Board to make a feasibility
23. study in the use of energy resources, both
24. fossil and nonfossil fuels for heating and
25. cooling of State buildings and perform other
26. duties in connection with the construction and
27. maintenance of such buildings. It also requires
28. that any person employed by the Board performing
29. functions under this Act, who subsequently
30. leaves his or her position is prohibited for a
31. period of two years, thereafter, from bidding on
32. projects in which they worked while employed by
33. the board.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Any discussion? Senator Berning.
3. SENATOR BERNING:
4. A question of the sponsor.
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Indicates he will yield. Senator Berning.
7. SENATOR BERNING:
8. Under this amendment now to the Capital Develop-
9. ment Board Act would improvements to existing
10. buildings, whether it be for heat, insulation,
11. or other type things, automatically require that
12. one half of one percent of that dollar amount
13. involved go into beautification? And how do
14. you beautify an...installation job and a...an
15. air conditioning job?
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Senator Buzbee.
18. SENATOR BUZBEE:
19. Well, first of all, Senator Berning, one of
20. the requirements will be that they do use colored
21. insulation for to add beautification to...I really
22. don't know, Senator Berning.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Any further discussion? The question is shall
25. Senate Bill 833...I beg your pardon, Senator Weaver.
26. SENATOR WEAVER:
27. I was just wondering about this two year
28. prohibition. Didn't...didn't we have a bill yesterday
29. as far as the Election Board was concerned on a six
30. months prohibition? Why the two years in this? I
31. think we ought to be consistent.
32. PRESIDING OFFICER: (SENATOR ROCK)
33. Senator Buzbee.

1. SENATOR BUZBEE:

2. Well, Senator, as you've heard many times in
3. this Body, consistency is the hobgoblin of small
4. minds. I don't know, we figured that two years
5. where they have an economic interest, that two
6. years was not too much to ask that they not be
7. able to bid on State jobs where they had been
8. working on those jobs as a...as an employee of
9. the Capital Development Board.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Weaver.

12. SENATOR WEAVER:

13. Well, we...did we determine that six months
14. was constitutional and two years would not be
15. constitutional or is constitutional, what's the
16. constitutionality of prohibition such as this?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Senator Weaver, I...I certainly cannot answer
21. your question. There's a...I'm not a constitu-
22. tional lawyer. I would say that because they
23. are working on specific projects as employees
24. of the State of Illinois that what we're saying
25. is, that for a period of two years, I think
26. this was probably patterned after various
27. Federal regulations and so forth that would
28. say that within two years you cannot bid on
29. a project with which you were working while
30. employed by the Capital Development Board.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Weaver.

33. SENATOR WEAVER:

1. Well, then this would be a condition of
2. employment, then. It's understood by all employees
3. of the Capital Development Board.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Buzbee.

6. SENATOR BUZBEE:

7. I would think that would be correct, Senator
8. Weaver.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Further discussion? Senator Hynes.

11. SENATOR HYNES:

12. Mr. President, will the sponsor yield to a
13. question?

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Indicates he will yield. Senator Hynes.

16. SENATOR HYNES:

17. This is an Energy Resources Commission
18. bill, as I understand it. My first question is,
19. what...what, how did the sections beyond the first
20. section get in the bill? They don't seem to have
21. any thing to do with the...the Energy Resources
22. Commission and beyond that I would question
23. specifically Subsection C of Section 8.2, which
24. requires the...the board to review plans and
25. specifications developed by architects or engineers
26. to insure that all local, State and Federal laws
27. and building codes are complied with and that
28. adequate safety is provided for such buildings
29. and for all persons while they are in or about
30. the buildings. Now, I...I have a question in my
31. own mind as to what that might do with respect
32. to the responsibility of architects and engineers
33. that were hired on contract to do exactly that.

1. We're...we're it seems to me, statutorily putting
2. a duty on the...on the board. Now, maybe it should
3. be there, I'm not...I'm just raising the question
4. as to what impact it would have on their responsi-
5. bility.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Well, Senator Hynes, I will have to respond
10. to you the same way I did the other, that's a
11. lawyer type question and I simply can't give
12. you an answer.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Further discussion? Senator Buzbee, you wish
15. to close?

16. SENATOR BUZBEE:

17. I would simply ask for a favorable roll call.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. All right. The question is shall Senate Bill
20. 833 pass. Those in favor will vote Aye. Those
21. opposed will vote Nay. The voting is open.

22. Senator Donnewald, vote me No, please. Have all
23. voted who wish? Have all voted who wish? Take

24. the record. On that question, the Ayes are 21,
25. the Noes are 23, 3 Voting Present. Senate Bill

26. 833 having failed to receive a constitutional
27. majority is declared lost. 834, Senator Buzbee.

28. On the Order of Senate Bills 3rd reading, Senate
29. Bill 834. Read the bill, Mr. Secretary.

30. SECRETARY:

31. Senate Bill 834.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. State agencies
5. under this bill would carry out construction and
6. renovation of State facilities and programs for
7. the construction and renovation of State assisted
8. facilities under their control in such a manner
9. as to insure that life cycle cost analysis and
10. energy conservation practices are employed. State
11. assisted facilities are facilities constructed
12. or renovated in whole or in part with State
13. funds or State guaranteed or insured funds. Each
14. agency having jurisdiction over any such construc-
15. tion or renovation program shall evaluate each
16. project and if consistent with good architectural
17. engineering and economic practice, require life
18. cycle cost analysis. The life cycle cost analysis
19. shall include coordination and positioning of the
20. facility or its site, door and window arrangements,
21. thermo characteristics of materials and amount of
22. insulation, variable occupancy and operation conditions,
23. including illumination levels, architectural features
24. affecting energy consumption and energy consumption
25. analysis of the heating, ventilation, and air
26. conditioning system, lighting system and other
27. energy consumption systems in a facility over forty
28. thousand square feet. It specifically excludes
29. historic buildings and properties. Provides that
30. energy consuming systems in State buildings under
31. construction or renovation shall be selected on
32. the basis of a life cycle cost analysis, which
33. takes into account the probable energy costs over

1. the life of the building.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Any discussion? The question is shall Senate

4. Bill 834 pass. Those in favor will vote Aye. Those

5. opposed will vote Nay. The voting is open. Have

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

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

8. Nays are none, one Voting Present. Senate Bill

9. 834 having received a constitutional majority is

10. declared passed. 35, Senator Buzbee. Senator

11. Berning, for what purpose do you arise?

12. SENATOR BERNING:

13. I'm...I'm sorry, Mr. President, but I'm seeking

14. information on the bill that we just passed and

15. I'd like to ask the...the sponsor to elucidate for

16. me line 23 on page 3, where it says the amount and

17. type of fenestration employed in the facility. What

18. is a fenestration?

19. PRESIDING OFFICER: (SENATOR ROCK)

20. That's windows.

21. SENATOR BERNING:

22. When did they forget how to spell window?

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Well, we...all...all the learned commissions are

25. attempted to emulate the Federal bureaucracy and

26. I think it's a mistake. On the Order of Senate

27. Bill...on the Order of Senate Bills 3rd reading,

28. Senate Bill 835. Read the bill, Mr. Secretary.

29. SECRETARY:

30. Senate Bill 835.

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. Thank you, Mr. President. This would create
4. the Energy Advisory Conservation Council within the
5. Capital Development Board. Members are appointed
6. by the Governor with the advise and consent of
7. the Senate. The Governor shall appoint six
8. members, one builder, one mechanical engineer,
9. one building code official, one energy supplier,
10. one representative of a recognized enviromental
11. protection group and one architect. Members are
12. eligible for two year terms commencing on July 1
13. and are eligible for reappointment. The council
14. selects a chairperson, a vice chairperson and
15. other officers as necessary. The council may
16. appoint an executive secretary. After considera-
17. tion of available technology and costs, the
18. council shall establish basic and uniform
19. performance standards for maximum energy
20. conservation in the design, construction, alteration
21. and repair of buildings and other structures.
22. Would like to point out that by Amendment No. 1,
23. it is specified that the members of this council
24. will receive no salary. Their expenses will be
25. compensated by the Capital Development Board. The
26. Capital Development Board's ordinary and contigent
27. expenses bill is...has been amended on the Floor,
28. or is going to be amended to provide the expense
29. money. With Amendment No. 2, we said that the
30. council will recommend standards to the Capital
31. Development Board. Considering these recommendations,
32. the CDB will then adopt performance standards as
33. they see fit. As originally introduced, the council

1. would have adopted the standards. We did amend it
2. to say that now they only recommend the standards.
3. According to this amendment, CDB can adopt energy
4. performance standards for construction of new
5. buildings and alteration and repair existing ones
6. without any further legislative input. Considerable
7. financial...and with Amendment No. 3, we state that
8. the council will be recommending standards for
9. State owned and operated buildings only. And I
10. would ask for a favorable roll call.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any discussion? Senator McMillan.

13. SENATOR MC MILLAN:

14. Thank you, Mr. President. First a comment, I
15. opposed the bill in committee and...and continued
16. to, because I don't really think we need another
17. council or commission. And then I have a couple
18. of questions. Number one, does this council have
19. a self-destruct mechanism? And number two, again,
20. what would this council do that the Energy Resources
21. Commission doesn't already do?

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Well, no, first...your...answer your first
26. question. No, there is not a self-destruct clause.
27. Secondly, the Energy Resources Commission would
28. not set any kind of standards for Capital
29. Development as far as energy conservation is
30. concerned. We can recommend to the Legislature
31. or to the Executive Branch, for that matter, and
32. that's what we're doing with one of these bills.
33. But, we do not have the technical expertise, nor

1. do we ever want to have that kind of...of staff for
2. technical expertise that would recommend performance
3. standards and...and...and building code standards,
4. not, pardon me, just building standards, for ...for
5. energy conservation. That is something that the
6. Capital Development Board is charged with, building
7. the building and...and setting other standards they
8. are charged with. What we are trying to do with
9. this legislation is to charge them also with
10. coming up with performance standards in...on
11. energy conservation. And this board is made up
12. of a group of experts which will recommend to them
13. those standards. Then CDB, it's up to them as to
14. whether they adopt the standards or not.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? Senator Rhoads.

17. SENATOR RHOADS:

18. Well, as a follow up question, Senator Buzbee,
19. why couldn't the CDB do this internally. I...I
20. listen to your explanation, but I just still don't
21. understand the overwhelming need for this council.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Buzbee.

24. SENATOR BUZBEE:

25. Under...under the EPCA Act of the Federal
26. Government, they require that we come up with
27. a mechanism for a state-wide energy conservation
28. building code, that's it.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Rhoads.

31. SENATOR RHOADS:

32. All right, I understand that, and...and we're
33. in that...Senator Buzbee. I say I under...

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. I understand the answer to the question and
5. we're in that same sort of bind with...with a
6. great many Federally mandated programs, but does
7. the Federal Government specifically...mandate this
8. kind of mechanism, or could any State agency do
9. it?

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. No State agency at the present time has that
14. authority. And what we're simply saying is that
15. the most logical place to put that authority is
16. in the Capital Development Board, because they're
17. the ones...that...that do all the design approval
18. and so forth of State buildings as it is. And
19. they've got all the engineers and architects
20. there and on board and we ought to use them for
21. the same thing.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Rhoads.

24. SENATOR RHOADS:

25. What are we on? Yes. Okay. Fair enough. But, why
26. as a separate council within the CDB? Again, I...you
27. know, I'm not trying to harass you on this, I'm
28. just saying that this seems like another needless
29. council.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Well, this is an advisory council. They receive
34. no pay. They are people from private industry and

1. we want their expertise to be there and we have
2. specified what fields they must come from, so
3. that they can provide that kind of expertise to
4. make sure that they...that CDB has advantage of
5. all of these kinds of minds. Now, one mechanical
6. engineer, one builder, one building code official,
7. one energy supplier, one representative of a
8. recognized enviromental protection group and one
9. architect.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Further discussion? Senator Soper.

12. SENATOR SOPER:

13. Now, when you...Senator Buzbee. Thank you, Mr.
14. President.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. He indicates he will yield. Senator Soper.

17. SENATOR SOPER:

18. You've told us what it isn't going to cost us,
19. now tell us what the per diem and what the travel
20. expense is and what the secretary gets and how
21. much your commission generates in energy taken
22. from the people. How much energy do you get
23. from the people for this commission and for
24. this council?

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Well, the per diem and...and the travel allowance
29. and so forth is all established by the Travel Control
30. Board, which is not, they do that for everybody in
31. the State Government, Senator Soper, whether you like
32. the answer or not, that's the way it is, except for
33. the Legislative and the Judicial. We establish our

1. own, and...and the Judicial establishes their own,
2. but the Travel Control Boards establish the per
3. diem rates and the mileage rates for everybody
4. else in State Government.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Soper.

7. SENATOR SOPER:

8. Well, that's a little different than what you
9. said. You said this isn't going to cost anything.
10. No salaries, no per diem, no anything. That's what
11. you...that's what you led us to believe. Now, just
12. wait till I finish, then you can answer me. Now,
13. you tell me that...

14. PRESIDING OFFICER: (SENATOR ROCK)

15. All right. All right. Hold it. Hold it.
16. Wait a minute...this discussion is breaking down
17. rather rapidly, Senator Buzbee, for what purpose
18. do you arise?

19. SENATOR BUZBEE:

20. On a point of order, Mr. President. I did
21. not say that, Senator Soper. I said there was
22. no salary, I specifically said, there would
23. be travel and...and travel expenses. Now, that
24. is what I said and that is only what I said.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. That is...that is not a point of order. Senator
27. Soper.

28. SENATOR SOPER:

29. Now, you didn't say anything about the executive
30. secretary, you didn't say anything about the per
31. diem, not even the last time. Now,...you...you
32. cover these things as if we're going to get fifteen,
33. twenty experts for no money and we're going to tell

1. somebody to do something that they already know
2. what they ought to do. What's the...what's the
3. appropriation for this commission that you're
4. on.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. The commission that I'm on has absolutely
9. nothing to do with this, Senator Soper, so I don't
10. know if you're talking about what the appropriation
11. for the Energy Resources Commission, of which I
12. am a member and Senator Nimrod is a member and
13. Senator Mitchler is a member and Senator Knuppel
14. is a member and Senator Johns is a member, but,
15. what I'm talking about here is an advisory
16. council to the Capital Development Board. So, I'll
17. have to ask you for further clarification, just
18. what you're talking about.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Soper.

21. SENATOR SOPER:

22. All right, I'll make it clear. One, what's
23. the per diem for the advisory council and what's
24. the travel expense and what's the secretary get
25. paid and if you don't mind, I just don't have
26. the figures in front of me, and we'll get away
27. from this bill. You've got your advisor next
28. to you. What is the...what is the appropriation
29. for this...this commission that you're on, if
30. you don't mind telling me, or is it a secret?

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Buzbee.

33. SENATOR BUZBEE:

1. The Energy Resources Commission appropriation
2. this year is some one hundred and forty thousand
3. dollars, which has got absolutely nothing to do
4. with this council here, so.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Soper.

7. SENATOR SOPER:

8. Yeah, well, is the money going to come out of that...
9. out of that commission...out of that commission to
10. pay these...these expenses?

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. No, Senator Soper, I specifically said with
15. Amendment No. 1, we specified that the members
16. will receive no salary and their...their expenses will
17. be compensated by the Capital Development Board.
18. That is Amendment No. 1. I specifically said
19. that, because I am reading right here from what
20. I read the last time.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Soper.

23. SENATOR SOPER:

24. Well, I'd like to know how far your commission,
25. or this...or this council has traveled and what
26. States you've been in recently.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Well, this council hasn't traveled at all yet,
31. because we haven't created them yet. We're trying
32. to with this bill. My commission has traveled
33. in the State of Illinois between our homes in

1. Chicago and between our homes in Springfield.
2. There are about three staff members who have been
3. to Washington about two or three times to provide
4. ...help get Federal money for energy programs for
5. the State of Illinois and have been quite successful
6. at it. The chairman of the commission, I believe,
7. has been to Washington once or twice and I think
8. I've been to Washington once, back three years
9. ago. But, we've traveled in no other states
10. other than that.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Glass, for what purpose do you arise?

13. SENATOR GLASS:

14. Mr. President, I rise on a point of order.

15. I see Don Handy sitting on the Floor, next to
16. Senator Buzbee, I know Don personally. I'm not
17. doing this to embarrass him, but I don't think
18. that is part of the rules and I think he should
19. not be on the Floor. I think it is a bad
20. precedent and I would ask the Chair to so rule.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Your point is well taken. Senator Soper, do
23. you wish to pursue this? Senator Soper.

24. SENATOR SOPER:

25. I don't mind, I didn't get any answers as
26. yet, so, my next question is why do you think
27. we need this council? To advise somebody that's
28. supposed to know something about building buildings
29. and has a...and already knows that they should
30. devise public buildings that save energy. You
31. didn't answer the one question, what are you going
32. to give that secretary of this council?

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. The council, what the bill says is the
4. council may appoint an executive secretary.
5. Salary is not specified. To the best of my
6. knowledge, we never specify in legislation
7. what a State employee salary is going to be
8. except in the case of a Director of a Department,
9. and in a few cases, I think the assistant director.
10. But, otherwise, it is left up to the Department
11. of Personnel and the supervising agency, which
12. in this case, would be the Capital Development
13. Board.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Soper.

16. SENATOR SOPER:

17. Well, where I come from, we don't buy a pig
18. in a poke.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Further discussion? Senator Regner.

21. SENATOR REGNER:

22. Yes, just a couple of items. First, Senator
23. Buzbee, if this bill were to pass, are you prepared
24. to offer an amendment to Capital Development Board
25. to pay this additional travel for...for these
26. people?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. We've already done that, Senator Regner.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Regner.

33. SENATOR REGNER:

1. For this particular proposed commission?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Buzbee.

4. SENATOR BUZBEE:

5. I believe that is correct, if I, I know that
6. we have offered an amendment to the Capital Develop-
7. ment Board. I believe it's for this particular
8. council. If I am wrong, I will find out as soon
9. as I can and get back to you and correct it on
10. the Floor.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Regner.

13. SENATOR REGNER:

14. You have...you have offered it. You said...is
15. it on...on the bill and how much?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. We offered an amendment today on the Capital
20. Development Board for a transfer of ten thousand
21. dollars from some thirty-five thousand contractual
22. services line item, which they, because of some,
23. I've forgotten the reason now, but they said
24. that they no longer had need of that particular
25. thirty-five, which was already in the Governor's
26. approved budget. And we transferred ten of that
27. with amendment today. I believe it pertained to
28. this particular council, Senator Regner. Again,
29. like I said, if it did not, I will get back to
30. you as soon as I said and let you know.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Regner.

33. SENATOR REGNER:

1. Also, Senator Buzbee, you've got quite a list
2. of different experts of various industries and
3. professionalism and that...is there anyone on that
4. list that you named that would be required to serve
5. on this particular council that we don't have
6. somewhere in one of our professional agencies,
7. such as CDB or EPA or one of the other. I don't
8. think we're going to add one...one person of
9. any additional knowledge that we don't have
10. right now in State Government and couldn't use
11. without this extra council and extra expenditures
12. of travel.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Senator Regner, I suspect you're right as
17. far as the part about the name of the list of
18. experts that I named. We certainly do have
19. already in the employee of the State of Illinois.
20. I...the reason for the creation of the council
21. is that it is the mechanism, the trigger mech-
22. anism, which we think will satisfy the EPCA Act
23. to provide us with monies which will be Federal
24. monies which will come about for energy conservation
25. in the State of Illinois. Now, I am probably as
26. strong an advocate as you when it comes to
27. Federally mandated programs and they require us
28. to do something. This situation, it's a little
29. bit different, because we all, I think, can agree
30. on one thing, and that is that we've got to come
31. up with a method of providing sufficient energy
32. in our State and in this country, the Federal Government
33. has put together a mechanism with...with a lot of

1. Federal bucks attached and they have told us if
2. we can come up with our Federal...rather our
3. State program, and this is part of it, then
4. that a lot of those Federal dollars will be
5. available to us for energy conservation and...and
6. the providing of energy in this State.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Regner.

9. SENATOR REGNER:

10. Well, Senator Buzbee, that may be true, but
11. we don't need an extra council, because just
12. yesterday we passed Senate Bill 590, which
13. allowed CDB to receive and disburse Federal
14. money, Federal grant monies of all kinds, with
15. the proper appropriation by the General Assembly.
16. All we're doing is adding some more people, creating
17. another council and which we don't need. We have
18. the technical people already involved in State
19. government and we already have legislation granting
20. the authority of CDB to receive and disperse these
21. Federal monies. And I just am against creating
22. any more councils or departments or anything else
23. and I would urge the defeat.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Don Moore.

26. SENATOR MOORE:

27. Thank you, Mr. President and members of the Senate.
28. Very briefly, I think we all have heard the demand
29. from the people of our districts in so far as what
30. is know as sunset laws. The growth of State Government
31. over the past twenty years has been just...just astronomical
32. and yet here we go again creating another agency
33. that has an operating budget of I, imagine, a million

1. or a million and a half dollars, the Capital Develop-
2. ment Board, creating another agency to duplicate
3. work than can be done already within the...the
4. present structure of State Government. I...I think
5. this is a needless agency. It's a waste of State
6. dollars, however, few it may be and above all, it
7. ...it's just going to continue to build the
8. bureaucracy that we are rapidly getting to a
9. point with in Illinois that we cannot live with.
10. I'd urge the defeat of this bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any further discussion? Senator Buzbee, may
13. close the debate.

14. SENATOR BUZBEE:

15. Well, let me point out, Senator Moore, as I
16. have about six or seven times and I will one more
17. once. The cost is ten thousand dollars. We
18. did, my staff, Senator Regner, informs us...informs
19. me that we did, today, transfer ten thousand dollars
20. in the contractual services line item in CDB
21. for the purpose of this council. We're not creating
22. a new agency. We're not creating a bureaucracy.
23. We don't have a big suite of offices over in the
24. ...in the Lincoln Towers. We...we're creating a
25. six man advisory council who are all independently,
26. privately employed personnel. They come over to
27. Springfield from wherever they may emanate to advise
28. the Capital Development Board once in a while on
29. what they think should be energy performance
30. standards. The total budget is ten thousand dollars.
31. Capital Development Board will have complete control
32. of that ten thousand dollars.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The question is shall Senate Bill 835 pass. Those
2. in favor will vote Aye. Those opposed will vote Nay.
3. The voting is open. Have all voted who wish? Have
4. all voted who wish? Have all voted who wish? Take
5. the record. On that question the Ayes are 25, the
6. Nays are 21, none Voting Present. Senate Bill 835
7. having failed to receive a constitutional majority
8. is declared lost. 837, Senator Buzbee. Senator
9. Hynes, for what purpose do you arise?

10. SENATOR HYNES:

11. Mr. President, while...while the membership
12. is alert and still aggressive, I would like to
13. make a couple of announcements that I think are
14. of importance. First of all, when we adjourn
15. this evening, we will adjourn until 11, 11 a.m.
16. tomorrow so that you can be prepared for that. We
17. have distributed today the schedule for the
18. next two weeks and you will notice that it
19. calls for five days next week and then four
20. days the following week, coming in after the
21. Memorial Day Holiday. The committees are
22. scheduled in groups for that week of Memorial
23. week, Memorial Day week and I want to stress the
24. importance to the...to the committee chairmen
25. and the sponsors of bills of setting the bills
26. that week and getting them ready, because there's
27. a flood of House Bills coming over here and our
28. committee time is going to be very limited.
29. Secondly, I would like to bring...point your
30. attention to the memorandum that was distributed
31. regarding the Agreed Bill List, the second Agreed
32. Bill List. We will follow the same procedure
33. that we did with the Agreed Bill List today.

1. Any Senator wishing to vote No or Present on a bill
2. contained on that list must notify the Secretary
3. in writing by 4:30 p.m. on Monday. Any three
4. Senators may remove a bill from that list by
5. filing a written objection with the Secretary of
6. the Senate by 4:30 p.m. on Monday. We will then
7. take the roll call vote on the bills next Tuesday.
8. The Legislative Information System has distributed
9. a print out of all the bills and I would urge the
10. members to read that print out and if you have
11. any objections, make them known by Monday.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right. On the Order of Senate Bills 3rd
14. reading, Senate Bill 837. Read the bill, Mr. Secretary.

15. SECRETARY:

16. Senate Bill 837.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Thank you, Mr. President. I figure one out of three is a .333
23. batting average. That will get you in the big leagues any time and
24. I'm going for 500 here and we'll just see what kind of luck we
25. have with this one. This will amend the
26. Capital Development Board Act regarding the develop-
27. ment of building codes. Before everybody gets all
28. excited and upset, let me specify and...point
29. out exactly that this is building codes only as
30. it pertains to State owned buildings. It does
31. not pertain to private buildings or private
32. building codes or to local governmental building
33. codes. They are to...it will...it will add to
34. the stated purposes of the Capital Development

1. Board the following: to compile, adopt, and maintain
2. a building code dealing primarily with energy. The
3. code shall attempt to anticipate energy shortages
4. and rising costs and shall foster efficient energy
5. systems and alternative energy sources with
6. reasonable construction, operating and maintenance
7. costs. It's to give due consideration to energy
8. provisions of other codes including the code that's
9. known as ASHRAE, The American Society of Heating Refrigeration
10. and Air Conditioning Engineers and may adopt ASHRAE
11. provisions. It is to apply the energy conservation
12. code to the design, construction and modification
13. of State buildings under CDB's jurisdiction. As
14. a service to users of State buildings not under
15. CDB's jurisdiction, CDB may compile and recommend,
16. recommend, I say, energy saving use, maintenance, and
17. operation practices. CDB may apply for and accept
18. grants and donations of money and technical or
19. other assistance from Federal or other sources,
20. except the State, which may be applied to construction,
21. studies and other State projects related to the
22. provisions and intent of the Capital Development
23. Board Act. It requires a State Building Code to
24. be used in State contracts only. The code is
25. to only be recommended to local governments and
26. private industry.

27. PRESIDENT:

28. Senator Weaver.

29. SENATOR WEAVER:

30. Just one question of the sponsor. Senator Buzbee,
31. does this mean that buildings built by CDB shall
32. meet say the local building codes downstate or the
33. Chicago Building Code in Chicago or shall they meet

1. what every building codes...code, CDP...CDB comes up
2. with and ignore the Chicago Building Code.

3. PRESIDENT:

4. Senator Buzbee.

5. SENATOR WEAVER:

6. I think, what I'm asking is, are we coming up
7. with one building code that CDB operates under?

8. SENATOR BUZBEE:

9. For State owned buildings, that is my under-
10. standing, yes, Senator Weaver.

11. PRESIDENT:

12. Senator Weaver.

13. SENATOR WEAVER:

14. Regardless of whether it's being built in
15. the City of Chicago or Springfield?

16. PRESIDENT:

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. We are talking here about a building code as
20. it deals primarily with energy, and it is my
21. understanding that if we're using State money
22. to do this, and we're, we will establish a State
23. Building Code for State money buildings, for
24. State paid for buildings. And we will establish
25. a building code that deals primarily with energy
26. and yes, I think the answer to you question is
27. yes.

28. PRESIDENT:

29. Senator Weaver.

30. SENATOR WEAVER:

31. I just wanted to make sure. I know a few years
32. ago we had some discussion about whether or not we
33. should meet national codes, specific codes or

1. Chicago codes or Springfield codes. What you're
2. saying is any time CDB builds a building, they
3. will build the building according to CDB building
4. codes.

5. PRESIDENT:

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. As it pertains to energy with this bill.

9. PRESIDENT:

10. Senator Walsh.

11. SENATOR WALSH:

12. Mr. President, and members of the Senate. In...
13. in reading over the bill, it...it seems to me that...
14. that this would add to the powers and purposes of
15. the Capital Development Board and provide that they
16. adopt a building code. Now, it would appear then
17. that that building code would have to be complied
18. with by any agency of State government that might
19. construct a building. Now, that would include
20. the universities or any agency of State government.
21. So, that being the case, Mr. President, I think
22. this bill should be defeated.

23. PRESIDENT:

24. Senator Soper.

25. SENATOR SOPER:

26. Well, I always read...you'll have to excuse me,
27. but I was reading something, I forgot what I wanted
28. to ask him, but I'll be right back to it.

29. PRESIDENT:

30. (Machine cut-off) further...Senator Glass.

31. SENATOR GLASS:

32. Well, I...I think, Mr. President, if I may ask
33. Senator Buzbee one question, for clarification.

1. Senator Buzbee, the point I'd like to follow up on
2. that I don't, I don't know whether it's been answered,
3. is Senator Weavers question. After the building code
4. has been promulgated by CDB and a building goes up,
5. let's say, in Chicago. Is it your understanding
6. that the Chicago Building Code provisions will have
7. to be complied with as well as the CDB Building
8. Code?

9. PRESIDENT:

10. Senator Buzbee.

11. SENATOR BUZBEE:

12. That is my understanding, Senator Glass.

13. PRESIDENT:

14. Senator Glass.

15. SENATOR GLASS:

16. Well, I...I assume that's right. In other words,
17. this is an additional requirement for State...State
18. owned buildings. I just wanted to clarify, that's
19. all I had, Mr. President.

20. PRESIDENT:

21. Senator Rhoads.

22. SENATOR RHOADS:

23. Senator Buzbee, I guess my question is similiar to
24. that asked by Senator Glass. What happens, for example,
25. in a university building or something like that if
26. there is a conflict of codes situation. Does the
27. State pre-empt?

28. PRESIDENT:

29. Senator Buzbee.

30. SENATOR BUZBEE:

31. I...you made a very unfortunate choice of words
32. there, Senator Rhoads. Perhaps, perhaps, intentionally.
33. It is...we're talking about energy building codes.

1. Insulation, what kind of glass they're going to use,
2. what kind of heating and air conditioning units they're
3. going to use, et cetera, the size of them; how they're
4. going to be installed; the location of the building
5. on the particular building site. And as it pertains
6. to energy, it is my understanding that the code that
7. we are established for those State owned buildings
8. would hold sway.

9. PRESIDENT:

10. Senator Rhoads.

11. SENATOR RHOADS:

12. I'm ready.

13. PRESIDENT:

14. Senator Soper.

15. SENATOR SOPER:

16. Thank you. Well, now, when you say, as the
17. building code refers to energy, that can take any
18. part of a building. As far as your installation
19. is concerned, whether you use plaster, whether you use...
20. use rock lath, whatever you use, whether you use
21. certain kinds of installation around...around
22. your...around the electrical systems, around your
23. vents, it takes everything, what you use in your
24. roofing, how the roofing is put on. It all deals
25. with energy. So therefore, when you build a
26. building in Chicago or in Cicero or any place
27. else, their building codes don't count. You've
28. got to adhere to the building code that your say will
29. be set forth as the State Building Code, cause
30. that's what it will be and you've got to adhere
31. to that code or else you won't get the building.

32. PRESIDENT:

33. Is there any further discussion? If not, the

DB 844
3rd Reading
5/19/77

1. question is shall Senate Bill 837 pass. Those in
2. favor will vote Aye. Those opposed will vote Nay.
3. The voting is open. Have all voted who wish? Have
4. all voted who wish? Take the record. On that
5. question the Ayes are...Senator Buzbee.

6. SENATOR BUZBEE:
7. Postpone consideration.

8. PRESIDENT:
9. Senator Buzbee has moved to Postpone Consideration.
10. Consideration is postponed. Senate Bill 839, Senator
11. Maragos. Senate Bill 841, Senator Schaffer. Senate
12. Bill 844, Senator Grotberg. Read the bill. 844.

13. SECRETARY:
14. Senate Bill 844.
15. (Secretary reads title of bill)
16. 3rd reading of the bill.

17. PRESIDENT:
18. Senator Grotberg.

19. SENATOR GROTBORG:
20. Thank you, Mr. President, and members of the Senate.
21. Senate Bill 844, since the enactment of the Juvenile
22. Court Act, the section that this amends, it's been
23. amended twice. The current law reads that any minor
24. must be brought before a judicial officer within
25. thirty-six hours. This bill changes it to forty-
26. eight hours, adds twelve hours time for the Depart-
27. ment of Children and Family Services to find a
28. proper placement before going to court for a
29. kid that falls under their jurisdiction. Judge
30. White of the Juvenile Court in Chicago is...is in
31. favor of this bill. The department is in favor
32. of this bill. We've had an interesting debate
33. on it in Judiciary and it came out of Judiciary
34. in...rather healthily. I would ask for a favorable

1. roll call. Adds twelve hours to that time period,
2. to get...to keep a kid from going to court.

3. PRESIDENT:

4. Is there...Senator Rock.

5. SENATOR ROCK:

6. Thank you, Mr. President, and Ladies and Gentlemen
7. of the Senate. I rise in support of Senate Bill
8. 844. We have spoken with the juvenile authorities
9. in Chicago. This bill clearly distinguishes the
10. question of temporary custody of dependent or
11. neglected children as opposed to those who are
12. juvenile delinquents. The delinquents, who are
13. in fact, charged for the crime, do in fact, have
14. to be taken before a judicial officer within
15. thirty-six hours. We are talking here about
16. an additional twelve hours for those children
17. who are thought to be dependent or neglected.
18. It will afford, frankly, the department more
19. time to work with the family, especially in
20. the downstate areas, in an attempt to solve
21. the problem at that level rather...rather than
22. having to go to court. I think the bill is
23. a good one and...and should...deserves a
24. favorable vote.

25. PRESIDENT:

26. Is there any further discussion? If not,
27. the question is shall Senate Bill 844 pass.
28. Those in favor will vote Aye. Those opposed
29. will vote Nay. The voting is open. Have all
30. voted who wish? Have all voted who wish? Take
31. the record. On that question the Ayes are 49,
32. the Nays are none, none Voting Present. Senate
33. Bill 844 having received a constitutional
34. majority is declared passed. What purpose does

1. Senator Buzbee arise?

2. SENATOR BUZBEE:

3. A point of personal privilege, Mr. President.

4. I would like to point out to Senator Glass, if

5. Senator Glass is available, that Rule 2 of our

6. rules says that no person other than members

7. and officers of the General Assembly, the elected

8. State officers, Judges of the Supreme Court, the

9. Designated Administrative Aid to the Governor,

10. the Parliamentarian, two Majority Staff members

11. and two Minority Staff members, Senate Postmistress

12. and Assistant Senate Postmistress, former

13. Presidents of the Senate, former members of the

14. Senate, provided they have actually served as

15. members of the Senate during one of the two

16. most recent regular Sessions of the General

17. Assembly and the lawyers of the Legislative

18. Reference Bureau, shall be admitted to the

19. Floor of the Senate during the period beginning

20. a quarter hour before the time for convening

21. the Session until the time of final adjournment

22. for the day, except as otherwise provided herein.

23. PRESIDENT:

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. I...I just wanted to point that out, Senator

27. Glass, that there are from time to time various people

28. brought on this Floor to assist with the explanation

29. of legislation. You were absolutely correct.

30. Mr. Handy did not have parliamentary access to

31. this Floor. There are a lot of people on this

32. Floor everyday including directors of departments

33. who do not have access to this Floor. Just keep

1. it in mind.

2. PRESIDENT:

3. Senator Glass.

4. SENATOR GLASS:

5. I thank you for calling it to my attention, Senator.

6. PRESIDENT:

7. Senate Bill 845, Senator Ozinga. Read the bill.

8. SECRETARY:

9. Senate Bill 845.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. This bill does exactly as the synopsis says, and

14. all that it will really do is that the bill would

15. speed grade crossing protection performance.

16. Number one, it gives the ICC authority to determine

17. the division of costs as well as to prescribe the

18. installation of a grade crossing. Number two, it

19. permits the public hearing to be waived when all

20. of the parties to the ICC order are in agreement

21. as to the installation and the division of the

22. cost. And I would accept a most favorable...vote.

23. PRESIDENT:

24. Is there any discussion? Senator Bruce.

25. SENATOR BRUCE:

26. Well, I just...the problem is with the abolish-

27. ment of the hearing. At the present time the

28. citizenry will have a chance to...to have input

29. on what kind of grade crossing devices are going

30. to be installed. Now, if the ICC and the railroad

31. agrees on that, that's one thing, whether the

32. citizens have a chance to have any input into

33. the process, if they agree, then there would be

34. no public hearing.

1. PRESIDENT:

2. Senator Ozinga.

3. SENATOR OZINGA:

4. This is possible, however, if there is any input
5. at all as to the type, style, nature or any kind
6. of argument why, then this would not be waived.

7. PRESIDENT:

8. Senator Bruce.

9. SENATOR BRUCE:

10. Well, what the problem is, that there is no
11. avenue for the public input, which there is now. Once
12. the Division of Highways, if it's a State highway
13. or a county highway division, the railroad and
14. the ICC agree, the people won't have any...any place
15. at all in which to make a complaint known. Unless
16. the...one of those three parties disagree and my
17. ...my worry is that I'm not certain that they will
18. disagree.

19. PRESIDENT:

20. Senator Bruce. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President, a question of the
23. sponsor, if he'll yield.

24. PRESIDENT:

25. He indicates he will yield.

26. SENATOR ROCK:

27. Is the...is the current law, Senator, that the
28. county, or as you define it here, the public...the
29. public highway authority, do they pay any of the
30. cost now?

31. PRESIDENT:

32. Senator Ozinga.

33. SENATOR OZINGA:

1. Yes, they do, this is prorated, or the Commerce
2. Commission determines who pays what. In other words,
3. most of these are the railroads. It's under the
4. jurisdiction of the DOT, but the cost is prorated
5. between the railroads and this grade crossing fund
6. which comes out of DOT fund, which we just increased
7. so that we could get more of these grade crossings
8. in. Right now, it takes approximately two years
9. from beginning to end. And if all the people are
10. in accord and I believe, under this set up there's
11. a notice given and I believe that would be the
12. one where Senator Bruce just asked about. The
13. notice would still be given and if there's any
14. input there, then it would not be agreed upon
15. and it would have a regular hearing, but this
16. is where all parties are in agreement.

17. PRESIDENT:

18. Senator Rock.

19. SENATOR ROCK:

20. Well, perhaps I didn't clearly enough state
21. my question. This says that the commission shall
22. have the authority to prescribe the division of
23. cost of the installation, okay. You have stated
24. that it's the public utility, namely the railroad,
25. plus this grade crossing fund which Senator
26. Donnewald has now increased. This further says
27. that there can be a division of cost between the
28. public utility, which we admit is done, the public
29. highway authority and interest and in instances
30. involving the use of the grade crossing protection
31. fund, the Illinois Department of Transportation.
32. Now, my question is, currently, under the present
33. law, is the public highway authority in interest

1. in any way involved in the cost. In other words, the
2. counties or townships.

3. PRESIDENT:

4. Senator Ozinga.

5. SENATOR OZINGA:

6. The municipalities are also participants in
7. this so called fund. I...I, the only way I can
8. answer you, Senator, I believe the answer is yes.
9. That they do participate.

10. PRESIDENT:

11. Senator Rock. Senator Rock.

12. SENATOR ROCK:

13. I...I...I will readily acknowledge the...the
14. existence of the fund and will take your representa-
15. tion that the municipalities and counties and so forth
16. are participants in the fund to some extent or
17. another. This, however, seems to go further. It
18. will allow the Commerce Commission to say, hey,
19. municipality, you have to pay...you have to pay
20. thirty-five or forty or fifty or sixty percent
21. of the cost, which they apparently don't do now.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. I...I'm frankly a little confused. I...I'm...getting...
26. getting a lot of feed back that they don't do it now.
27. That they don't have to share this cost now and that...
28. that's the purpose of the fund.

29. PRESIDENT:

30. Senator Vadalabene, what purpose do you arise?

31. SENATOR VADALABENE:

32. Yes, I've been on twenty-three of these cases
33. in my district since I've been in the Legislature.

1. The formula is seventy percent is borne by the State,
2. twenty percent by the county, the municipality or
3. the township and ten percent by the railroad. If
4. there's extensive work done at the grade crossing
5. proper, the State of Illinois will sometimes waive
6. the twenty percent. The problem is with the
7. Illinois Commerce Commission and the hearings, that
8. after you get the verdict, it takes them forever
9. for the railroads to make the installation and
10. are you doing anything to expedite that because it takes
11. them from a year to a year and a half after you
12. win and in the meantime other people are getting
13. killed.

14. PRESIDENT:

15. Senator Ozinga.

16. SENATOR OZINGA:

17. According to the statement that was given
18. me and I think was put on all of your desks, they
19. say the very words that they give here is the
20. lag time from identification of a crossing that
21. needs protection until safety devices are installed
22. and operation, reduces the effectiveness of the
23. state grade crossing protection program. It
24. currently takes about two years from the time
25. the commission receives a petition for the installation
26. of crossing protection until the construction is
27. completed. Eliminating the hearing process
28. could reduce by four to six months, the time
29. normally required to implement the crossing protection
30. procedure. Having the safety devices in at the
31. earlier date, will provide safer grade crossing
32. for the protection of the lives and the property.

33.

1. PRESIDENT:

2. Are there any further questions after that explanation?

3. All right. Senator Davidson.

4. SENATOR DAVIDSON:

5. I have a question of the sponsor, if he'll
6. yield.

7. PRESIDENT:

8. Indicates he will yield.

9. SENATOR DAVIDSON:

10. If this would become law and the municipality
11. or the township or the State and the railroad agree
12. and there's no public hearing, what happens to the
13. individual property owners or residents that may be
14. affected by the closing of this crossing to have
15. their opportunity to be heard?

16. PRESIDENT:

17. Senator Ozinga.

18. SENATOR OZINGA:

19. There's no...there's no closing of the crossing.
20. This is only for the installation of grade crossing
21. markers or lights or et cetera.

22. PRESIDENT:

23. Senator Davidson.

24. SENATOR DAVIDSON:

25. I...I hope that stays correct cause I have just
26. been baptized in oil by the railroad and the railroad
27. people and the township who closed a crossing on a
28. road that existed before the railroad was built and now
29. has isolated five people from any source of
30. transportation anytime it rains cause in a one
31. inch rain the water is over the bridge. I'm suspicious
32. of anything that has to do with grade crossings that
33. the public can't be heard.

1. PRESIDENT:

2. Senator Vadalabene had apparently not finished
3. and the Chair mistakenly cut him off. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Yes, Senator Ozinga, what I want to know from you
6. is, the municipalities now out of the motor fuel tax
7. funds and the county can pay the twenty percent grade
8. crossing. They can pay it. Are you saying now that you're
9. going to take that to fifty percent? Your're not?

10. PRESIDENT:

11. Senator Ozinga.

12. SENATOR OZINGA:

13. Nothing at all. I'm not saying anything with
14. regard to amounts, Senator. All that I am saying
15. is that the information that I get, it would remain the
16. same, but if everybody's in accord, they could waive
17. these hearings.

18. PRESIDENT:

19. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Now, one more question. When the...when the
22. railroads...when the railroads accede to the...to the
23. protection of the grade crossing, then they want a
24. vacation about five or six other crossings in that town
25. and the people can't get out of town because they
26. protected one. Are you doing anything in this legislation
27. to...to help the railroads to close up these other
28. crossings?

29. PRESIDENT:

30. Senator Ozinga.

31. SENATOR OZINGA:

32. No.

33. PRESIDENT:

34. The answer was No.

1. SENATOR OZINGA:
2. There...there seems to be some confusion and this
3. has been at the request of the Commerce Commission.
4. that this request comes in. I don't have any further
5. information and I would respectfully say; let's
6. take it out of the record.

7. PRESIDENT:
8. Senator Ozinga has asked to take the bill out of
9. the record. Take the bill out of the record.
10. For what purpose does Senator Demuzio arise?

11. SENATOR DEMUZIO:
12. Well, Senator...

13. PRESIDENT:
14. If it's on this bill, Senator, could you discuss
15. it with Senator Ozinga privately and...Senate Bill
16. 847, Senator Berning. Read the bill.

17. SECRETARY:
18. Senate Bill 847.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.

21. PRESIDENT:
22. Senator Berning.

23. SENATOR BERNING:
24. Thank you, Mr. President. The bill does exactly
25. as the title indicates, brings the director in
26. conformity with the other cabinet officers and is the
27. request of the Executive branch. I would move for a
28. favorable roll call.

29. PRESIDENT:
30. Is there any discussion? Senator Carroll.

31. SENATOR CARROLL:
32. If the sponsor would yield to a question.

33. PRESIDENT:

1. Indicates he will yield. Senator Carroll.

2. SENATOR CARROLL:

3. Senator Berning, what is the term of office of the

4. current director and what change would this make?

5. PRESIDENT:

6. Senator Berning.

7. SENATOR BERNING:

8. This reduces it from a two year to a four year

9. term and brings...the present term would terminate

10. on the third Monday in January, 1979.

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. And are you also indicating to us that all other

15. cabinet officers will terminate in January, 1979?

16. PRESIDENT:

17. Senator Berning.

18. SENATOR BERNING:

19. Yes.

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Including savings and loans, banks, et cetera?

24. PRESIDENT:

25. Senator Berning.

26. SENATOR BERNING:

27. Not the savings and loan, as I understand.

28. PRESIDENT:

29. Senator Carroll.

30. SENATOR CARROLL:

31. Isn't he a member of the cabinet and where would he

32. differ from financial institutions?

33. PRESIDENT:

1. Senator Berning.

2. SENATOR BERNING:

3. That is not a code department.

4. PRESIDENT:

5. Senator Carroll.

6. SENATOR CARROLL:

7. What, pray tell, is it, then and is it a member

8. of the cabinet?

9. PRESIDENT:

10. Senator Berning.

11. SENATOR BERNING:

12. The various code departments.

13. SENATOR CARROLL:

14. I do not believe the sponsor was responsive to

15. my question. Question being, is he a member of the

16. cabinet? If you want to talk to Saul, I'll give you

17. a moment. Okay. Because I understood that some of the

18. areas of financial institutions, meaning banks, savings

19. and loans are on different terms of office. Some are

20. for very lengthy periods. Why are we changing this

21. one by reducing them from two to four years which I don't

22. understand that anyway.

23. PRESIDENT:

24. Senator Berning.

25. SENATOR BERNING:

26. This is the only code department which differs

27. from the others. And this brings the termination of the

28. appointments of all of them at the same time.

29. PRESIDENT:

30. Senator Carroll.

31. SENATOR CARROLL:

32. What are the other...

33. PRESIDENT:

34. Senator Berning indicates that he will not yield to any

1. further questions.
2. SENATOR CARROLL:
3. Okay. I...I would then pose a question to the Body.
4. If the others are not code departments, what are they
5. doing with directors who serve on the cabinet?
6. PRESIDENT:
7. Any further discussion? If not, the question is shall
8. ...shall Senate Bill 847 pass. Those in favor will vote
9. Aye. Those opposed will vote Nay. The voting is open.
10. Have all voted who wish? Have all voted who wish?
11. Take the record. On that question the Ayes are 38,
12. the Nays are none, none...3 Voting Present. Senate
13. Bill 847 having received a constitutional majority
14. is declared passed. Senate Bill 849, Senator Walsh.
15. Read the bill.
16. SECRETARY:
17. Senate Bill 849.
18. (Secretary reads title of bill)
19. 3rd reading of the bill.
20. PRESIDENT:
21. Senator Walsh.
22. SENATOR WALSH:
23. Mr. President and members of the Senate. Under
24. the present law, the Illinois Income Tax Act provides
25. that failure to file a tax return fraud, the penalties
26. for such offenses are five percent of the tax liability.
27. Senate Bill 849 would provide that the penalty be five
28. percent of the liability or twenty-five dollars whichever
29. is greater. The department feels that a twenty-five
30. dollar penalty might assist in compliance. The tax
31. liability in many cases is so low that five percent does
32. not provide a sufficient incentive to file a return
33. promptly. I think it's a good bill and should pass.

1. PRESIDENT:
2. Is there any discussion? If not, the question is
3. shall Senate Bill 849 pass. Those in favor will vote
4. Aye. Those opposed will vote Nay. The voting is open.
5. Have all voted who wish? Have all voted who wish?
6. Take the record. On that question...on that question
7. the Ayes are 31, the Nays are 11, 1 Voting Present.
8. Senate...Senate Bill 849 having received a constitutional
9. majority is declared passed. Senator Lemke has requested
10. a verification of the roll call. Secretary will read
11. the affirmative votes.
12. SECRETARY:
13. The following voted in the affirmative:...

14. PRESIDENT:
15. Senator Glass.
16. SENATOR GLASS:
17. I don't believe Senator Lemke is on the roll call.
18. Is it proper that he request a verification?
19. PRESIDENT:
20. I...I think there are several Senators that have
21. asked for a verification of the roll call. The Secretary
22. will read the...those voting in the affirmative.
23. SECRETARY:
24. The following voted in the affirmative: Berning,
25. Bloom, Bowers, Bruce, Coffey, Davidson, Donnewald,
26. Glass, Graham, Grotberg, Harber Hall, Hickey,
27. McMillan, Mitchler, Moore, Leonard, Netsch, Nimrod,
28. Ozinga, Philip, Regner, Rhoads, Roe, Rupp, Schaffer,
29. Sommer, Soper, Walsh, Washington, Weaver and Wooten.
30. PRESIDENT:
31. Senator...is Senator Roe on the Floor? Take his
32. name from...take his name from the roll. Senator Buzbee.
33. Senator Nimrod on the Floor? Senator Nimrod is on the Floor.

1. Is Senator Soper on the Floor? Senator Soper is not on
2. the Floor. Take his name from the roll call. All right, Senator...
3. Senator Soper is on the Floor. His name will be left on
4. the roll call. Senator Buzbee. Senator Buzbee.
5. Senator Wooten is on the Floor. The roll has been
6. verified. 30 Ayes, 11 Nays, 1 Voting Present. Senate
7. Bill 849 having received a constitutional majority
8. is declared passed. Senate Bill 850, Senator Bloom.
9. Read the bill.
10. SECRETARY:
11. Senate Bill 850.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.
14. PRESIDENT:
15. Senator Bloom.
16. SENATOR BLOOM:
17. Thank you very much, Mr. President and members of the
18. Body. Apparently there is a gap in the property tax
19. appeal system that was brought to my attention by my
20. county treasurer and the Treasurer's Association.
21. Basically, when a decision has been made by the Property
22. Tax Appeal Board, or the circuit court after a
23. distribution, after the taxes are collected and dispersed
24. to the special...the various units of government, then
25. the county treasurer has no alternative but to make
26. the appropriate refund. Now, what 850 does, amends
27. Section 139 by adding the language after paid, under
28. protest in compliance with the provisions of Section
29. 194 of the Act. The amendment added the same language
30. to Section 111.4. This was thought by the Assistant
31. State's Attorney in my county to remedy that so the county
32. treasurer could set aside the funds that were paid under
33. protest and otherwise, he would have to give them

1. directly over to your school districts and your sanitary
2. districts and what have you.

3. PRESIDENT:

4. Is there any discussion? Senator Berning.

5. SENATOR BERNING:

6. Just a point of information. This would hold true
7. with special assessments as well, I believe and frequently,
8. there can be delays in the adjudication of protests.
9. Are...are you indicating then, Senator, that everything that
10. is paid on a special assessment where a protest is filed
11. would have to be held until the final disposition of
12. any and all protests?

13. PRESIDENT:

14. Senator Bloom.

15. SENATOR BLOOM:

16. No, I am not. I'm indicating that if the protesting
17. taxpayer complies with Section 194 of this Act, he would
18. get his refund. What the county treasurer...the gap
19. that is trying to be remedied here is where he has no notice
20. that's it's in the circuit court or else on a State thing
21. that's down before the appeal board and all of a sudden,
22. a decision comes down saying, you're larger taxpayers.
23. You know, your Caterpillars, your corn products, et cetera,
24. get a substantial reduction in their assessment or their
25. tax.

26. PRESIDENT:

27. Senator Berning.

28. SENATOR BERNING:

29. Well, Mr. President and members of the Senate. I
30. regret imposing any additional delay on the deliberations
31. of the Body. I wish I had been alerted to this bill before.
32. Having been a county treasurer, I'm just a little bit
33. familiar of what can occur and let me tell you that in the
34. case of a special assessment, a one time assessment which

1. is paid by the individuals and distributed, the treasurer
2. has no way of getting money to rebate to anyone who
3. has paid under protest since there is no more money coming
4. in. This does present a serious problem. Albeit, there
5. is justification for providing for blanket...

6. PRESIDENT:

7. Senator Berning.

8. SENATOR BERNING:

9. I'm talking...I'm talking about what
10. this bill, as I see it, would impose on the treasurer
11. as an impossible requirement. I...I think we could work it
12. out. I've been interested in trying to establish
13. some kind of a class action which would tie up all funds
14. until all protests are settled, but I've never been able
15. to get anybody to seriously consider that, but perhaps
16. we can work something else out. I...I'm not suggesting
17. you hold the bill. Maybe we could do it in the House.
18. The idea is all right, but the implementation of it,
19. I'm sure if you will verify with your treasurer,
20. could present just insurmountable administrative
21. problems.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. Thank you, Mr. President and Ladies and Gentlemen
26. of the Senate. This bill in its unamended form, came
27. out of the Revenue Committee unanimously for a number
28. of reasons. One, it does not apply to the County of
29. Cook and two, as discussed in the committee, it was to
30. affect only assessments of railroad property and corporate
31. capital stock. The amendment, however well intended, I would
32. suggest to those who represent counties other than Cook,
33. that they take a long hard look at it because it now says

1. that it applies to appeals of assessments made locally
2. on real estate and personal property. So that anyone
3. who appeals his assessment, can appeal under protest
4. and appealing under protest is a little different
5. than the current procedure, because appealing under
6. protest ties up that money. The local taxing units
7. don't have access to that money.

8. PRESIDENT:

9. Senator Bruce.

10. SENATOR BRUCE:

11. Well, I rise in opposition to this bill because
12. in every county outside of Cook, the impact on school
13. districts and county government could be devastating
14. if any taxpayer wishes to challenge his assessment,
15. he must both challenge it and pay his taxes under
16. protest, those protested tax funds are locked up.
17. The county government, the school districts, no one
18. can use those until the assessment problem is resolved
19. and this bill was minor in nature when it came out
20. but I am sure that every taxing body in this State is going
21. to be very excited, when they found out...find out that
22. anyone who appeals their assessment to a tax appeals board
23. is also going to pay their taxes under protest. I understand
24. the intent of the bill is to alert county governments
25. and other taxing bodies of the fact that the taxes are
26. paid under protest and that is not the way it's done now.
27. If you want to challenge your assessment, you challenge it,
28. pay your taxes. If you win on your assessment, all of a
29. sudden the money that the county government thought they
30. were going to get is missing, that's true. That creates
31. a big problem. But, this bill says that if you're
32. going to challenge your assessment, you also have to pay
33. your taxes under protest. And that just locks up the

1. money, sometimes for several years. I think this is
2. a very major change in the bill and a bad one.

3. PRESIDENT:

4. Senator Bloom.

5. SENATOR BLOOM:

6. That being the case, I'd like to take it out of the
7. record and take it back to 2nd and strip off the amendment
8. to Section 111.4. Thank you.

9. PRESIDENT:

10. All right, fine. As long...so long as you indicate
11. your desire to amend it because if you don't, it won't
12. be any better next week. All right. Take the bill out
13. of the record. Senate Bill 862, Senator Newhouse.
14. Senate Bill 868, Senator Harber Hall.

15. SECRETARY:

16. Senate...Senate Bill 868.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Harber Hall.

21. SENATOR HALL:

22. This is a nonsubstantive, administration merely bill.
23. Simply put, this excludes from the public...from
24. the consideration of public utility air carriers in
25. Illinois. With the passage of the Air Carrier Act
26. in Illinois, it is deemed sufficient that between
27. the Aeronautics Board and the CAB we have sufficient
28. control of air carriers so that the Illinois Commerce
29. Commission need not have control such as this and this
30. specifies it. I'd be glad to answer any questions.

31. PRESIDENT:

32. Is there any discussion? Senator Wooten.

33. SENATOR WOOTEN:

1. I'd just rise in support of the bill. The ICC's
2. regulation of the air carriers is minimal. We have the
3. Illinois Aeronautics Board to do the job and I think this
4. is the proper change in the statutes.

5. PRESIDENT:

6. The question is shall Senate Bill 868 pass. Those
7. in favor will vote Aye. Those opposed will vote Nay.
8. The voting is open. Have all voted who wish?
9. Have all voted who wish? Take the record. On that
10. question the Ayes are 50, the Nays are none, none
11. Voting Present: Senate Bill 868 having received
12. a constitutional majority is declared passed.
13. We have put in a good day's work and ended on a very high
14. note for Senator Harber Hall and I think we ought to
15. move off the Order of 3rd reading. We do have some
16. housekeeping matters to take care of. There are
17. three bills which members have requested leave to go to
18. for the purpose of moving from 2nd to 3rd or back from
19. 3rd to 2nd for purpose of amendment. Do we have leave?
20. Leave is granted. Senate Bill 511, Senator Bruce,
21. on the Order of 3rd reading. Is leave granted to bring
22. it back to the Order of 2nd reading for the purpose
23. of amendment? Leave is granted. Senate Bill 511,
24. Senator Bruce.

25. SENATOR BRUCE:

26. Thank you, Mr. Chairman. I...the bill is on the
27. Order of 2nd reading? I would offer Amendment No. 1.
28. Amendment No. 1 will strike the two dollar additional
29. cost for publication of assessment list, several counties
30. including Cook and the Urban Counties Council suggested
31. that it would be inappropriate to have a two dollar
32. charge for the publication of the assessment list and
33. that was one of the matters before the Revenue Committee

1. that they had some concern about and this amendment
2. would strike that two dollar additional charge.

3. PRESIDENT:

4. Is there any discussion?

5. SECRETARY:

6. Amendment No. 1.

7. PRESIDENT:

8. Senator Bruce moves the adoption of Amendment No. 1.

9. All those in favor signify by saying Aye. Opposed.

10. The Ayes have it. The amendment is adopted. Any further
11. amendments?

12. SECRETARY:

13. No further amendments.

14. PRESIDENT:

15. 3rd reading. Senate Bill 879, Senator Coffey
16. on the Order of 3rd reading. Is leave granted to bring
17. the bill back to the Order of 2nd reading? Leave is
18. granted. Senator Coffey.

19. SENATOR COFFEY:

20. Mr. President and members of the Senate. I would like
21. to take Senate Bill 879 back for reasons to delete
22. Amendment No. 2 and No. 3 because of technical errors.
23. I think Senator Egan has got that amendment if he...
24. is he on the Floor? We would like to Table Amendments
25. No. 2 and No. 3.

26. PRESIDENT:

27. Senator...Senator Coffey moves to reconsider the vote
28. by which Amendments No. 2 and 3 were adopted. All those
29. in favor signify by saying Aye. Opposed. The Ayes
30. have it. The vote is reconsidered. Senator Coffey moves
31. to Table Amendments No. 2 and 3. All those in favor
32. signify by saying Aye. Opposed. The Ayes have it.

33.

1. The amendments are Tabled.

2. Senator Coffey on Amendment No. 4.

3.
4. SECRETARY:

5. Amendment No. 4 offered by Senator Egan.

6. PRESIDENT:

7. Senator Egan.

8. SENATOR EGAN:

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

10. This amendment is...has no substantive change. There
11. were three amendments offered, two of which were overlapping.

12. This corrects the mistakes that brought...were brought
13. about by those overlapping amendments and it's by agreement
14. and I ask for your support in...in its adoption.

15. PRESIDENT:

16. Is there any discussion? Senator Hickey.

17. SENATOR HICKEY:

18. None of these amendments change the...the bill
19. substantively at all? Are there any amendments
20. that do make substantive changes?

21. PRESIDENT:

22. Senator Egan.

23. SENATOR EGAN:

24. Yes, the original amendment did. That was voted
25. up. But, this amendment does not change that amendment
26. which was voted up. It merely corrects the mistakes
27. that were made on the overlapping amendment. Yes.

28. PRESIDENT:

29. Senator Egan moves the adoption of Amendment No. 4.
30. All those in favor signify by saying Aye. Opposed.
31. The Ayes have it. The amendment is adopted. Any further
32. amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDENT:

3. 3rd reading. Senate Bill 1306, on the Order
4. of...for what purpose does Senator Vadalabene arise?

5. SENATOR VADALABENE:

6. Yes, thank you, Mr. President. I notice some of the
7. members are starting to stray away and...and the...the
8. Committee on Executive Appointments is scheduled to meet
9. in Room 212 at 8:30 tomorrow morning and since you have
10. disposed of quite a few bills and assigned them to
11. different committees, I am changing the time from 8:30
12. tomorrow morning to 9:00 o'clock tomorrow morning.
13. Room 212.

14. PRESIDENT:

15. Senate Bill 1162, on the Order of 3rd reading,
16. Senator Walsh. Is leave granted to bring it back to the
17. Order of 2nd reading? Leave is granted. Senator Walsh.

18. SENATOR WALSH:

19. Mr. President and members of the Senate. I would
20. request...is it on 2nd reading now, Mr. President?

21. PRESIDENT:

22. Yes, it is.

23. SENATOR WALSH:

24. On the Secretary's Desk there is Amendment No. 2
25. which resolves a question that was raised by Senator
26. Hickey in the Higher Education Committee and I would
27. urge the adoption of Amendment No. 2.

28. PRESIDENT:

29. Is there any discussion? Senator Walsh moves the
30. adoption of Amendment No. 2. All those in favor signify
31. by saying Aye. Opposed. The Ayes have it. The amendment
32. is adopted. Any further amendments?

33. SECRETARY:

1. No further amendments.

2. PRESIDENT:

3. 3rd reading. On the Order of 3rd reading, Senate
4. Bill 814. Senator Carroll. Do we have leave to bring it
5. back to the Order of 2nd reading? Leave is granted.

6. Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. There's an amendment on
9. the Secretary's Desk, Amendment No. 1, which was requested
10. by the Secretary of State in line with the bills that
11. Senator Hickey has offered to give a waiver for good
12. faith and an effective date of January 1 so that they
13. could comply. I would move the adoption of Amendment
14. No. 1.

15. PRESIDENT:

16. Any discussion? Senator Carroll moves the adoption
17. of Amendment No. 1. All those in favor signify by saying
18. Aye. Opposed. The Ayes have it. The amendment is adopted.
19. Do we have leave to go to the Order of...

20. SECRETARY:

21. Any...

22. PRESIDENT:

23. ...Senate Bills...Senate Bill...any further amendments
24. to Senate Bill 814?

25. SECRETARY:

26. No further amendments.

27. PRESIDENT:

28. 3rd reading. Do we have leave to go to the Order of
29. Senate Bills, 2nd reading, for the purpose of moving
30. two bills which members have requested? Leave is granted.

31. Senate Bill 433, Senator Carroll. Read the bill.

32. Senate Bill 433..Read the bill.

33. SECRETARY:

1. Senate Bill 433.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments. One
4. Floor Amendment offered by Senator Carroll.
5. PRESIDENT:
6. Senator Carroll.
7. SENATOR CARROLL:
8. Thank you, Mr. President. This was the amendment
9. discussed in committee that has been worked on by both
10. members of the committee, it's staff, the Medical
11. Society, Hospital Association and others and has been
12. their agreed to version. Could solve the problem in
13. Cook County Hospital and with the Department of R and E
14. as to the other hospitals throughout the State. I would
15. move the adoption of the amendment.
16. PRESIDENT:
17. Any further discussion? If not, Senator...Senator
18. Glass.
19. SENATOR GLASS:
20. Only, Mr. President, to ask Senator Carroll. I guess
21. we have copies of the amendments. We'd just appreciate
22. an opportunity before you call this bill on 3rd, to go
23. over them and discuss it.
24. PRESIDENT:
25. Senator Carroll moves the adoption of Amendment
26. No. 1. All those in favor signify by saying Aye. Opposed.
27. The Ayes have it. The amendment is adopted. Any further
28. amendments?
29. SECRETARY:
30. No further amendments.
31. PRESIDENT:
32. 3rd reading. Senate Bill 1306, Senator Lemke.
33. Read the bill.

1. SECRETARY:
2. Senate Bill 1306.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. The Committee on Labor and
5. Commerce offers one amendment.
6. PRESIDENT:
7. Senator Lemke.
8. SENATOR LEMKE:
9. ...Amendment No. 1.
10. PRESIDENT:
11. Senator Lemke moves the adoption of Amendment No. 1.
12. All those in favor signify by saying Aye. Opposed.
13. The Ayes have it. Amendment No. 1 is adopted. Any
14. further amendments?
15. SECRETARY:
16. Amendment...no further committee amendments.
17. PRESIDENT:
18. Any amendments from the Floor?
19. SECRETARY:
20. Amendment No. 2 offered by Senator Harber Hall.
21. PRESIDENT:
22. Senator Harber Hall.
23. SENATOR HALL:
24. This amendment makes a questionable bill a little
25. less questionable, I guess. This bill relates to
26. the setting of wage rates and it specifies that the county
27. board would set wage rates and this amendment would say
28. that local bodies, governmental bodies, under the...lower
29. order than the county, would set their own rates and failing
30. to do that, the county board would file the rate and
31. also included here a copy of the filing resolution would be
32. sent to the Department of Labor and the Secretary of
33. State and the Department of Labor recommended this change

1. because they say it would make the Act easier to enforce,
2. assuming the Act is enacted.

3. PRESIDENT:

4. Senator Lemke.

5. SENATOR LEMKE:

6. This would probably be a first to have Harber Hall
7. and Labor...the Department of Labor all agree on something.
8. You're going to move for the...I guess he'll move for the
9. adoption.

10. PRESIDENT:

11. Senator Hall moves for the adoption of Amendment
12. No. 2. All those in favor signify by saying Aye.
13. Opposed. The Ayes have it. The amendment is adopted.
14. Any further amendments?

15. SECRETARY:

16. No further amendments.

17. PRESIDENT:

18. 3rd reading. Senator Vadalabene has previously
19. announced that Executive Appointments would meet
20. at 9:00 a.m. and I think that makes sense that both
21. committees, Agriculture, Conservation and Energy and
22. Executive Appointments meet at 9:00 a.m. tomorrow
23. morning at the places scheduled. 9:00 a.m. for the
24. committees tomorrow morning. Is there any further
25. business to come before the Senate? If not, Senator Rock
26. moves that the Senate stand adjourned until tomorrow
27. at 11:00 a.m. All those in favor signify by saying
28. Aye. Opposed. The Ayes have it. The Senate stands
29. adjourned.

30.

31.

32.

33.